

EU Support to peace mediation: developments and challenges

Summary

The EU is focussing more attention on mediation as a tool of first response and is increasingly integrating it into its conflict prevention strategies. The EU has developed a number of useful and, some cases, very successful strategies and tools to support peace mediation outside the EU's borders. This has, however, been somewhat inconsistent and ad hoc. Lessons from successes and less effective engagements have not yet been analysed to serve as useful guidance for future peace mediation.

EPLO recommends that the EU make its contributions – direct and indirect – to mediation more effective in the following ways.

At a conceptual and strategic level the EEAS should:

1. Develop lessons learnt from EU's successful and less successful engagements in peace mediation efforts to inform future engagements and publish the evaluation of the Pilot Project on Mediation and Dialogue;
2. Adopt an EU mediation glossary comprising common definitions and concepts;
3. Conceptualise how the EU can engage in complex mediation processes;
4. Consider how to make EU support to the efforts of others as effective as possible;
5. Balance the EU's support for "prestige mediators" with support to other actors, such as insider mediators, and develop strategies to support them;
6. Reflect on applying relevant aspects of the UN Guidance for Effective Mediation;
7. Develop accountability and evaluation systems for EU peace mediation.

At the operational level the EEAS should:

8. Define clear strategies to support a peace process in a given context and then match the tools and the staffing to the strategic requirements;
9. Ensure clarity on leadership, mandates and mediation functions of EU actors involved in peace mediation efforts;
10. Elaborate how dialogue, mediation and facilitation activities in any given strategy are linked to and integrated into other tools to support peace;
11. Consistently apply the principle of inclusive peace processes, ensuring adequate involvement and/or consultation of civil society actors and links with parallel, less formal processes with formal, diplomatic negotiations;
12. Work with the parties to develop and implement adequate communication strategies on existing dialogue processes towards local populations.

Introduction

Peace mediation, like the conflicts it aims to resolve and prevent, is complex.¹ Traditional diplomacy focuses on narrow definitions of peace processes where political and military leaders of conflict parties are brought together to end violent conflict.² But today, conflict dynamics at community, regional and international levels are often inter-connected and involve many actors. State-led efforts are often unable to address these different dimensions of conflict in a comprehensive way so complementary dialogue processes and / or the inclusion of non-state actors in official talks (as mediators, representatives of particular groupings, through consultation or direct representation³), can contribute significantly to progress in negotiations.

The EU has firm commitments to peace and to conflict prevention and it is already deeply engaged in peace process across the world, even if this role is often unacknowledged. This paper provides a non-exhaustive overview of EU policy on and capacities for mediation, the types of mediation the EU supports, and recommends ways to make this support more effective.

1. Policy and Capacity

i. The Concept on Strengthening EU Mediation and Dialogue Capacities (2009)

In 2009 the EU adopted the Concept on Strengthening EU Mediation and Dialogue Capacities.⁴ The Concept fits into the EU's approach to conflict prevention that recognises the value of early action through early engagement (see the Göteborg Programme for the Prevention of Violent Conflicts 2001 and European Commission Communication on Conflict Prevention 2001).

The Concept, which pre-dates the Lisbon Treaty and refers to pre-Lisbon structures, takes a broad approach to mediation, incorporating facilitation and dialogue, underlining that the EU is involved in mediation at various levels from the governmental to that of local communities, and that the EU pursues both “a top-down and a bottom up approach in parallel tracks which reinforce and inform each other”. The Concept distinguishes clearly between the EU's direct involvement in mediation processes and its indirect involvement through supporting processes led by other actors, providing diplomatic leverage to processes (e.g. as part of a “group of friends”) and providing funding to formal, informal and grass root mediation processes, for example.

Before the launch of the Concept, EPLO published a statement including the following recommendations:

- Mediation activities should be part of a comprehensive approach to peacebuilding;
- The EU should acknowledge the role played by insider mediators in both formal and informal peace processes;
- It is important to recognise links and complementarity between official and unofficial forms of dialogue (between different “tracks”⁵);
- There is a need to support existing dialogue and mediation efforts, including those undertaken by civil society;
- The EU should support the participation of women in peace processes;
- The EU should accept that armed groups need to be included for dialogue and mediation efforts to be successful – if not directly than indirectly.

¹ This is sometimes referred to as multi-track diplomacy. See Annex I for the definitions of the various tracks.

² See Celia Mc Keon, [Civil Society participating in Peace Processes](#) 2005.

³ For various models of civil society involvement in peace processes see Catherine Barnes, [Democratising peacemaking processes: strategies and dilemmas for public participation](#), 2002.

