

Understanding Mediation Support Structures

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About this report

This report analyzes different mediation support structures in international and regional organizations and foreign ministries with the aim to better understand their emergence, institutional design, and development over time. It is the result of a research project conducted by swisspeace and funded by the Division of Security Policy of the Swiss Federal Department of Foreign Affairs (FDFA) in the framework of its “portfolio research in the area of security and peace policy” (*Ressortforschung im Bereich Sicherheits- und Friedenspolitik*).

The research took place over several months in 2017 and involved desk analysis as well as expert interviews. The approach taken by the authors was to actively involve practitioners from the different institutions examined in this report. In this sense, it is not a research project that provides an objective outsider’s assessment of mediation support. Rather, the study represents a sort of introspection: an insider’s perspective informed by swisspeace’s practical work with many of the actors analyzed in the case studies. While the research is based on a solid analytical framework and employed rigorous methods, its analysis and implications were discussed and consulted over with peers. Important in this regard was a workshop with mediation support practitioners, which took place in September 2017 at swisspeace in Bern. It goes without saying, however, that responsibility for the content of this report lies solely with the authors.

Executive Summary

Recent decades have witnessed increasing institutionalization of mediation support through the establishment of mediation support structures (MSS) within foreign ministries and secretariats of multilateral organizations. This study sheds light on this trend and aims to better understand the emergence, design and development of different MSS. This study analyzes six MSS, namely those established in the United Nations (UN), the Organization for Security and Co-operation in Europe (OSCE), the European Union (EU), the Intergovernmental Authority on Development, (IGAD), Switzerland and Germany. It provides five main findings.

First, the emergence of dedicated MSS is the result of an interplay of three factors. These refer to the political interests of states that have made mediation a priority of their foreign policies; a normative evolution emphasizing that effective peace mediation requires technical knowledge and resources provided by specialized units; and the operational needs of mediators confronted with the growing complexity of peace processes.

Second, looking at their design, MSS in highly different institutional contexts nonetheless exhibit a striking similarity. All of them provide a mixture of training, knowledge management and operational support, ranging from political advice to logistical help. This similarity can be understood by the influence of professional networks of mediation support practitioners that have proven to be influential when new structures are set up.

Third, despite the similarity, there are differences between MSS in terms of the balance between different lines of activity, topics they specialize in, whether or not they support external mediation operations, and the degree to which they involve civil society actors. These differences are due to mandates, political environment and organizational culture, which are specific to each organization.

Fourth, as for development over time, some MSS examined in this report, i.e. the UN and Switzerland, are fully embedded and deeply involved in mediation processes pursued by their respective institutions. Other MSS, in particular IGAD and Germany, are in the early stages of development with still limited direct involvement in mediation processes. The EU and the OSCE cover the middle ground of this spectrum. The study finds that institutional entrenchment is fostered by demands for support by envoys, a conducive political environment, availability of human and financial resources, and, for multilateral organizations, the strength of secretariats vis-à-vis member states.

Fifth, the study showed that the prevalent model of mediation support puts a premium on technical knowledge and generalist expertise that is transferable from one context to the next. Given that today there are fewer comprehensive peace processes and more decentralized dialogue engagements focusing on one issue or one actor in a particular context for a limited period of time, there is a need for existing MSS to adapt, and for practitioners and policymakers to consider a broad range of mediation support approaches.

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List of abbreviations

ADR	Alternative Dispute Resolution
AU	African Union
CEWARN	Conflict Early Warning Response Network
CMI	Crisis Management Initiative
CoA	Council of Ambassadors
CiO	OSCE Chairperson-in-Office
CPC	OSCE Conflict Prevention Centre
CSCE	Conference on Security and Co-operation in Europe
CSDP	Common Security and Defence Policy
CSS	Center for Security Studies
DPA	UN Department of Political Affairs
EEAS	European External Action Service
ERMES	European Resources for Mediation Support
ETH	Swiss Federal Institute of Technology
EU	European Union
FDFA	Swiss Federal Department of Foreign Affairs (FDFA)
HSD	Human Security Division
IGAD	Intergovernmental Authority on Development
IMSD	Initiative Mediation Support Deutschland
MSP	Mediation Support Project
MSPP	Mediation Support Pilot Project
MSN	Mediation Support Network
MSS	Mediation Support Structures
MST	Mediation Support Team
MSU	Mediation Support Unit
OS	Operations Support
OSCE	Organization of Security and Co-operation in Europe
PD	Political Division
PRISM	Prevention of Conflict, Rule of Law/SSR, Integrated Approach, Stabilization and Mediation
SECPOL	Security Policy
UN	United Nations

1. Analytical framework for studying MSS

This part introduces the topic by providing a short overview of recent developments in international mediation. It then outlines the central research question, before presenting the analytical framework of the study based on a differentiation of the emergence, design and development of mediation support.

1.1 Introduction and relevance of the topic

Although the UN Charter enshrined mediation as one of the main avenues for international conflict resolution, it has only been since the mid-2000s that the field has been institutionalized. This was partly a reaction to the limitations of more robust international interventions and partly driven by the success of Alternative Dispute Resolution (ADR) mechanisms at the domestic level. An indicator for the institutionalization of the mediation field is the 2012 UN Guidance for Effective Mediation, which the UN General Assembly adopted in an annex of one of its resolutions.¹ Also relevant is the growth of the mediation field in terms of actors. States and the UN continue to be important mediators, but at the same time, regional intergovernmental organizations as well as non-governmental organizations (NGOs) have increasingly engaged in mediation efforts in their own areas of expertise or geographic coverage.²

Teresa Whitfield argued in 2015 that despite the growth of the field, “the institutional capacity to provide effective support has not yet caught up.”³ Indeed, mediation support mechanisms have only been established in the past ten years, most notably with the MSU within the UN Department of Political Affairs (DPA) in 2006. The UN MSU’s establishment “led to the rapid understanding of the utility of a standing support structure for good offices, conflict prevention and mediation efforts of an envoy”⁴ and inspired other international organizations to create their own support structures. These include the EU, the OSCE, the African Union (AU) and different African sub-regional organizations.

At the same time, some of the states putting emphasis on mediation as a foreign policy tool have created dedicated mediation units in their foreign ministries. These include Belgium,⁵ Finland,⁶ Germany,⁷ Norway,⁸ Sweden,⁹ Switzerland¹⁰ and Turkey.¹¹ NGOs also became involved in mediation support; some created structures to support their own mediation efforts whilst others have worked to support states and international organizations. Bringing these actors together, the Mediation Support Network (MSN) was created in 2008 as a global network of primarily NGOs supporting peace processes. Today, it spans 22 member organizations.¹² Noteworthy in terms of network formation has been the establishment in 2010 of

¹ United Nations, *United Nations Guidance for Effective Mediation*, New York: United Nations Department of Political Affairs, 2012. The 2012 Guidance partly builds on the 1992 *United Nations Handbook on the Peaceful Settlement of Disputes between States*.

² Simon Mason and Damiano Sguaitamatti, *Mapping Mediators: A Comparison of Third Parties and Implications for Switzerland*, Zurich: Center for Security Studies, 2011.

³ Theresa Whitfield, *Support Mechanisms: Multilateral, Multi-level, and Mushrooming*, online article by Global Peace Operations Review, 17 December 2015. Retrieved 2 September 2017, <http://peaceoperationsreview.org/thematic-essays/support-mechanisms-multilateral-multi-level-and-mushrooming/>.

⁴ Whitfield, *Support Mechanisms: Multilateral, Multi-level, and Mushrooming*.

⁵ Foreign Affairs, Foreign Trade and Development Cooperation of the Kingdom of Belgium, *Peace building*, undated webpage. Retrieved 30 August 2017,

https://diplomatie.belgium.be/en/policy/policy_areas/peace_and_security/conflict_prevention_and_peacebuilding.

⁶ Ministry of Foreign Affairs of Finland, *Action Plan for Mediation*, 14 December 2011. Retrieved

30 August 2017, <http://formin.finland.fi/public/default.aspx?nodeid=49301&contentlan=2&culture=fi-FI>.

⁷ German Federal Foreign Office, *Peace Mediation and Mediation Support*, undated webpage. Retrieved 2 September 2017, http://www.auswaertiges-amt.de/EN/Aussenpolitik/Themen/Krisenpraevention/4_Mediation/Mediation_node.html.

