

***Expert Meeting within the Framework of the Conflict Cycle –
V to V Dialogue:***

‘Strengthening the Mediation-Support Capacity within the OSCE’

Chair’s Perception

The 3rd follow-up event to the 15 April 2011 Ambassadorial meeting within the Framework of the Conflict Cycle – V to V Dialogue, ‘Strengthening the Mediation-Support Capacity within the OSCE’, took place on 12 July 2011 in Vienna. A *Background Note on OSCE Mediation and Mediation-Support Capacities* (hereafter, the *Background Note*) prepared by the Conflict Prevention Centre (CPC) for the meeting was distributed on 3 June 2011 under SEC.GAL/94/11. On 7 June 2011, the Chairmanship issued a letter of invitation under CIO.GAL/110/11 with an attached first version of the agenda. A draft proposal for an OSCE *Concept on Strengthening Mediation-Support within the OSCE* (hereafter, the draft *Concept*) was circulated by the Chairmanship on 6 July 2011 under CIO.GAL/137/11, with an updated agenda issued on 11 July 2011 under CIO.GAL/110/11/Corr.2.

The *Background Note* provided a brief overview of the experiences and the comparative strengths of the OSCE as a mediator and the challenges it faces in dialogue facilitation and mediation activities. A preliminary review as to how the OSCE could enhance and optimize its mediation practice by developing a systematic and robust mediation-support capacity on the operational/technical level was also the focus of the *Background Note*. The draft *Concept*, was the subject matter for discussion in the second part of the meeting, following introductory comments by Ambassador Thomas Greminger (Switzerland), the moderator and co-ordinator for mediation and mediation support. The *Concept* served as a first draft outlining elements of a mediation-support capacity and its possible implementation.

A three-expert panel, including Dr. Simon Mason (Mediation Support Project, Center for Security Studies, ETH Zürich, Switzerland); Dr. Johannes Schachinger (Division for Conflict Prevention, Mediation and Peacebuilding, European External Action Service, Brussels), and Mr. Alexandros Katsanis (Counsellor Expert/Senior Advisor, Permanent Mission of Greece to the OSCE, Vienna) addressed the delegations, following introductory remarks by Ambassador Renatas Norkus, Chairperson of the OSCE Permanent Council (distributed under CIO.GAL/142/11, 13 July 2011), and the introductory comments by Ambassador Greminger. In his introductory remarks, the PC Chairperson emphasized briefly the advantages of strengthening OSCE mediation support, including assisting future Chairmanships to act more effectively to carry out their responsibilities with regards to dialogue facilitation and mediation. In this context, the PC Chair clearly underlined that the aim was not to change or modify existing mandates but to enhance the operational ability of the OSCE to act and to do the best possible job in what the Organization was doing already. He lauded the draft *Concept* which he perceived as a concrete deliverable for the Vilnius Ministerial Council. Highlighting the importance of a mediation-support capacity for the

OSCE, each panelist approached the topic of mediation support from his distinct angle of expertise. Dr. Mason defined the parameters of mediation support referring to it as a systematic, structured and professional support to mediation processes, broadly defined, including a variety of tasks such as research, knowledge management, direct process support, training, co-ordination/networking as well as policy advocacy. The underlying rationale behind mediation support was to make mediation involvement more relevant and effective and improve the sustainability and constructive impact of mediation, in particular as mediation processes were becoming increasingly complex.

Drawing attention to the experiences of the European Union (EU) in developing a concept to strengthen its dialogue facilitation and mediation-support capacity, Dr. Schachinger expressed his Organization's strong support for OSCE efforts in establishing a similar capacity. He pointed to the three crucial lessons learned from the EU experience: that a clear concept on strengthening mediation-support, such as the EU has, is key, as it created an institutional home for mediation within the European External Action Service; that political objectives have to be matched with financial and human resources; and that demand for mediation involvement of an organization increases if good quality mediation is provided in a continuous manner. This also assured the continued demand for mediation support (distributed under PC.DEL/731/11, 13 July 2011).

Speaking from the perspective of lessons learned during the involvement of the Greek OSCE Chairmanship in mediation processes, Mr. Katsanis provided practical examples demonstrating how crucial a mediation-support capacity is for an OSCE Chairperson-in-Office's Special Representative (CiO SR) on Protracted Conflicts. Thus, a mediation-support capacity not only ensures a structured mediation process but also assists in early preparedness and the efficiency of OSCE mediators and their teams. A mediation-support capacity also contributes to the continuity of a mediation process and it holds the potential for maximizing the visibility of OSCE involvement.

In his Introductory Comments to the "Way Forward", which constituted the second part of the meeting, Ambassador Greminger gave a brief overview of the complexity of dialogue facilitation and mediation, the four essential pillars that make up a mediation-support capacity, and a visual presentation of such proposed capacity within the OSCE Conflict Prevention Centre.

In their interventions during both sessions of the expert meeting, delegations noted their appreciation for the perspectives and materials provided, including the *Background Note* and the draft *Concept*, and appreciated the work done by the Chairmanship, the co-ordinator and his delegation in organizing this event. In general, ideas and perspectives presented were met with openness by delegations, and although a number of critical questions were raised, these were considered pertinent as they also enriched the debate and made for constructive interaction.