⁴ [Concept on Strengthening EU Dialogue and Mediation Capacities](#)

⁵ See Annex I.

These recommendations remain relevant. The Concept mentions the guiding principles of mediation activities yet is more descriptive than prescriptive and does not provide for specific guidance on how to apply these principles in practice. A review of the Concept, to take stock of implementation and the institutional changes brought about by the entry-into-force of the Lisbon Treaty, was planned for twelve months after adoption but is currently on hold.

Other EU policies may also influence EU mediation efforts, such as the range of guidelines and policies on, for instance, promoting compliance with international law, human rights and democracy, women's participation in peace efforts and children and armed conflicts.⁶

ii. Mediation as a first response within an integrated, strategic approach

The Concept aims “to establish and promote the use of mediation as a tool of first response to emerging or on-going crisis situations” (p. 4).

EPLO believes that the EU can make important contribution to mediation, especially if it uses mediation as a first response as part of an integrated approach to pursuing the EU's strategic objectives in the country and wider region.

The EU has recently started adopting regional strategies that define the EU's engagement in a specific region. This is welcome as it lays the basis for more strategic thinking in EU external action whereby the choice of the most suitable tool is driven by the objectives and not vice-versa. The Horn of Africa strategy features support to mediation efforts as an EU contribution to resolving on-going conflicts in the region, for example.⁷ It is not clear how this would relate to other parts of the EU's engagement, however. Future concepts and regional strategies should describe how these “talking tools” will be integrated with the Early Warning systems currently under development, CSDP missions (including those which in future could have a conflict prevention mandate as set out in the Lisbon Treaty), IfS Article 3 funding and EU development assistance.

When a clear strategy with defined goals is in place, implementation should be led by an official who has been appointed on the basis of the skills and experience s/he brings that are relevant to that strategy. When leadership for implementing a strategy for a conflict-affected country is either not clearly or adequately assigned, this can lead to problems. The EU's role in Libya, for example, was arguably undermined by internal competition on who would play which role.⁸

The lack of agreement by Member States on crucial issues may also hamper EU mediation efforts. Although the EU has mediated between Kosovo and Serbia without all Member States agreeing on the status of Kosovo, the lack of agreement has posed other problems in the EU's support for peace there. On the other hand, the role played by the EU in the Geneva Talks on Georgia illustrates the limitations the EU faces as a third-party mediator when Member States hold very divergent positions and are driven by opposing interests. Some authors suggest that the EU's approach in the Geneva Talks fluctuated depending on the stance towards Russia of the Member State holding the rotating presidency of the Union.⁹ In mediation activities, as in any other instrument governed under the Common Foreign and Security Policy (CFSP), Member States' foreign policy interests and positions influence the role the EU can play.

⁶ [EU guidelines on promoting compliance with international law](#) (2005), [EU strategic framework and action plan on Human Rights and Democracy](#) (2012), [Comprehensive Approach to EU implementation of UNSCR 1325 and 1820 on women, peace and security](#) (2008), [EU Guidelines on children and armed conflict](#) (2008).

⁷ [Council Conclusions on the Horn of Africa](#), (2011).

⁸ Member State politics also have a key role to play here. See for example: Nicole Koenig, *The EU and the Libyan crisis: a quest for coherence* (IAI Working Papers 11/19, July 2011).

⁹ See Nona Mikhelidze, [The Geneva Talks over Georgia's Territorial Conflicts: Achievements and Challenges](#), IAI, 2010.

iii. The Pilot Project on Mediation and Dialogue

In 2012, the Pilot Project on Mediation and Dialogue was completed and underwent an evaluation meant to inform future decisions about the existing policy frameworks and structures for dialogue and mediation within the EEAS's work to support peace processes. The project was seen as a first step in strengthening and providing sustainable support for mediation initiatives by, first, increasing the Union's internal capabilities without excluding support in the form of external and contractual expertise. The Pilot Project's activities have included raising the profile of mediation as a skill for relevant staff members, undertaking training, contracting out the management of a roster of deployable experts and launching a lessons learned exercise. Private diplomacy actors from civil society have developed stronger relationships with the EEAS during this project. EPLO expects the evaluation to cover the Pilot Project's activities as comprehensively as possible and - to the extent possible given the short timeframe of the Pilot - its impact.¹⁰

iv. Capacity

With the establishment of the EEAS, a Mediation Support Group was set up within the Division for Conflict Prevention, Peace building and Mediation Instruments to promote and support the use of mediation. The group is mandated to improve EU mediation capacity including providing support to geographic divisions, EU Delegations and EEAS senior management. In practice, this may translate into the deployment of mediation experts, training and "coaching", and the provision of advice, guidance material and research papers. The role of the EU Conflict Prevention, Peacebuilding and Mediation Instruments Division and the Mediation Team within that have been reinforced by the Council Conclusions of June 2011 on conflict prevention¹¹, which recognise the prevention of conflict as a primary objective of the EU's external action.