⁸ Ministry of Foreign Affairs of Norway, *Norway’s Approach to Peace and Reconciliation Work*, undated webpage. Retrieved 2 September 2017, <https://www.regjeringen.no/en/topics/foreign-affairs/peace-and-reconciliation-efforts/innsiktsmappe/norway-peace-work/id446704>.

⁹ See an opinion editorial drafted by the Swedish foreign minister together with her Finnish counterpart: Timo Soini and Margot Wallström, *Mediation: The Real Weapon for Peace*, Huffington Post online article. Retrieved 2 September 2017, http://www.huffingtonpost.com/timo-soini/mediation-the-real-weapon-for-peace_b_9092268.html.

¹⁰ Swiss FDFA, *Facilitation and Mediation*, undated webpage. Retrieved 30 August 2017, <https://www.eda.admin.ch/eda/en/home/foreign-policy/human-rights/peace/facilitation-and-mediation.html>.

¹¹ Ministry of Foreign Affairs of the Republic of Turkey, *Resolution of Conflicts and Mediation*, undated webpage. Retrieved 30 August 2017, <http://www.mfa.gov.tr/resolution-of-conflicts-and-mediation.en.mfa>;

¹² A list of MSN member organizations is available from the MSN website. Retrieved 25 August 2017, <http://mediationsupportnetwork.net/member-organizations/>.

the Group of Friends of Mediation, currently consisting of 43 member states, the UN and seven regional organizations. This group has helped to raise awareness of the need for mediation, striven to improve cooperation and coordination among different actors, and supported the increase of capabilities for mediation.¹³

As a relatively new development, the emergence, design and development of MSS have remained understudied, with only a handful of scholars focusing on this topic.¹⁴ Instead, research in mediation has focused on studying the effectiveness of mediation,¹⁵ identifying structural and process variables that affect the outcome of mediation,¹⁶ and analyzing the characteristics and strategies of the mediator.¹⁷ Underpinning this study, however, is a belief that understanding MSS is important to grasp how mediation practice has evolved in recent years. It also sheds light on an interesting phenomenon: within a relatively short period, spanning the last ten years, structures with similar mandates emerged in a highly diverse set of institutions that range from foreign ministries, the UN, regional and sub-regional organizations to even non-governmental organizations. This study, therefore, aims to better understand the emergence, diffusion and development of mediation support. In doing so, it hopes to contribute to mediation research as well as generate insight for practitioners.

This report is divided into four parts. The first lays the foundation by outlining the framework for analysis. The second consists of six case studies, each examining one MSS in detail, and describing the emergence, design, and factors that drive its development. The third synthesizes the findings, while the fourth concludes with implications for practitioners, policymakers and donors.

1.2 Research questions, case studies, and data collection

This study focuses on three main research questions:

1. How can we understand the emergence of MSS across organizations conducting mediation?
2. How can we understand the design of MSS?
3. How can we understand the development/progressive institutionalization of MSS?

In particular, as case studies, the report analyzes the development of six MSS, namely the UN Mediation Support Unit (MSU), the OSCE Mediation Support Team (MST), the MST of the European External Action Service (EEAS), the MSU within the IGAD Secretariat as well as the MSS of the Swiss FDFA and the German Federal Foreign Office. With this selection of cases, the study aims to cover four levels: global (UN), regional (OSCE, EU), sub-regional (IGAD), and state (Germany and Switzerland). In terms of variation in the levels of development, the cases range from long-standing (UN and Switzerland) to early stages of development (IGAD and Germany). The study does not include cases of NGOs. This is because of the study's focus on dynamics within and between states as the driving force of institutional change. A limited scope was established with the aim of increasing comparative insights.

The research relies on two means of data collection: 1) analysis of official documents and secondary literature and 2) expert interviews with mediation support practitioners, including current and former staff of MSS. The interviews were conducted based on a general questionnaire (see annex 1) and adapted to suit the individual case under analysis.

¹³ United Nations, *Group of Friends of Mediation*, undated webpage. Retrieved 2 September 2017, <http://peacemaker.un.org/friendsofmediation>.

¹⁴ See e.g. Convergne, Elodie. 'UN Mediators' Collaboration with Scholars and Expert NGOs: Explaining the Need for Knowledge-Based Communities in Today's Conflicts', *International Negotiation*, vol. 21, no. 1, 2016, pp. 135-164.

¹⁵ See for example, Jacob Bercovitch, J. Theodore Anagnoson and Donnette Wille, 'Some Conceptual Issues and Empirical Trends in the Study of Successful Mediation in International Relations', *Journal of Peace Research*, vol. 28, no. 1, 1991, pp. 7-17; Kyle Beardsley, 'Agreement Without Peace? International Mediation and Time Inconsistency Problems', *American Journal of Political Science*, vol. 52, no. 4, 2008, pp. 723-740.

¹⁶ The most cited work is Marieke Kleiboer, 'Understanding Success and Failure of International Mediation', *Journal of Conflict Resolution* vol. 40, no. 2, 1996, pp. 360-389. A more recent example is James Wall and Timothy Dunne, 'Mediation Research: A Current Review', *Negotiation Journal*, vol. 28, no. 2, 2012, pp. 217-244.

¹⁷ See for example, Timothy Sisk, *International Mediation in Civil Wars: Bargaining with Bullets*, London: Routledge, 2009; Jacob Bercovitch & Scott Gartner, 'Is There Method in the Madness of Mediation? Some Lessons for Mediators from Quantitative Studies of Mediation', *International Interactions*, vol. 32, no. 4, 2006, pp. 329-354.

1.3 [Analytical framework](#)

The emergence of MSS is part of a wider phenomenon of building institutions in global governance. Hence, theoretical approaches for understanding institutions and multilateral cooperation can yield insights on the driving forces of MSS emergence, design and development.

1.3.1. [Research question one: How can we understand the emergence of MSS across organizations doing mediation?](#)

This study loosely draws from theoretical approaches to understand the emergence of institutions in world politics. Each approach highlights different forces driving institution building. While there are debates between proponents of different approaches, this study borrows from all approaches to provide a comprehensive understanding of the emergence and development of MSS.

The interest-based approach: The creation of MSS is promoted by states that have an interest in doing so. This is the case when states promote mediation as part of a foreign policy focusing on peace promotion or when they use international organizations for cost-effective conflict management.

This approach is based on the perspective that international institutions are a product of power dynamics among groups within a state or among member states in an international organization. From this perspective, states use international organizations and lobby for global governance issues to further their interests.¹⁸ These can be material interests, such as promoting free trade to boost economic growth, or they can be intangible interests, such as building up prestige and influence to be converted into material gain later on.

Applied to mediation support, this approach would suggest that the creation of MSS serve the interests of the states promoting this idea. These could be states attempting to increase their global prestige and influence by fostering mediation as a means to promote peace and security. This approach also applies to states pushing for the creation of MSS within international organizations, or within their own foreign ministry, in order to contain and manage armed conflicts which could otherwise lead to an influx of refugees, terrorism and the disruptions to trade that are contrary to national interests.

The functionalist approach: According to this perspective, MSS are established to solve a problem which is that international mediation is insufficiently coordinated and ineffective, due in part to mediators' and mediation teams' lack of relevant expertise and skill.

The functionalist perspective forwards the notion that institutions are established to streamline coordination, minimize transaction costs and address information asymmetries among members.¹⁹ The premise is that members recognize common issue areas and that institutions are useful means to overcome collective action problems in addressing such issues. Institutionalization could increase efficiency, effectiveness and transparency in undertaking a cooperative solution.

Emphasizing a problem-solving approach, a functionalist view of MSS development posits that mediation emerged as an efficient means to promote international peace and security, with MSS helping to make international mediation more effective through expertise, training and coordination. Notably, states establish MSS (whether nationally or in an international organization) in order to pool resources, avoid overlapping and conflicting mediation efforts, clarify roles and responsibilities and maximize the value and comparative advantage of all concerned mediation actors. MSS also provide training to mediators and parties, collect and collate knowledge from different processes, and provide specific expertise.

Moreover, while founded on the premise that international peace and security are common concerns, the functionalist approach also highlights the importance of key triggering events or crises that bring to light the need for coordination and cooperation to achieve greater efficiency and effectiveness.

¹⁸ See for example, Robert Gilpin, *War and Change in World Politics*, Cambridge: Cambridge University Press, 1983; John Mearsheimer, 'The False Promise of International Institutions', *International Security*, vol. 19, no. 3, 1994/95, pp. 5-49.