The first interventions were given by two delegations that wanted to raise awareness of their role as co-sponsors of a recently passed UN General Assembly Resolution (A/RES/65/283 - 22 June 2011) on strengthening mediation activities, and to their co-sponsorship of a special group which had been created for that purpose, referred to as "Friends of Mediation." It was informed that the General Assembly Resolution had passed unanimously and had been co-sponsored by sixty-eight countries, thirty-nine of which are also OSCE participating States. This was the first UN Resolution ever on mediation, and it was believed that the Resolution

could serve as guidance for further discussions. In particular, the Resolution invited regional organizations to develop mediation capacities and structures and called for the development of more partnerships among organizations. One of the two delegations noted that it was ready to support further work regarding an OSCE concept on strengthening mediation support.

Several other delegations made interventions supporting the idea of the viability and usefulness of a mediation-support capacity, and that the Secretariat be provided with more support to strengthen such capacities. Some noted that it was important that mediation be addressed as an integral element in the discussions on the entire conflict cycle and that the effectiveness of conflict resolution efforts be improved. One delegation underscored the importance that the strengthening of mediation-support holds for the OSCE if it wanted to continue to play a role in this area. The delegation therefore agreed with the number of measures proposed in the draft *Concept*, including training and capacity-building, knowledge management, and operational assistance. In particular, the extraction of lessons learned/best practices and the formulation of operational guidance were considered instrumental. The same delegation expressed its readiness to work further with the Chairmanship and the coordinator in support of enhancing OSCE mediation capacities.

Emphasizing that it supported the draft *Concept*, another delegation expressed that preventive mediation should also be part of the focus of mediation support, and that the role of women in mediation efforts, as stipulated in UN Security Council Resolution 1325 be taken into account. In its support to the draft *Concept*, one delegation also requested that consideration be given to OSCE mechanisms and instruments such as the Court of Conciliation and Arbitration and other conciliation provisions that the Organization has available. Complimenting the activities of the Chairmanship on the four phases of the conflict cycle and the concrete proposals already on the table, this delegation voiced that the draft *Concept* provided already a sound basis for further deliberations, although some particular elements contained within would still have to be explored further. In this context, the issue of a lessons-learned database was mentioned, which could be considered as an overarching issue for the entire conflict cycle. Networking and the co-operation and co-ordination with other international organizations and actors were also favored by several delegations.

Welcoming the balanced approach that had been taken, one delegation informed on its readiness for dialogue and further work on any possible draft decision on the conflict cycle for the upcoming Ministerial Council. However, it underlined that its position on certain issues would have to be taken into account. It outlined among some of these, for example, the requirement to maintain the consensus principle; for mediation to only take place with the consent of all sides; and for mediation to be conducted in an unbiased and impartial manner. It supported an enhancement of the role of the Secretary General in conflict resolution although this should not come at the expense of the Chairmanship. Another delegation proposed that a needs assessment might first be considered, covering the political and technical aspects of mediation support given its understanding that there were already substantial mediation capacities. Existing gaps should be identified. The experiences of the OSCE Minsk Group could also be evaluated as a lessons-learned activity given the longevity of its operation.

Pertinent questions were raised by a number of delegations, in particular in relations to required financial and human resources. One delegation questioned what was meant by 'within existing resources' as reflected in the draft *Concept* and pointed out to the possibility of transfers from other parts of the Unified Budget (UB) as a way of securing necessary

resources for strengthening mediation support.. This also reflected the thinking of one delegation which emphasized that serious consideration be given to questions regarding resources. One delegation supported the establishment of a special fund with its use being flexible; another delegation insisted that such a fund should be further discussed; a third noted that it was necessary to look into the issue of how such a fund would co-exist with other contingency funds.

In their comments and/or responses to questions during both parts of the expert meeting, the presenters, the co-ordinator, and the two deputy directors of the CPC made several remarks which are briefly summarized. Delegations were reminded that the CPC already had elements of a mediation-support capacity, including activities in the field, but that it was pertinent that efforts go forward to further systematize all capacities available, including training, and create a more robust support. Second, there was not a single international organization with a mediation-support capacity that could do without expertise from outside. Partnerships with non-governmental actors were thus important in that regard. Moreover, non-governmental actors could assist in facilitating national and local capacities for mediation. Given the nature of the mediation process as one guided by impartiality, it was a given that only well-established non-governmental actors would be considered as potential external partners.

Emphasized also was that a mediation-support capacity was firmly of an operational/technical nature, and hence was not meant to be a competing political decision-making body. Rather, its main task would be that of a service-provider. It could also provide support to the settlements of protracted conflicts as well as preventing new conflicts. As to issues related to resources, these could be discussed at different stages as there were several options available for setting up a mediation-support capacity, including initially by means of an extra-budgetary fund. The nomination of a focal point could be a first (and non-costly) step allowing for further development afterwards. As to assessing needs and existing gaps, the materials provided for the expert meeting already reflected such an assessment. In fact, the only gap that was currently identifiable was that other international organizations, such as the UN and the EU, had already invested in a mediation-support capacity while the OSCE had not.

In closing, Ambassador Greminger perceived that there was strong support for strengthening the OSCE's dialogue facilitation and mediation-support capacity, even though there were pertinent questions posed. He recognized considerable support for the inclusion of some key ideas contained in the draft *Concept* into a Ministerial Council decision. Furthermore, he perceived the will to continue discussions based on the draft *Concept*, and expressed his gratitude for this. Lastly, he noted that it still remained to be decided how to organize the follow-up work, either by means of a working group or some other alternative format, and that Delegations would be informed accordingly.