Many parts of the EU may be involved in peace mediation in different capacities, as the table below illustrates.

EU body involved	Type of action	Example	Track
Council of the EU	Adoption of Council Conclusions	Council Conclusions on the Middle East Peace Process	Track I
HR/VP	Traditional diplomacy in her position of High Representative for the EU Foreign and Security Policy Facilitator in specific dialogue processes	Serbia-Kosovo EU-facilitated dialogue	Track I
EU appointed Mediators / Envoys	Mediation / facilitation	Robert Cooper in the Serbia-Kosovo technical dialogue up until August 2012	Track I
EEAS division on Conflict Prevention, Peace building and Mediation Instruments	Provides general mediation and dialogue support (deployment of mediation and dialogue experts, training and individual coaching sessions, provision of guidance material and research papers) The Division also has responsibility for the strategic programming of one of the long term components (Article 4.3) of the Instrument for Stability (IfS), the so-called "Peace-building Partnership" (PbP) which	Deployment as part of inter-institutional fact-finding mission to define EU support to transition in Mali Advice on design of EU support to Myanmar peace process Identification and deployment of experts to inform EU's support to the peace process in Madagascar	Support to Track I and II

¹⁰ It is not yet clear whether the evaluation review will be a public document or not.

¹¹ [Council Conclusions on conflict prevention](#) (June 2011).

	supports capacity building of our key partners, such as UN, NGOs or EU Member States		
EEAS geographic divisions	Dealing with specific countries and conflicts they may be directly involved in supporting the development of mediation strategies?		Support to Track I
EU Delegations	Head of Delegations are often involved in high-level political dialogues in countries affected by conflict	EU Delegation in the Philippines represents the EU in the International Monitoring Team (IMT) which monitors the implementation of the Agreement on Peace between the Government of the Philippines and the Moro Islamic Liberation Front	Direct involvement in or support to Track I
EU Special Representatives	In some cases EUSRs are explicitly mandated to conduct / support mediation efforts in a conflict-affected region. In some cases they play observer roles and are mandated to cooperate with International Criminal Courts	EUSR for the Middle East Peace Process EUSR for the South Caucasus and the crisis in Georgia co-chairs the Geneva Talks on behalf of the EU EUSR for the Horn of Africa contributes to initiatives leading to the implementation of the Djibouti Peace Agreement EUSR for Moldova had an observer status in the 5+2 negotiation for the resolution of Moldova-Transnistria conflict and ensuring political overview of EU Border Assistance Mission to Moldova and Ukraine (EUBAM)	Direct involvement in or support to Track I
CSDP missions	Can support the implementation on peace agreements, cease-fires and agreements on border issues.	Aceh Monitoring Mission EU Monitoring Mission in Georgia mandated to monitor implementation of the Six-point agreement between Georgia and Russia EULEX supports implementation of Integrated Borders Management (IBM) agreement between Serbia and Kosovo	Support to Track I
European Commission – various funding instruments		Funding under the IfS supports the International Monitoring Team (IMT) as well as local and international agencies involved in both, the civilian protection component of the IMT and the International Contact Group (ICG) Northern Ireland PEACE Programme, please see below. Support to conflict resolution in Georgia through rehabilitation, development of conflict areas and confidence-building programmes,	Support to track II, III and to multi-layered peace processes

The table demonstrates how multiple EU actors may be involved in mediation at different or parallel levels and in the same context. This allows the EU to choose the most suitable one in a given situation

– and where necessary use more than one for separate but related tasks. However, it may also work against a consistent strategy.

Many of the mediation functions, mandates and portfolios of EU actors are not clearly spelled out, and it is not clear how they relate to each other and contribute to EU's objectives for a specific mediation process (which may not be clearly defined). One of the most visible EEAS mediators, Robert Cooper, who has been leading the EU-facilitated technical dialogue with Serbia and Kosovo, and is now advising on EU's support to the peace process in Myanmar, has an unclear title and mandate: Special Adviser to the HR/VP.