¹⁹ See for example, Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, New Jersey: Princeton University Press, 2005; Ernst B. Haas, *Beyond the Nation State: Functionalism and International Organization*, Colchester: ECPR Press, 2008.

The normative approach: The idea that mediation support is needed for effective mediation has gained acceptance and gradually been incorporated by different organizations. A network of professionals, forming an epistemic community, has promoted the idea and been involved in its implementation.

This approach is premised on the constructivist view that norms, defined as “collective expectations about proper behavior for a given identity”,²⁰ guide the formation of institutions. In this logic, international institutions are formed as a way to give meaning to broadly accepted norms on the global stage. Important in this regard are “epistemic communities”, referring to networks of individuals holding common beliefs about problems and their solutions and working to implement these beliefs in different locales.²¹

Following this approach, the emergence of MSS can be understood by the growing recognition of states and international organizations that effective mediation requires specialized support structures that help to professionalize mediation practice. A mediation-related epistemic community, which comprises a network of professionals in governments, international organizations, think tanks and academia, shares this idea and promotes it. They participate in network meetings, and highlight the need for institutionalized mediation support in publications, speeches, conferences and meetings with policymakers. They also work as advisers and experts, contributing to the spread of MSS by helping organizations design structures that resemble already existing MSS.

1.3.2. Research question two: How can we understand the design of MSS?

Mediation is defined as “a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them develop mutually acceptable agreements”.²² In the broadest sense, mediation support, therefore, refers to activities that aim to make mediation more effective. Given that mediation today is increasingly a multi-actor endeavor, where lead roles are relatively rare, many activities performed by mediation organizations can be understood as mediation support. The 2017 UN Secretary-General report on mediation precisely sets out such a broad concept, where mediation support activities include efforts to create an enabling environment for mediation; to support ongoing mediation processes, ranging from providing political advice to logistical support; to support the implementation of peace agreements; and finally, capacity-building for mediators, conflict parties and societies at large.²³

In contrast, the scope of mediation support covered in this study is more limited. It comprises activities carried out by specialized units that aim to make the operations of mediation organizations more effective. In this sense, this study aligns with a more specific and narrow definition of mediation support proposed by the MSN, referring to “activities that assist and improve mediation practices, e.g. training activities, developing guidance, carrying out research, working on policy issues, offering consultation, backstopping ongoing mediation processes, networking and engaging with parties.”²⁴ The target audience for mediation support is often mediators in official processes as well as members of their teams. However, mediation support also comprises work with local intermediaries and with conflict parties, for example, preparing them for mediation processes. Finally, mediation support can be aimed at the field as a whole, for example by developing practical guidelines.

In this connection, Stine Lehmann-Larsen identifies four areas of mediation support, which this report uses to describe and analyze the designs of the MSS under study:²⁵

Networking and experience-sharing. These activities provide avenues for improving relationships and bridging hierarchical or institutional divides among mediation actors. These also facilitate interaction and coordination between different mediation support and mediation actors.

²⁰ Peter Katzenstein, *The Culture of National Security: Norms and Identity in World Politics*, New York: Columbia University Press, 1996, p.5.

²¹ Peter M. Haas, ‘Epistemic Communities and International Policy Coordination’, *International Organization*, vol. 46, no. 1, 1992, pp. 1-35.

²² *United Nations Guidance for Effective Mediation*, p. 4.

²³ *United Nations Activities in Support of Mediation, Report of the Secretary-General, A/72/115*, 27 June 2017, para 21 and following.

²⁴ Mediation Support Network, *Mediation Support Network*, undated webpage. Retrieved 27 January 2016, <http://mediationsupportnetwork.net/>.

²⁵ Stine Lehmann-Larsen, ‘Effectively Supporting Mediation: Developments, Challenges and Requirements’, *Oslo Forum Papers*, Geneva: Centre for Humanitarian Dialogue, 2014.

Knowledge management and research. Knowledge management refers to “accumulating, managing and disseminating comparative knowledge on the profession of mediation and of substantive issues on mediation processes”.²⁶ This includes research, which may be conducted on the field of mediation in general, or consist of tailor-made, process-specific research such as conflict briefs and stakeholder analyses.

Institutional capacity building and training. This area focuses on enhancing structures and individual competence in actual mediation processes or for the purpose of organizational development of MSS. Capacity building involves establishing processes for decision-making, planning, and coordination, standard operating procedures, procedures for briefings and debriefings, designing training curricula, and supporting expert networks and human resources. Meanwhile, training entails skills enhancement of mediators, mediation team members as well as field and headquarters support staff.

Operations support. Assisting ongoing mediation processes, operations support is further grouped into three interlinked areas, namely direct support through field deployment (on-site secretariat assistance, deployment of mediation practitioners and technical experts), desk support (short-term, periodic support in process design, briefings on context, research and analysis of outstanding issues, advice on themes), and support activities to parties (facilitating confidence-building exercises and providing technical support).

Different organizations and states may have different kinds of mediation support design, which this study aims to explore. As a hypothesis, we expect that international organizations where member states retain a large degree of control over operational matters, including mediation, are more likely to focus on knowledge management as well as capacity building and training. Mediation support units in organizations, however, which themselves do mediation, are more likely to focus on operations support. We expect that this differentiation also applies to states, depending on whether they engage in mediation themselves or act in more of a support function.

1.3.3. Research question three: How can we understand the development/progressive institutionalization of MSS?

Understanding the further development of MSS draws from theories on the levels of cooperation. To capture trajectories of institutional development, David Law identifies three orders of cooperation depending on the level of structural changes and devolution of authority.²⁷ He applies these concepts to examine inter-organizational relations, but this study adapts his model to assess the degree of institutionalization of mediation support structures:

First-order cooperation involves the exchange of information and analysis as well as staff meetings and exchanges that do not imply dependence or loss of autonomy to participating actors.²⁸ Running parallel to Lehmann-Larsen’s typology, first-order cooperation implies that an MSS is neither involved in running mediation processes operationally speaking nor in the decision-making role of these processes. Instead, the MSS operate in the background, focusing on organizing conferences and workshops for the community of mediation practitioners in general, conduct research, gather general best practices, and run trainings.

Second-order cooperation goes deeper and describes a further-reaching relationship with another organization, which may even reach a point of dependence.²⁹ Applied to mediation support, this implies that in addition to training and research, MSS are involved in some operational matters. This could, for example, be the secondment of experts, running workshops for mediators and conflict parties, and handling of finances and administration around particular mediation processes. It would also imply that MSS make their voices heard in the decision-making around mediation processes. In short, mediation actors, such as special envoys, are willing to accommodate and coordinate with MSS, but they decide on a case-by-case basis how far-reaching the involvement of the MSS is.

²⁶ Lehmann-Larsen, 'Effectively Supporting Mediation'.

²⁷ David M. Law, 'Cooperation among SSR-Relevant IGOs', in David M. Law, ed., *Intergovernmental Organisations and Security Sector Reform*, Zurich: LIT Verlag Münster, 2007, chapter 3.

²⁸ Law, 'Cooperation among SSR-Relevant IGOs', p.54.

²⁹ Law, 'Cooperation among SSR-Relevant IGOs', p.53.

Lastly, *third-order cooperation*, the deepest order of cooperation, necessitates the “creation or reorganization of resources, competences and instruments and the establishment of machinery”³⁰ staffed by representatives from different affiliated entities who can weigh in when decisions are taken. In mediation support, this means a fully institutionalized MSS, which works directly with mediators and supports the decision-making around mediation processes.

In principle, first-order activities may progress to a deeper order because these activities facilitate interaction and foster confidence allowing MSS to showcase their expertise and added value. However, in practice, the movement from first-order cooperation to third-order cooperation is neither clear-cut nor automatic. Depending on the structural aspects and political dynamics within an organization or foreign ministry, MSS may remain at first or second-order cooperation.

As a hypothesis, given the duration of fully institutionalizing a new structure, we would expect more recent MSS, as is the case with Germany and IGAD, to conform to first or second-order of cooperation. Long-established structures, such as in Switzerland and the UN, for example, are more likely to be deeply anchored. On a different level, international organizations whose member states are in the lead in mediation processes, as is the case in the OSCE and IGAD, are less likely to attain third-order cooperation within their secretariats, compared to organizations, such as the UN, which are themselves mediation actors.

³⁰ Law, 'Cooperation among SSR-Relevant IGOs', pp.53-54.