The multitude of EU actors and their overlapping roles and mandates undermined the coherence and effectiveness of the EU's role as a mediator for the crisis in Georgia in 2008, where President Sarkozy brokered the cease-fire agreement on behalf of the French EU presidency (and heralded by the President more as a French than an EU endeavour). Different EU actors, including the EUSR for the South Caucasus (established in 2003) and the EUSR for the Crisis in Georgia (established in 2008) who co-existed for some time, the European Commission delegation, and the CSDP border monitoring mission, EUMM, have all been engaged in the Georgia's conflict, each according to their mandates and in very different ways.¹²

Heads of Missions and Delegations, and Directors, as well as certain of their key staff, may all have highly relevant roles to play in conducting mediation activities within peace processes, a fact which has been recognized in the way the Pilot Project has organised its training programmes to include a broader range of staff than only those at the very top. In some cases, however, the potential of EU actors (such as EUSRs and their teams, Heads of Delegations and their staff or CSDP missions) to fully contribute to peace mediation is under-utilised.

2. EU Peace Mediation in Practice

The EU policies and instruments above, its strategic interests and wider geo-political questions will influence how and whether the EU engages in peace mediation. This section reviews some brief case studies of different types of mediation the EU has been engaged in, in different contexts.

i. The Serbia-Kosovo dialogue

The EU-facilitated Serbia-Kosovo high-level technical dialogue, aiming at normalising relations between the parties, has been heralded as one of the EU mediation successes. It has led to a number of crucial agreements, including the one on regional cooperation (which allows Kosovo to participate to regional meetings on its own account and sign new agreements) and the Integrated Borders Management (IBM). The positive outcomes of the technical dialogue led to a decision to upgrade it to a political dialogue, which is facilitated directly by the HR/VP Ashton and recently led to an agreement on Northern Kosovo. The EU has been able to play this role, even though five EU Member States do not recognise Kosovo.

Local and international civil society organisations have raised concerns, however, about the way the dialogue(s) have been conducted so far. These focus on a lack of transparency, limited communication about the agreements reached and a lack of consultation.¹³ This seems to contradict the precepts of the Concept, which states that the EU should support inclusive peace processes where parallel tracks inform and reinforce each other.

The Serbia-Kosovo dialogue is a traditional high-level track I process. There are, however, examples of where the EU has played a role closer to the "holistic approach" mentioned in the Concept.

¹² See Magdalena Frichova Grono, [Georgia's Conflict: What role for the EU as a Mediator?](#) March 2010.

¹³ See for instance [IKV Pax Christi Kosovo Alert 2012](#).

ii. Moldova-Transnistria

After the 2007 accession of Romania to the EU, the Moldova-Transnistria conflict became one of the few located at the EU's border. The EU became increasingly involved in this conflict through its European Neighbourhood Policy (ENP), funding of regional and thematic programmes (EIDHR, IfS) and through enhanced political dialogue with the parties.¹⁴ The EU Special Representative for Moldova had a mandate to contribute to the resolution of the conflict, including observer status in the 5+2 negotiations. He played a key role after the collapse of the official talks by taking the lead in engaging with Transnistria and opening the door for the European diplomatic community, as well as introducing the idea of socio-economic confidence building measures.¹⁵

iii. Mindanao

Away from the European continent, the EU has been praised for its creative, flexible and responsive engagement in the Mindanao peace process. It could be argued that the EU was urged to play an official role in the peace process here because of its perceived lack of direct regional interests. After two decades of extensive development cooperation and humanitarian assistance, the EU earned a reputation as a reliable partner, accepted by the parties.¹⁶ As a result, the EU was formally invited to take part in the International Monitoring Team (IMT) and to lead its new Humanitarian, Development and Rehabilitation component (HRDC). At the same time, the International Contact Group (ICG) was established, which includes the UK and the London-based NGO Conciliation Resources, and is the first formal grouping where INGOs and diplomats work together to support a peace process. The EU has provided funding through the Instrument for Stability (IfS) to one civil society organisation involved in the ICG,¹⁷ demonstrating the different roles it can usefully play in a complex process.

iv. Sudan

The EU 2011 Council Conclusions on Sudan¹⁸ outlined an inclusive and comprehensive approach to meeting the challenges of the implementation and end of the 2005 Comprehensive Peace Agreement. This involves linking development assistance to both states with support to improved governance, alongside support for a comprehensive and inclusive peace settlement for Darfur, and for government poverty reduction efforts. Civil society is also implementing this good practice, by putting together with donors a framework arrangement to allow for multiple streams of peace support work (including dialogue) to go on around the political process, and to feed into it, through a coordinating hub.

v. Supporting the efforts of others

Funding is one of the avenues for the EU to contribute to peace processes in a less visible yet often effective and tailor-made fashion. Contributing to existing peace efforts, including grass-roots efforts, strengthening the capacity of local civil society organisations on mediation and dialogue, supporting the Standby Team of Mediation Experts under the Mediation Support Unit of the UNDPA are among the activities financed through the IfS Peace-building Partnership (PbP). The Commission's report on IfS activities in 2011¹⁹ is testament to the range of mediation actors and activities the EU supports through its various components.

¹⁴ Page 11, Roxana Cristescu and Denis Matveev, [Peacebuilding and Conflict Prevention in Moldova, the Role of the EU](#), 2011. The paper was prepared in the framework of the Civil Society Dialogue Network (CSDN).

¹⁵ Ibid. page 11.

¹⁶ See e.g. Alistair MacDonald, Gabriel Munuera Viñals, [The EU and Mindanao: innovative avenues for seeking peace](#), (EUISS - N°97 - 27 June 2012).

¹⁷ The ICG is comprised of four countries: Japan, UK, Turkey and Saudi Arabia, and four international NGOs: Muhammadiyah, The Asia Foundation, the HD Centre and Conciliation Resources.

¹⁸ [Foreign Affairs Council Conclusions on Sudan](#) (2011).

¹⁹ [Annual Report on the Instrument for Stability](#) (2011).

The EU may also have a role to play in supporting mediation within the EU, as well as outside it:

Northern Ireland Peace programme

It has long been argued that the EU’s long-range, multi-faceted and flexible support to Northern Ireland’s PEACE programme (now in its third phase), while not without flaws, has been a vital component in the progress made in a complex conflict within the EU’s own borders. The EU has provided support to track II and track III dialogue processes which have helped to create:

“the prospect of a political space, a kind of umbrella under which it was safe to explore alternative examples and possibilities of sovereignty, autonomy, identity, and allegiance. The EU also provided both funding perceived to be independent of the British and Irish governments, and a more universal set of standards against which to interpret events at home.”²⁰

3. Cross-cutting issues in EU mediation and mediation support

The EU can play multiple roles in mediation, as in some of the examples above. This section considers some of the challenges this may bring.

1. Working with civil society

Traditional diplomacy at track I level focuses bringing the conflicting parties, usually the ones who picked up the arms and power-holders within the community, together around the negotiation table. Non-combatants and populations at large tend to be excluded from formal negotiations but people directly affected by violent conflicts, although not actively involved in the fighting, are stakeholders in the process.

Civil society participation in formal, track I peace processes can increase the legitimacy of negotiations, help to build confidence between parties and their constituencies, contribute to cross-community communication and confidence building, bring the agendas and concerns of different interest groups to the table and maintain channels of communication with otherwise off-limits groups. In many cases, civil society organisations have acted as catalyzers for peace (e.g. the Women of Liberia Mass Action for Peace and Women in Black in Belgrade). Some civil society organisations can work on different levels and tracks of the processes at the same time.

Pros and cons of civil society involvement in track I negotiations:	
<p>Pros</p> <ul style="list-style-type: none"> Flexibility Representation of interest groups beyond conflict parties Access to off-limits sources of information Access to remote areas and grass roots Potential to engage with armed groups Supporting communication across conflict divide Raising issues related to dealing with the past and responsibility sharing Raising gender considerations in relation to a cease-fire, security of populations, compensation and reparation, etc. Inclusion usually contributes to sustainability of the agreements reached 	<p>Cons / Limitations</p> <ul style="list-style-type: none"> Increased number of actors works against efficiency of process Questions of accountability, legitimacy and representativeness Lack of funding Communication strategies may be weak Coordination among civil society can be problematic Civil society assemblies / coalitions tend to dissolve after the signing of the agreement

²⁰ Page 12 N Fitzduff and S Williams, [How did Northern Ireland moved towards Peace? Cumulative Impact study](#), CDA 2007

Examples of the value of including civil society in formal track I peace processes and how their involvement changed the process as well as the quality of the peace agreement can be found in Northern Ireland, Guatemala, Liberia, Colombia and other cases.²¹ Projects funded under the IfS in Bolivia, Egypt, Georgia, Indonesia, Côte d'Ivoire and Kyrgyz Republic have included capacity-building, confidence-building measures, including people-to-people exchanges, and support for dialogue and mediation involving civic actors.

Civil society grassroots initiatives and people-to-people exchanges complement and contribute to official processes including when the official talks are stalling.

Example of civil society initiative: EPNK – the European Partnership for the Peaceful Resolution of the Conflict over Nagorno-Karabakh²²

The EPNK is an independent European civil society initiative that works with local partners in the South Caucasus on a wide range of peace building activities to positively impact the Nagorno-Karabakh conflict settlement process. EPNK is funded by the European Union's Instrument for Stability.