2. Case studies of MSS

This part lays the foundation for the study's findings by presenting analysis related to the six case studies of MSS in the UN Secretariat, the OSCE Secretariat, the EEAS, IGAD Secretariat, the Swiss FDFA and the German Federal Foreign Office.

2.1 UN

Genesis

Since the creation of the UN, mediation has been one of its core functions based on the Charter's emphasis of the peaceful settlement of disputes in its Chapter VI. As a function of the Secretary-General's duty to offer good offices, the UN has historically been one of the most – if not the single most – active mediator globally. Since the end of the Cold War, the UN's mediation activities have increased substantially resulting in engagements such as the peace process in El Salvador in the early 1990s, the negotiations leading to the Bonn Agreement for Afghanistan in 2001 and the plan for the independence of Kosovo in 2007.³¹ Notwithstanding this, the UN only began an in-depth reflection process on the use of mediation and ways to strengthen and improve it in the mid-2000s.

In 2004, the Secretary-General's High-Level Panel on Threats, Challenges and Change issued its report 'A more secure world: Our shared responsibility', in which it calls for additional resources for DPA and its restructuring "to provide more consistent and professional mediation support".³² The report states that the development and support of capacities for mediation does not correspond to the increase in demand, and that a "field-oriented, dedicated mediation support capacity, comprised of a small team of professionals" is needed.³³ Secretary-General Kofi Annan took this point up in his subsequent report and asked member states for more resources for his good offices.³⁴ At the 2005 World Summit Outcome a few months later, member states called on the Secretary-General to strengthen mediation support, effectively providing him with the mandate to do so.³⁵ This also implied the recognition by member states of the UN as an important actor in the realm of mediation as well as its need to professionalize and systematize this line of work.³⁶

The decision to turn this mandate into operational practice was taken in 2006 by the policy committee of the UN. As a result, a small unit – the Mediation Support Unit – was established within the DPA. What started with only one to two individuals was reinforced in 2007, resulting in a team of four to five people. As of today, the unit is staffed with around 20 people. As mentioned above, the primary impulse to establish the MSU came from a need to support ongoing mediation activities.³⁷ This call came both from experts on international security, illustrated by the report of the High-level Panel on Threats, Challenges and Change, as well as member states pushing for mediation within the UN, illustrated by the World Summit Outcome report.

Whereas the structure of the MSU was created relatively quickly, the development of a normative and policy framework to guide the work of the unit took a few more years. As a big cornerstone in this respect, the Secretary-General, at the request of the Security Council,³⁸ issued his report on enhancing mediation and its support activities in 2009.³⁹ In it, he spells out in detail how mediation and mediation support are to be understood by the UN, and what the purpose of the MSU is. It was only in 2011 that the General Assembly adopted its first resolution specifically dedicated to the topic of mediation, requesting the

³¹ Elodie Convergne, 'Learning to Mediate? The Mediation Support Unit and the Production of Expertise by the UN', *Journal of Intervention and Statebuilding*, vol. 10, no. 2, 2016, p. 181.

³² UN High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*, A/59/565, para. 102, 2004.

³³ High-Level Panel, para 103.

³⁴ Report of the Secretary-General, *In Larger Freedom: Towards Development, Security and Human Rights for All*, A/59/2005, para. 108, 2005.

³⁵ UN General Assembly, *2005 World Summit Outcome*, A/60/L.1, para 76, 2005.

³⁶ Interview with former MSU staff, Geneva, 21 June 2017.

³⁷ Skype interview with MSU staff, 15 June 2017.

³⁸ UN Security Council, *Statement by the President of the Security Council*, S/PRST/2008/36, 2008.

³⁹ UN Security Council, *Report of the Secretary-General on Enhancing Mediation and its Support Activities*, S/2009/189, 2009.

Secretary-General to develop guidance for more effective mediation, which he presented in 2012 as an annex to a General Assembly Resolution.⁴⁰ In this document endorsed unanimously by UN member states, the Secretary-General presents the first explicit definition of mediation. Ever since, there have been numerous reports and resolutions on the topic of mediation, notably on sexual violence in conflict or the cooperation with regional and sub-regional organizations,⁴¹ that all rely on the thematic knowledge and expertise of the MSU.

Design and structure

From the beginning, donors had wanted the MSU to be operational, effectively engaged in mediation activities on the ground.⁴² Although it is located within the Department of Political Affairs, which is responsible for all political missions of the UN, the MSU has system-wide responsibility for mediation support. It performs three functions: to offer technical and operational support to peace processes, to strengthen mediation capacity within and outside the UN, and to develop and disseminate knowledge products on mediation. In terms of importance, operational support is most in demand, although thematic expertise through research activities is increasing internally. When it comes to capacity building, the MSU maintains a number of courses for UN staff, including a High-Level Mediation Course for SRSGs and directors. However, the main thrust of this component is with regional partners, which happens less through formal courses and more via cooperation in concrete operational activities.⁴³

Structurally, the MSU can be separated into four categories. First in line are its core staff at headquarters. While those mainly operate out of New York, there is a second layer of expertise with the Standby Team of Senior Mediation Advisors, which was created in March 2008. The seven or eight members have very specific expertise in areas such as process design, security arrangements and power sharing, are deployable within 72 hours and should in theory change every year. The Standby Team members receive UN contracts, but they are not based at headquarters and are mostly in the field or otherwise on standby at home⁴⁴. In addition to this readily available resource, the MSU also maintains, as its third layer of experts, a roster of about 200 mediators and thematic experts. Fourth and finally, the MSU relies on established partnerships with external think tanks and NGOs to collect lessons learned, and further develop mediation both on a practical and conceptual level.⁴⁵

Development and institutionalization

Those working for the MSU faced some challenges, particularly in the first few years of the unit. As the DPA's regional divisions consider assistance to the UN's mediation efforts part of their core tasks, they initially perceived the MSU as a duplication of efforts.⁴⁶ What is more, they questioned whether MSU staff members would bring competencies to the table that they did not have themselves and that would be useful for their work.⁴⁷ This served to undermine the flow of information and cooperation with the new entity within DPA.⁴⁸ Resistance also came from other parts of the UN, given the MSU's mandate to provide system-wide mediation support. What proved effective in convincing others of the MSU's usefulness was the Standby Team of Senior Mediation Advisors, also referred to as a "game changer" by one interviewee.⁴⁹ This mechanism offered 'clients' within the UN system specialized knowledge on topics such as security or transitional justice that political officers at geographical desks would not necessarily have. After some initial challenges, the MSU has since been able to fine-tune their experts'

⁴⁰ UN General Assembly, *Report of the Secretary-General on Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution*, A/66/811, Annex I, 2012.

⁴¹ A comprehensive list of key UN documents on mediation can be found on the Peacemaker website. Retrieved 11 July 2017, <http://peacemaker.un.org/resources/key-un-documents>.

⁴² Interview with former MSU staff, Geneva, 21 June 2017.

⁴³ Skype interview with MSU staff, 15 June 2017.

⁴⁴ More information on the 2017 Standby Team can be found on the Peacemaker website. Retrieved 11 July 2017, <http://peacemaker.un.org/sites/peacemaker.un.org/files/Factsheet%202017%20Standby%20Team.pdf>.

⁴⁵ Two important resources in this component are the Academic Advisory Council on Mediation, which aims to promote more systematic exchanges between academics and institutions working on mediation and the UN, as well as the Mediation Support Network which brings together NGOs working on mediation and the UN to exchange on practical challenges in this line of work.

⁴⁶ Convergne, *Learning to Mediate?* P. 188.

⁴⁷ Convergne, *Learning to Mediate?* P. 184.

⁴⁸ Interview with former MSU staff, Geneva, 21 June 2017.

⁴⁹ Skype interview with MSU staff, 15 June 2017.

terms of reference, which has made the Standby Team of Senior Mediation Advisors a resource in high demand, including for high-profile cases such as Darfur and Libya.⁵⁰

Aside from the more senior members of the Standby Team of Senior Mediation Advisors, staff members from headquarters are also increasingly involved in operational activities. This is owed to the fact that their profile has changed over time from being more generalist desk officers with political expertise to specialists with thematic knowledge.⁵¹ In other words, the profiles of MSU personnel currently reflect the unit's mandate to provide technical support. In her analysis of the MSU's trajectory since its inception, Convergne recognizes the focus on technical issues, or what she calls the "depoliticization" of the unit's work, as one of the crucial factors that enable the MSU to justify its existence and truly offer a service to other actors within the UN system and beyond.⁵²

As such, the MSU has established itself as a system-wide resource for mediation activities, both in terms of operational support and thematic advice. Although active internal communication is needed in order to 'remind' the UN leadership of the services the MSU can provide, it has generally established itself as a service that is "driven by the client", meaning the unit does not "need to be part of all the processes" to justify its existence.⁵³ This implies two major challenges it faces going forward. First and foremost, it needs to maintain a technical edge in terms of mediation capacities in order to convincingly offer an added value to other offices' political work. As responsibility for UN-led mediation processes lie with other offices in the regional divisions, it is especially important that MSU offer an added value to receive requests for support. This is linked to the second challenge of drawing the attention of UN senior officials to the resources available through the MSU. As the unit is not a permanent component of any mission or political engagement, the services of the MSU have to be promoted, if not 'advertised'.