EPNK strives to increase the credibility and legitimacy of peace building efforts around the conflict by working on the following main themes:

- Broadening the base of participation in peacebuilding initiatives, with special attention given to marginalized groups (including women, youth, IDPS and refugees).
- Building confidence between all sides of the conflict through increased people-to-people contact.
- Promoting fresh analysis and new ideas that challenge existing discourses on the conflict with peace-oriented visions of the future.
- Actively engaging civil society in dialogue with policy makers at national and international levels on transforming the Nagorno-Karabakh conflict.

Despite a challenging working environment, the partnership is able to maintain a dynamic dialogue between a broad range of Armenian and Azerbaijani policymakers, media and civil society – including those in and from Nagorno-Karabakh. This has been done through a wide variety of activities, for example, through publication of news journals, reports, policy papers, studies and bulletins on conflict related issues, launching a news website focusing on the Nagorno-Karabakh conflict and conflict settlement process, production of documentary films, public film screenings and moderated discussions, conducting peace building trainings and workshops, publishing, conducting comparative conflict studies and visits, training of journalists, photography and arts exhibitions and events, public policy discussions, advocacy and dialogue with governmental and other stakeholders.

2. Engaging women in peace processes

There is evidence²³ to show that women's participation in official talks has contributed to increased transparency and inclusiveness of the process, as well as to the quality of the agreement reached. It has been noted that women tend to focus more on responsibility-sharing rather than power-sharing and that they tend to bring to the table a broader range of issues particularly social, humanitarian and

²¹ See for instance [Women Building Peace – Accord Insight](#) (2013)

²² The members of the partnership are: Conciliation Resources (UK), Crisis Management Initiative (Finland), International Alert (lead agency - UK), the Kvinna till Kvinna Foundation (Sweden) and the London Information Network on Conflicts and State Building (UK).

²³ See text box on page 10.

economic issues and the inclusion on provisions for victims of conflict-related violence, for refugees and displaced people into a peace agreement. Women's participation and representation in peace processes is not just a matter of justice but rather is seen as central to the quality of the process and as a way to transform the conflict, through the inclusion of skilled and competent persons who might otherwise not be involved.

The EU has the strongest policy framework on women, peace and security of any regional organisation, and strong rhetorical leadership too. Through the Comprehensive Approach to EU implementation of UNSCR 1325 and 1820 the EU committed to supporting women's participation in peace processes, both through diplomacy and financial support. This commitment is two-fold: on the one hand it aims both to increase the number of women mediators and negotiators and, on the other hand, to support local peace efforts of women. The indicators adopted in 2010 aimed to capture progress in both streams.²⁴

Despite commitments, the EU has been often lagging behind on implementation particularly when it comes to its support to women's participation to EU-sponsored peace processes. The first Monitoring Report shows that the number of women participating in most of the peace negotiations supported by the EU and its Member States is unknown, "possibly reflecting that this was not yet considered an objective or a criterion in itself"²⁵. The lack of data and limited impact these provisions had up to the present day should be addressed in the next monitoring report due in spring 2013. In addition, guidance for mediators on increasing the participation of women and on how to bring a gendered perspective into peace making could be very valuable. The policy community has produced plentiful material on how this can be done and why it is of value.²⁶

Women's participation in peace processes

In Guatemala in 1994, women advocated for a more inclusive peace process and contributed to the shaping of the Assembly of Civil Society (ACS). The ACS did not have an official seat in the negotiations but the concrete recommendations coming from the various clusters (including from the women's organisations) were channeled to the negotiating teams. Women's recommendations included discussing balance between police and civilian power, labour rights and indigenous rights.²⁷

In the all-party talks in Northern Ireland, the Northern Ireland Women's Coalition, a cross-party coalition, gained two seats in the negotiations and managed to push for the inclusion of provisions on prisoners' rights, victims' rights and youth into the 1998 Good Friday Agreement, which would have probably not make it to the agreement otherwise²⁸.

3. "Insider" mediators

High level mediators, such as Kofi Annan and Lakhdar Brahimi in the joint United Nations/Arab League mediation in Syria, or HR/VP Ashton facilitating the talks between Serbia and Kosovo retain a vital role. They provide leadership, build trust, keep parties talking, or apply moral and political pressure at the right moment in a given process. These are key functions of such roles, and inspiration

²⁴ Indicator 8 and 9 of [EU indicators for the Comprehensive Approach to EU implementation of UNSCR 1325 and 1820](#).

²⁵ [Monitoring Report on the implementation of the Comprehensive Approach to EU implementation of UNSCR 1325 and 1820](#).