Looking to the future, the emergence of ever more mediation support structures – both within international and regional organizations and foreign ministries – will also have an impact on how the MSU operates. Given the increasing complexity of conflicts, "national capacities will be crucial", and the MSU has already begun to engage heavily in cooperation with other mediation actors, often providing both operational support and capacity building simultaneously.⁵⁴ Newly emerging MSS often seek advice of the UN to learn from its experience, and Standby Team members are frequently deployed to support regional and sub-regional organizations. Assuming that funding remains scarce,⁵⁵ a more substantial role of national or regional counterparts will be paramount to face the challenges of today's peace processes. As the recent past has shown, however, this by no means implies a reduction of demand for the MSU. Quite to the contrary, a likely scenario is that the unit will have to dedicate more of its resources to this component of its mandate.

2.2 [OSCE](#)⁵⁶

Genesis

The origins of the OSCE go back to the détente phase of the Cold War and, in particular, to the signature of the Helsinki Final Act on 1 August 1975. The Final Act established the Conference on Security and Co-operation in Europe (CSCE) and proposed a Decalogue of 10 principles guiding relations between participating states, among which there was a clause on the peaceful settlement of disputes with a specific reference to mediation. Therefore, mediation was present from the outset, although the Helsinki Final Act did not foresee the CSCE as a mediator in its own right, but rather a platform for states to resolve disputes between them.

⁵⁰ Convergne, *Learning to Mediate?* P. 186.

⁵¹ Skype interview with MSU staff, 15 June 2017.

⁵² Convergne, *Learning to Mediate?* Pp. 181-199.

⁵³ Skype interview with MSU staff, 15 June 2017.

⁵⁴ Skype interview with MSU staff, 15 June 2017.

⁵⁵ The MSU receives funding through both the UN regular budget and voluntary contributions and thus relies on the continued interest of member states in the topic of mediation.

⁵⁶ This case study draws on the experience of one of the authors working for the OSCE Conflict Prevention Centre from 2012 to 2015.

This changed following the end of the Cold War when the CSCE, which became the OSCE in 1995, expanded. This also meant an enhanced role in mediation, as the OSCE became a convener of peace talks, a dialogue facilitator through its field operations, and, in some cases, such as the Transdniestrian conflict, a mediator.⁵⁷ OSCE mediation engagements are led by the countries that hold the annually alternating chairmanship. These countries nominate OSCE mediators. Initially, support for their efforts primarily came from the respective foreign ministries, while the Secretariat provided geographic expertise, ensured linkages to field operations, and supported political consultations in Vienna.

The idea of mediation support came to the fore in the mid-2000s due to three developments. First, some observers called the relevance of the OSCE into question, and criticized OSCE mediation for being ineffective and insufficiently institutionalized.⁵⁸ Second, OSCE Secretariat staff became part of the mediation epistemic community that took shape in the mid-2000s with the creation of the UN MSU. As of 2007, representatives of the OSCE Conflict Prevention Centre (CPC), the key operational division within the Secretariat, were in contact with the UN MSU. In March 2008, CPC and UN MSU jointly organized a conference titled 'Operationalizing Mediation Support'.⁵⁹ After the conference, CPC wrote an internal memo proposing the creation of a dedicated mediation support structure in the OSCE Secretariat. To conjure up internal support, CPC organized an OSCE-wide event on mediation in October 2009, for which it commissioned a background paper from the Mediation Support Project in Switzerland. Third, participating states, which had established MSS in their own countries, promoted the idea that the OSCE needed mediation support. Switzerland was particularly active. Thomas Greminger, who prior to becoming Swiss Ambassador to the OSCE was the head of the Political Division (PD) IV within the FDFA said: "With my experience at PD IV, and having worked closely with the UN MSU, I was concerned about the lack of mediation expertise in the OSCE, and I wanted to do something to change this."⁶⁰

A window of opportunity opened in 2011 when the Lithuanian Chairmanship worked towards the adoption of a decision by the OSCE Ministerial Council to boost the conflict prevention role of the OSCE, in particular its secretariat in Vienna. Mediation became one of four thematic clusters. In the negotiations, like-minded states rallied behind the argument that mediation expertise was lacking and that the OSCE needed to catch up with other organizations.⁶¹ To assuage concerns of skeptical states, they emphasized the technical nature of mediation support in line with the functional approach outlined in part 1. Another argument was that the creation of a dedicated mediation support structure did not necessitate structural reforms and "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."⁶² In December 2011, foreign ministers of OSCE participating states adopted decision 3/11 on the conflict cycle, with paragraph 10 dedicated to mediation.

Design and structure

Decision 3/11 in paragraph 10 sets out four main activity lines of OSCE mediation support: 1) training and capacity-building for OSCE structures; 2) knowledge management and operational guidance; 3) outreach, networking, cooperation, and coordination with national actors and other international organizations; and 4) operational support for the chairmanship and field operations. This structure mirrors that of other MSS and of the UN MSU in particular. This was intentional: "We did not want to reinvent the wheel. Our idea was more or less to copy and paste the UN MSU, but to downscale it to fit the OSCE."⁶³ The language of Decision 3/11 is almost identical with a non-paper circulated by the Lithuanian Chairmanship before a thematic meeting on mediation in July 2011.⁶⁴ The non-paper, in turn, incorporated suggestions from CPC and Swiss experts, who knew UN MSU and were already part of the mediation epistemic

⁵⁷ For details on different OSCE mediation roles, see David Lanz, 'Charting the Ups and Downs of OSCE Mediation', *Security and Human Rights*, vol. 27, no. 3-4, 2016, pp. 243-255, at p. 246-47.

⁵⁸ One example is Victor-Yves Ghéballi, *The OSCE between Crisis and Reform: Towards a New Lease of Life*, Policy Paper no. 10, Geneva Centre for the Democratic Control of Armed Forces, 2005, p. 2.

⁵⁹ See the report from this conference, Miriam Fugugosh, *Operationalizing Mediation Support: Lessons from Mediation Experience in the OSCE Area*, GCSP Geneva Papers 3, 2008.

⁶⁰ Interview with Thomas Greminger, Bern, 19 May 2017.

⁶¹ Interview with Thomas Greminger, Bern, 19 May 2017.

⁶² Expert Meeting within the Framework of the Conflict Cycle – V to V Dialogue: 'Strengthening the Mediation-Support Capacity within the OSCE', perception paper of the Lithuanian OSCE Chairmanship, 26 July 2011, CiO.GAL/150.11

⁶³ Interview with Thomas Greminger, Bern, 19 May 2017.

⁶⁴ Proposal for 'Concept for Strengthening Mediation-Support within the OSCE', Non-paper, CiO.GAL/137/11/Corr 1, 20 July 2011.

community. The mandate contained in Decision 3/11 did however contain OSCE-specific elements of mediation support, such as a reference to coordination with national actors, reflecting the consensus-based nature of the OSCE, and a focus on support of chairmanships and field operations.

In terms of structure, the establishment of mediation support “was a modest project that did not require deep changes in the structure of the OSCE Secretariat.”⁶⁵ Decision 3/11 tasked the Secretary General to designate a focal point. Mediation support was therefore integrated into an existing section, the CPC Operations Service (OS). This section is responsible for a range of tasks, including running the OSCE situation room, providing expertise for the planning of new operations, as well as running an early warning network. The OSCE mediation support capacity was therefore structurally separated from the geographic desks in the CPC. This increased the distance to the field, but at the same time provided more leeway to create a new structure with a specific expertise.