²⁶ See for example Kvinna till Kvinna, [Make Room for Peace: a Guide to Women's Participation in Peace Processes](#) (2011).

²⁷ [Bringing women into peace negotiations – Strategies for Policy Makers](#), Page 7, N.2 October 2009, Institute for Inclusive Security

²⁸ For more on women peacebuilders in Northern Ireland and other examples please see recent Accord Insight [Women Building Peace](#) (2013).

for groupings like [The Elders](#).

High-level outsider mediators are well-known but “insider” mediators may be particularly important in complex situations for ensuring that official track I processes are informed about other, informal dialogue processes taking place and in building a broader basis of support for agreements reached, people who are directly affected by the conflict, either because it is taking place in their own country, or in a neighbouring country. They are directly affected by the conflict and have in depth knowledge of the stakeholders, the context and history of the conflict. This provides them with many strengths (and some weaknesses) compared to other mediators coming from the outside.²⁹ They may also be used where there is a reluctance to give a mandate to a third-party mediator.³⁰

The role of insider mediators is insufficiently acknowledged in EU policies and integrated in EU strategies to support mediation. The Concept affirms that the EU “can facilitate effective mediation processes led by other actors through capacity building, training, logistical support and the provision of expertise to mediators and conflict parties”, yet it does not explicitly link EU’s support to peace mediation processes to existing local initiatives and particularly to insider mediators. The role of the EU may be to offer support insider mediators and to argue for them to be given a formal role, as well as to provide funding for their efforts.

4. International norms and standards

The EU has extensive commitments to international law, respect for principles of democracy and human rights, equality and human dignity, and human rights guidelines. These policies influence EU mediators but, in the absence of mediation guidelines, give little guidance to mediators as to how they should implement them. There is a considerable risk to the EU’s credibility as a mediator if the rhetoric is not matched by delivery.³¹ The Concept lays out some of these factors:

- The requirements to respect international human rights and humanitarian law;
- Strong EU support for the International Criminal Court;
- Proactive EU adoption of the international norms on the participation of women in peace and security issues, and
- Issues linked to the various forms of proscriptive listing (for example in the effort to combat terrorism), travel bans, asset freezes and sanctions.

Research suggests that mediators need conceptual and practical support how to apply these concepts consistently and meaningfully in highly varied cultural and political settings³² as well as support from senior management. The gender training packages to be launched in 2013, for example, should help EU officials improve how they address gender issues, especially if backed up by tailored support at senior levels.

Business and human rights is another area for which there are no guidelines.³³ The Myanmar case provides a stark current example of the need to implement international norms such as the EU-supported voluntary UN Guiding Principles on Business and Human Rights governing this contentious area, given the vast potential of its natural resources and the recent opening of the country to international business and trade actors.

²⁹ See [Insider Mediators Retreat on Informal Peace Processes: Learning from Experiences of Insider Mediators](#), (2008).

³⁰ Catriona Gourlay and Norbert Ropers, in [Strengthening the EU’s Mediation Capacities – Leveraging peace through new ideas and thinking](#) Tanjia Tamminen ed.

³¹ Laura Davis [The European Union: transitional justice and peace mediation](#), page 16, IfP, (2010)

³² Laura Davis [The EU and advancing justice issues in mediation](#), IfP, (2010)

³³ The Centre for Security Studies (CSS), ETH Zurich, and Swisspeace produced a useful general guideline: [Business Actors in Mediation Processes](#), (December 2010).

5. Accountability and evaluation of mediation activities

Mediation and the context in which these activities takes place are complex, which makes accountability and evaluation exercises particularly challenging. The EU Concept does not provide for specific accountability and evaluation mechanisms yet there have been some suggestions, including by civil society organisations, as to how these could be carried out by the EU.³⁴ Techniques and approaches to evaluate peace mediation are fraught with difficulties and dilemmas but they are necessary for the EU to reflect on its practices and learn from its success stories. The evaluative review of the Mediation Pilot Project will be useful to shed a light on some of these aspects and inform future choices.

Confidentiality is among the challenges inherent in any mediation, and particularly at more formal levels. It is necessary, to protect politically sensitive discussions, and there is also a push for accountability and transparency to contribute to local ownership and more sustainable processes. There is little policy guidance on how to decide the balance between political sensitivity and inclusivity and transparency, or how mediators can be held in any way to account for such decisions, and for the discussions that ensue from them. The challenge of confidentiality versus accountability and transparency may not be possible to resolve, but it warrants more open discussion and decision-making processes.

³⁴ See for instance David Lanz, Martina Wählisch, Lars Kirchhoff, Matthias Siegfried, [Evaluating Peace Mediation](#) November 2008, IfP Mediation Cluster.