Development and institutionalization

Decision 3/11, adopted in December 2011, provided a mandate, but there was no dedicated structure to implement the mandate. This was gradually achieved in subsequent years. In April 2012, the CPC presented a detailed plan to participating states for implementing the mediation-related provisions of Decision 3/11 including the creation of a focal point in its OS section.⁶⁶ In October 2012, CPC recruited the first staff member to work specifically on mediation support. In 2014, two additional staff members joined and a Mediation Support Team (MST) was created as a separate sub-section within CPC/OS. At approximately the same time, Finland, Turkey and Switzerland established the OSCE Group of Friends of Mediation. In short, by 2014, mediation support had firmly taken root in the OSCE.

Six factors contributed to this development. The first factor was the creation of new posts dealing specifically with mediation support and thus working directly towards the establishment of mediation support in the OSCE Secretariat. As an MST staff member said: “Getting three posts was very important. Three positions in an organization that is quite limited in size is significant and it made the establishment of the new structure possible.”⁶⁷

A second factor was that MST raised extra-budgetary funds, giving it some flexibility and autonomy to initiate its own activities, including conducting training courses, participating in international mediation events, and providing funding for the deployment of experts, therefore making it an interesting partner for other OSCE structures.

A third factor was continuous support provided by certain participating states, in particular Switzerland, Finland and later Turkey and Germany. They injected financial resources and provided seconded staff – of the six staff members working or having worked for MST, there were two Swiss, two Finns, one Turk, and one German. They also provided political support by highlighting MST activities, and advocating for the creation of new posts. Finally, they raised the profile of mediation support by mentioning it in speeches and meetings with high-level officials.

Fourth, MST took a pragmatic approach and focused on activities, for which there was demand and which did not upset existing mandates and division of labor. Pilot activities, which generated resonance, included trainings for field operations, coaching of incoming and debriefing of outgoing special representatives, and funding of topical experts, for example on cultural heritage, to support OSCE mediation efforts. MST was not, however, included into the permanent support structure of special representatives, who represent the OSCE in mediation processes. The role of primary support for special representatives remained with the geographic desks of the CPC. With this approach, MST made itself relevant, but without creating adversaries. This gradual approach which produced deliverables was instantly successful.⁶⁸

Fifth, MST developed a body of specialized knowledge and created awareness that this knowledge was needed in the OSCE. According to an MST staff member, “methodological expertise about how to

⁶⁵ Interview with Thomas Greminger, Bern, 19 May 2017.

⁶⁶ This presentation took place in the Open-Ended Working Group on the Conflict Cycle, chaired by the chairmanship and the CPC, in which participating states periodically met to discuss the implementation of Decision 3/11.

⁶⁷ Interview with MST staff member no. 1, 13 April 2017.

⁶⁸ Interview with MST staff member no. 1, Vienna, 13 April 2017.

conduct mediation and dialogue facilitation, and what the difference between the two is, is very important. We are a hub of expertise for this and this allows the organization to mainstream these competencies.”⁶⁹ MST also provided expertise on different types of dialogue processes and how they fit the OSCE’s conflict management toolbox. This expertise gained internal visibility in the context of the Ukraine crisis when the OSCE promoted national dialogue in the aftermath of Yanukovich’s departure in February 2014.

Finally, MST has taken on a convening role, bringing together different OSCE structures, and sometimes external actors, working on a peace process. For example, MST has organized meetings on Ukraine for different OSCE structures to discuss and streamline their activities. This proved to be a relevant function, given the decentralized structure of the OSCE.

To sum up, in the period between 2007 and 2014, the OSCE created a full-fledged MSS. As an MST staff member said: “Today we are institutionalized. We have an established role in the organization and a range of files we work on. If I leave, somebody else takes over as the focal point for that file.”⁷⁰

Having said this, mediation support in the OSCE Secretariat faces three limitations. First, MST is not automatically integrated into OSCE mediation teams. As one MST member said, “If our team were eliminated tomorrow, there is no mediation process that could not continue.”⁷¹ Ukraine is a case in point. MST played a significant role in the OSCE’s initial response to the crisis, but when the Trilateral Contact Group was established and a Chairperson-in-Office (CiO) special representative nominated, MST took an auxiliary role that consisted of funding thematic experts and running mediation retreats. This backseat role has to do with the fact that OSCE mediators are chairmanship representatives that come with their own advisors and with an organizational culture, which still values country-specific expertise over methodological expertise.

The second limitation is that mediation support remains entirely dependent on voluntary contributions. All three mediation support posts are ‘seconded’, which means that the posts are not covered through the regular budget of the OSCE Secretariat, but sponsored by interested states. Likewise, MST activities are fully financed through extra-budgetary means, as the regular budget has no funds earmarked for mediation support. This potentially creates a precarious situation, threatening the existence of MST, in the case the participating states lose interest.

A third limitation is that the normative basis for mediation support is relatively shallow, especially compared to the UN, which now has multiple UNGA resolutions. OSCE mediation support rests on paragraph 10 of Decision 3/11. For example, there is no explicit mandate for the need of multiannual appointments of special representatives or a commitment to anchor mediation support in the OSCE regular budget. The attempt by the 2014 Swiss Chairmanship to convince participating states to adopt a ministerial council decision on mediation with these elements had to be abandoned due to the reluctance of some countries. This shows that there is, to date, no consensus for a fully institutionalized third-order MSS in the OSCE.

2.3 EU

Genesis

The EU has provided mediation and peace process support for a long time either directly as a multilateral body, for example through EU delegations, EU Special Representatives and Envoys, Common Security and Defence Policy (CSDP) missions, or indirectly through member states.⁷² However, it is only in the last few years that mediation support has been institutionalized within the EU. The establishment of the UN MSU in 2006 created a conducive international environment and provided inspiration for the setup of a MSS within the EEAS. EU member states that had supported the establishment of the MSU and were

⁶⁹ Interview with MST staff member no. 2, Vienna, 13 April 2017.

⁷⁰ Interview with MST staff member no. 1, Vienna, 13 April 2017.

⁷¹ Interview with MST staff member no. 2, Vienna, 13 April 2017.

⁷² Canan Gündüz and Kristian Herbolzheimer, *Standing United for Peace: The EU in Coordinated Third-party Support to Peace Processes*. Initiative for Peacebuilding, 2010, p. 14.

convinced of the necessity of having such a structure in place started lobbying for a MSS within the Council of the European Union. Additionally, the organizations within the 'Initiative for Peacebuilding'⁷³ also became active in advocating for mediation support: "The pressure to institutionalize came from outside, not from within the system."⁷⁴ In 2007, a group of members of the EU Parliament started pushing for the establishment of the structure. Parallel to this, mediation was more frequently mentioned in EU documents, particularly in connection to the EU's relations with the UN.⁷⁵

In culmination of these efforts, the EU Council adopted the 'Concept on Strengthening EU Mediation and Dialogue Capacities' in November 2009. Despite the fact that mediation and dialogue were present in the EU since the very beginning,⁷⁶ it was the 2009 concept that, for the first time, clearly spelled out the EU's ambition for, and framing of, mediation and dialogue.⁷⁷ The underlying theory of change in the concept was framed in the following way: "On the basis of this Concept, the EU aims to develop a more systematic approach to mediation and to strengthen its mediation support capacity which will allow it to contribute in a more efficient and effective way to preventing and resolving conflicts."⁷⁸

After the concept was adopted, members of EU Parliament sent a proposal to the European Commission for a two million-Euro pilot project to set up a functioning MSS. As a result, the Mediation Support Pilot Project (MSPP) was launched in 2010, with implementation starting in late summer 2011. Responsibility for the project was given to a newly created Mediation Support Team within the EEAS. The team started with one staff member, with an additional three more hired during the project period. Institutionally, the project was embedded in the Conflict Prevention, Peacebuilding and Mediation Instruments Division (K2) of the EEAS' specialist division Security Policy (SECPOL) 2.

The establishment of the EEAS MSS can be clearly linked to the normative approach outlined in part I. Based on their experience with other organizations, and particularly with the creation of the UN MSU and the respective emergence of an epistemic community, international think tanks and vocal member states persuaded decision-makers within the EU structure to establish a full-fledged MSS. In addition, proponents for the MSS also referred to the functional necessity to overcome unsystematic coordination and ineffectiveness in previous mediation endeavours.

Design and Structure

The current setup of the EEAS MST is similar to those of other MSS. During the pilot project, different work streams were developed. As such, there are four pillars, which coincide, for the most part, with the activity areas originally outlined in the 2009 concept:⁷⁹

Operational support and expert deployments: This pillar includes capacity building for external stakeholders, such as conflict parties. It also includes advice on process design and facilitation, and expert deployments. Conflict analyses with a focus on mediation entry points are also carried out by the team, together with conflict prevention experts in the wider Division. Coaching and training (capacity building): Complementing operational support, this pillar includes internal capacity building and awareness raising. For these activities, the MST often relies on external experts and trainers.

Knowledge management: This includes the development of internal guidance papers and thematic factsheets, internal lessons learned, post-action and debriefing papers. While some are published, most papers are only made available to relevant EU staff.

⁷³ IfP was a consortium led by International Alert and funded by the European Commission. It drew together the geographic and thematic expertise of ten civil society organisations. See the IfP website. Retrieved 2 September 2017, <http://eplo.org/activities/project-archive/initiative-peacebuilding/>.

⁷⁴ Interview with external expert, Brussels, 1 June 2017.

⁷⁵ ECDPM, *Study on EU Lessons Learnt in Mediation and Dialogue: Glass Half Full*, online report, December 2012, p. 5. Retrieved 2 September 2017, <http://ecdpm.org/wp-content/uploads/2013-Glass-Half-Full-Study-EU-Lessons-Learnt-Mediation-Dialogue.pdf>.

⁷⁶ Article 10A of chapter 1 in the Lisbon Treaty can be used as a vague reference, for instance.

⁷⁷ ECDPM, *Study on EU Lessons Learnt*, p. 2.

⁷⁸ Council of the European Union, *Concept on Strengthening EU Mediation and Dialogue Capacities*, November 2009. p. 4.

⁷⁹ EEAS, *Factsheet – EU Mediation Support Team*, online document. Retrieved 2 September 2017, http://eeas.europa.eu/archives/docs/factsheets/docs/factsheet_eu-mediation-support-team_en.pdf.

Partnerships and outreach: The MST develops partnerships with a variety of other mediation actors, such as regional organizations, the UN as well as civil society actors. Partnership work includes joint promotion of dialogue and mediation; exchanging best practices; and regular exchange on specific mediation files.

Initially, there was also the idea of setting up a roster of experts. However, such a roster would have required too much of a financial investment and too much maintenance. Compounding this, the EU is only able to contract individual consultants using intermediary service providers. Therefore, the EEAS decided to initiate two service contracts for which consortia of external non-governmental organizations are responsible. One contract is called European Resources for Mediation Support (ERMES) and the other, EEAS Framework Contract for Conflict Prevention and Mediation Support.⁸⁰ While the former provides support to beneficiaries (such as conflict parties, other stakeholder groups and local mediators), the latter provides internal support to individuals, groups and entities across the EEAS and other EU institutions.

Development and Institutionalization

Within a few years of the creation of the MST, mediation support took roots within the EEAS. In terms of team size, the MST grew to currently three mediation support experts, a senior mediation adviser and an expert working on a particular process. MST experts regularly deploy on missions to advise EU special representatives, special envoys and heads of delegation on mediation process design and other issues. In addition, specific methodologies that the MST has developed are in demand, for example process advisory notes and option papers. In addition to the positive performance of the MST, the establishment of mediation support has been driven by increased interest from member states. The foundation, in 2014, of an EU Group of Friends of Mediation, chaired by Finland and Spain, is indicative of this development. The EEAS, and the two successive High Representatives Catherine Ashton and Federica Mogherini, in particular, have placed strong emphasis on the EU's mediation role as evidenced by the EU's facilitation role in the Belgrade-Pristina rapprochement process and its go-between role in the Iran talks.

The context for EU foreign policy underwent a change after the fallout over the refugee situation in 2015 as well as successive terrorist attacks in EU member states. These changes are reflected in the EU Global Strategy for the EU's Foreign and Security Policy of June 2016. The Global Strategy mentions preventive diplomacy and mediation, but places emphasis on stabilization and security, which was also the focus during the first year of implementation. In connection to this, there were concerns that mediation within the EEAS would be eclipsed by a focus on 'hard' security. Likewise, there was an apprehension that the MST would be downgraded when it was moved into a new division dealing with stabilization as part of an EEAS reorganization exercise.⁸¹

Contrary to these concerns, while it is too soon to conclusively assess the impact of the Global Strategy, mediation has not actually been downgraded. The MST has been able to maintain its status, as indicated by the fact that the newly created division, in which it is located, carries mediation in its name: Prevention of Conflict, Rule of Law/SSR, Integrated Approach, Stabilization and Mediation (PRISM). The MST has also maintained its personnel resources, and its expertise continues to be in demand. The following challenges and opportunities will have an effect on EU mediation support in the coming years.

First, while the MST is broadly engaged, either directly or through external experts deployed via service contracts, it is not automatically included in EU-led dialogue processes. On the one hand, the relatively small size of the team limit its involvement. On the other, many EU special representatives, special envoys or heads of delegation often do not have a mediation-specific mandate, which limits the entry points for the MST. Also, for the moment, there is no internal cadre of senior mediators ready to be deployed at short notice. At the political level, compared to the UN, where mediation is a natural political

⁸⁰ Besides the non-governmental organizations MediatEUr, Berghof Foundation, Citpax and ESSEC IRENE, swisspeace also participates in the Conflict Prevention and Mediation Support contract. As for ERMES, the implementing consortium consists of Transtec, Crisis Management Initiative, the Centre for Humanitarian Dialogue, ACCORD, International Alert and Search for Common Ground.

⁸¹ A letter drafted by the European Peacebuilding Liaison Office (EPLO) to High Representative Mogherini in May 2016 exemplifies the concerns about the Global Strategy. The letter calls conflict prevention "the principal driving force of the EU" and states that it is "important that the EU continues to support long-term conflict prevention in countries which are not necessarily currently in the media spotlight, including through early warning, conflict analysis, dialogue and mediation support." Letter dated 31 May 2016, Retrieved 2 October 2017, http://eplo.org/wp-content/uploads/2016/06/EPLO_Letter_to_HRVP_Mogherini_on_the_EU_Global_Strategy.pdf.

priority, EU Council member state diplomats are often less familiar with mediation, and therefore in-depth discussions around mediation take place less frequently.

Second, the MST can draw on financial resources, which can be mobilized in a fast and uncomplicated manner allowing the MST to provide flexible support at short notice. However, and partly as a result of that, the EU is still often perceived as a financier rather than a political mediation actor or a provider of technical support.⁸² This is especially the case when it comes to the implementation of peace agreements, where EU financial support is often sought by conflict parties.

Third, the integrated approach has gained importance. In the beginning, MST activities were not necessarily linked to other EU interventions. However, with time, mediation support has become connected to different sectors of EU policy. The EU has a diversity of instruments, with mediation being one of them, and a presence of delegations with a good deal of staff around the world. It can, therefore, work on many levels and is well placed to invest in multi-track mediation and diplomacy.⁸³

2.4 IGAD

Genesis

IGAD first explored institutionalizing its mediation support capacity in July 2007 during a meeting in Mombasa to review the lessons learned from the Somali and Sudan peace processes.⁸⁴ The introspection was inspired by the success from the signing of the IGAD-brokered Comprehensive Peace Agreement in Sudan in 2005 and the desire to build momentum for the Somali talks. As Aleu Garang mentioned, "(when) the Sudan peace agreement was signed in 2005 [...] there was this kind of enthusiasm to solve our problems regionally and based on that, it created this environment of excitement, commitment, from member states to actually bless the idea of establishing mediation capacity."⁸⁵

Given a receptive political climate, the genesis of IGAD's mediation capacity was driven by two factors. First, based on the lessons learned in previous processes, IGAD wanted to move from an ad-hoc, member state-led approach to a more structured and regional approach in addressing crises in their own region. As IGAD's peacemaking engagements are usually led by a member state, the member state relies mostly on its appointed national staff for operational support. There was thus an emerging consensus to institutionalize this support capacity to facilitate collective and proactive action to prevent violent conflicts from escalating and spilling over to other parts of the Horn of Africa. Moreover, institutionalizing mediation support capacity was in line with other institution-building happening within IGAD since expanding its mandate in 1996 to cover security issues. One such institution that formed at that time was IGAD's Peace and Security Division, which was designed to cover other conflict management institutions, including mediation support. Second, in the process of collaborating with the UN in many activities, IGAD exposed its staff to the UN MSU concurrently developing at that time and took inspiration from the UN MSU's design and structure. Aleu Garang notes, "the IGAD Mediation Support Unit started as actually the domestication of international laws, which is the UN mediation structures."⁸⁶

Given this, in 2010, the IGAD Secretariat began to mandate research and to mobilize resources to design an IGAD MSU. Most notable is a conference in November of that year on the theme, "Challenges and Prospects of Peacemaking in the Region" in Nairobi. It examined emerging trends based on the experiences of IGAD countries in the areas of conflict prevention, management and resolution, "look(ed) into the indigenous knowledge for peace," and explored institutionalizing mediation efforts⁸⁷

⁸² Interview with external expert, Brussels, 1 June 2017.