6. Conclusions and recommendations

The EU is focussing more attention on mediation as a tool of first response and is increasingly integrating it into its conflict prevention strategies, as recent statements by HR/VP Catherine Ashton show.³⁵ The EU has considerable potential as a mediator, able to engage in multiple aspects of complex processes. However, as this paper argues, the EU's approach to peace mediation is rather ambivalent and its practices are often not consistent. The main reference document, the EU Concept on Mediation and Dialogue, is both intentionally wide-ranging and overtly vague.

EPLO recommends that the EU make its contributions – direct and indirect – to mediation more effective in the following ways.

At a conceptual and strategic level the EEAS should:

1. Develop lessons learnt from EU's successful and less successful engagements in peace mediation efforts to inform future engagements and publish the evaluation of the Pilot Project on Mediation and Dialogue;
2. Adopt an EU mediation glossary comprising common definitions and concepts;
3. Conceptualise how the EU can engage in complex mediation processes;
4. Consider how to make EU support to the efforts of others as effective as possible;
5. Balance the EU's support for "prestige mediators" with support to other actors, such as insider mediators, and develop strategies to support them;
6. Reflect on applying relevant aspects of the UN Guidance for Effective Mediation;
7. Develop accountability and evaluation systems for EU peace mediation.

At the operational level the EEAS should:

8. Define clear strategies to support a peace process in a given context and then match the tools and the staffing to the strategic requirements;
9. Ensure clarity on leadership, mandates and mediation functions of EU actors involved in peace mediation efforts;
10. Elaborate how dialogue, mediation and facilitation activities in any given strategy are linked to and integrated into other tools to support peace;
11. Consistently apply the principle of inclusive peace processes, ensuring adequate involvement and/or consultation of civil society actors and links with parallel, less formal processes with formal, diplomatic negotiations;
12. Work with the parties to develop and implement adequate communication strategies on existing dialogue processes towards local populations.

³⁵ See 13 February [speech](#) of HR/VP Catherine Ashton at UN Security Council. EU's direct involvement in peace negotiations, including through mediation, is presented as the second pillar of EU's contributions to international peace and security.

Annex One

Definitions of diplomacy “tracks” for peace building adapted from United States Institute for Peace Glossary of Terms for Conflict Management and Peacebuilding

Track 1 diplomacy: formal discussions typically involving third party, high-level officials such as political and military leaders and focusing on cease-fires, peace talks, and treaties and other agreements.

Example: EU HR/VP Ashton’s on-going negotiations with Iran on the nuclear issue: Ahtisaari’s mediation to deliver the 2007 Comprehensive Proposal for the Kosovo Status Settlement.

Track 2 diplomacy: unofficial dialogue and problem-solving activities aimed at building relationships and encouraging new thinking that can inform the formal process; typically involving influential academic, religious, and NGO leaders and other civil society actors who can interact more freely than high-ranking officials

Example: Community of Sant’Egidio in Mozambique (1992) or FAFO (Norwegian Institute for Applied Social Science) for the Oslo Process in the Middle East (1993).

Track 1.5 is used to denote informal dialogue and problem solving formats with high-ranking politicians and decision makers, involving track 1 participants but employ track 2 approaches in an attempt to bridge the gap between official government efforts and civil society. Track 1.5 can also refer to situations where official representatives give authority to non-state actors to negotiate or act as intermediaries on their behalf.

Example: Centre for Humanitarian Dialogue and CMI’s mediation of ceasefire (2003) and the eventual agreement (2005) between the Government of Indonesia and the Free Aceh Movement (GAM).

Track 3 diplomacy: People-to-people diplomacy undertaken by individuals and private groups to encourage interaction and understanding between hostile communities and involving awareness-raising and empowerment within these communities. Normally focused at the grassroots level, this type of diplomacy often involves organizing meetings and conferences, generating media exposure, and political and legal advocacy for marginalized people and communities.

Example: the on-going work of Search for Common Ground to foster dialogues of all kinds between the US and Iran.

Multi-track diplomacy: A term for operating on several tracks simultaneously, including official and unofficial conflict resolution efforts, citizen and scientific exchanges, international business negotiations, international cultural and athletic activities, and other cooperative efforts. These efforts could be led by governments, professional organizations, businesses, churches, media, private citizens, training and educational institutes, activists, and funders.

Example: coordinated efforts in Burundi in 2002, involving donors, facilitating nations and parties and the Woodrow Wilson International Centre for Scholars which complemented track I efforts, leading to the 2003 Arusha Accord.