⁸³ Interview with external expert, Brussels, 1 June 2017.

⁸⁴ Interview with Aleu Garang, Nairobi, 23 April 2017; IGAD, *A Mediation Support Unit for IGAD in the Making*, undated online article. Retrieved 29 May 2017, <https://igad.int/divisions/peace-and-security/310-a-mediation-support-unit-for-igad-in-the-making>.

⁸⁵ Interview with Aleu Garang, Nairobi, 23 April 2017.

⁸⁶ Interview with Aleu Garang, Nairobi, 23 April 2017.

⁸⁷ IGAD, *IGAD Conference on Peace and Security Issues: Challenges and Prospects*, online news release, 20 November 2010. Retrieved 2 September 2017, <https://igad.int/index.php/divisions/peace-and-security/263-igad-conference-on-peace-and-security-issues-challenges-and-prospects> and IGAD, *A Call for Sustainable Peace in the IGAD Region*, online article, 2 December 2010. Retrieved 29 May 2017, <https://igad.int/index.php/divisions/peace-and-security/265-call-for-sustainable-peace-in-the-igad-region>.

Formal institutionalization took off in 2012 starting with the IGAD High-level Consultative Meeting on Mediation in February. During this meeting, IGAD member states ambassadors and the IGAD Peace and Security Division staff deliberated on the concept and details of an IGAD MSU. This agenda was taken up in the meeting of senior technical experts from IGAD member states in July that recommended the Council of Ministers' adoption of the plan to establish the MSU. Upon approval of the Council of Ministers, the Council of Ambassadors (CoA) issued a Resolution to Operationalize the Newly Established IGAD MSU in September 2012. The resolution outlines the main objective, design, initial activities, and position of this unit in relation to other relevant IGAD bodies.

Structure and Design

The CoA's resolution states the objective of the IGAD MSU, which is “to assist mediation processes both in inter and intra-state conflicts.”⁸⁸ Reporting to the CoA, the MSU is tasked to work on a roster of mediators and technical experts, to collaborate with the Conflict Early Warning Response Network (CEWARN), to carry out country-level consultations with relevant national institutions, and to create synergies with other IGAD programs. In terms of its relations with other IGAD bodies, the IGAD MSU is one of the bodies under the IGAD Peace and Security Division and is second in terms of conflict response after CEWARN.⁸⁹

The MSU is designed to be headed by one coordinator and supported by three program officers. This team is tasked to establish and maintain the three levels of mediation capabilities within IGAD. The first level is the mediators themselves, where the MSU set up a roster of IGAD mediators that can be readily deployed upon gaining mandate from IGAD. This roster was established in August 2014 and each member state nominated three of its nationals, where at least one of them is a woman. The second level comprises the technical experts, who support the mediators in fulfilling their mandate. The MSU is in the process of identifying the areas of expertise, structure, and the criteria for selecting technical experts. An important requirement for the technical experts is that they are from the region. As a product of socialization with the UN MSU, these first two levels reflect the rosters established within the UN, albeit with great emphasis on nationals and member state nominees as members.

National capacities comprise the third level of mediation capabilities that the MSU supports. While member states lead in designing and enhancing their national institutions for prevention and peacemaking for conflicts within their borders, the MSU provides support to these national mediation bodies upon request.

While the MSU's establishment phase is still ongoing, it has conducted activities that build mediation capacities both at the regional and national level. It has organized training courses for its roster of mediators and held consultations with national counterparts on developing institutional capabilities and harmonizing national policies in mediation. It also provided operational support to the IGAD mediation process in South Sudan through the secondment of one program officer who assisted in the conflict analysis and process design of the mediation.

In June 2017, the IGAD MSU held a workshop to validate the Strategic Guidelines for Mediation. The Strategic Guidelines “inform Mediators on steps to be followed in order to achieve professionally oriented, politically appropriate, and impartial efficient intervention in conflict prevention or mediation processes.”⁹⁰ Moreover, while the 2012 CoA Resolution laid the details of the MSU's foundation, the Strategic Guidelines further specify the mandate of the MSU and its approach to mediation, which will shape the MSU's activities in the coming years. At the end of the workshop, the CoA adopted the Strategic Guidelines on Mediation document. As of the writing of this report, this document was under editorial review but will be published soon after.

⁸⁸ Intergovernmental Authority on Development (IGAD), *Resolution of the IGAD Committee of Ambassadors to Operationalize the Newly Established IGAD Mediation Support Unit (MSU) 17-18 September 2012*, Tadjourah, Republic of Djibouti, online. Retrieved 29 May 2017, https://igad.int/attachments/509_Final%20COA%20resolution%20on%20MSU.pdf.

⁸⁹ IGAD, *Resolution of the IGAD Committee of Ambassadors to Operationalize the Newly Established IGAD Mediation Support Unit (MSU)*, 18 September 2012.

⁹⁰ IGAD, *IGAD endows itself with strategic guidelines on mediation*, online article, 14 June 2017. Retrieved 2 September 2017, <https://igad.int/divisions/peace-and-security/1578-igad-endows-itself-with-strategic-guidelines-on-mediation>.

Development and institutionalization

The discourse during the genesis of the IGAD MSU reflects certain norms and principles that continue to guide the design and further development of the MSU. First, the MSU is guided by the desire to move from a state-led, ad-hoc approach to a regional approach to conflicts that go beyond one member state's borders. While CEWARN as a first responder focuses on national measures, the IGAD MSU as the second line of response balances national and regional level responses given the great potential of conflicts in one member state to impact the whole region.

Second, while IGAD learns from the design and development of the UN MSU and follows its guidance, IGAD officials from before the MSU's establishment have emphasized the importance of indigenous approaches to conflict management. This entails formulating its own strategy and guidelines with the UN guidance in mind as well as prioritizing member states to staff the rosters of mediators and technical experts.

Third, while harmonizing and collectively enhancing capacities at the regional level, the IGAD MSU highly regards the importance of national institutions as responders to conflict within national borders. Thus, it engages in helping national institutions to develop mediation capacities. Equally important, it also recognizes the primacy of the political will of the member states in steering mediation capacity development, and in deciding whether to launch a mediation mission. "We are not replacing the political will, we are just bringing the tools for them to use."⁹¹ This is also linked to the second point on adapting approaches to specific requirements of IGAD. As Aleu Garang notes, "we were able to modify certain things according to our needs, like for example, roster members were not selected by the secretariat, but by member states. So we gave a little bit of prominence to member states to all the process. It comes with pros and cons but that was necessary."⁹²

Lastly, in many of its activities, the IGAD MSU strives for collaboration with others. It has partnerships with international organizations, such as the EU that provides financial and technical support to the posts in the MSU, or the UN that shares its modules for courses delivered to the IGAD roster of mediators. It partners with states such as Switzerland in facilitating the exchange of experiences and drawing up lessons learned in mediation. The IGAD MSU also collaborates with non-governmental organizations that have mediation expertise such as Accord, Crisis Management Initiative (CMI), and swisspeace.

In its further development, the main challenge for the MSU is the availability of funds to maintain its program officers. EU funding has supported the coordinator's post through the years, while the IGAD MSU was able to acquire short-term contracts for its program officers. Another challenge is providing technical operational support to high profile mediators. When former politicians enter a mediation process they often come with their own understanding of conflicts in the region and are less inclined to accept technical advice. The last main challenge is striking a balance between an institutional, regional approach and the primacy of member states' political will in launching and shaping mediation missions. While the IGAD MSU can lead in forming rosters and capability development programs, the activation of the IGAD MSU to provide operational support to actual mediation processes is contingent on the member states' willingness. The lead mediator in a process continues to prioritize its own staff to provide operational support. Moreover, when the MSU is called to support actual mediation missions, member states have varying interpretations of the issues and hence conducting collective conflict analyses and process design becomes a challenge.

As the establishment phase continues alongside implementing mediation support activities, the IGAD MSU aspires to be fully operational in the coming years with the vision "to be a viable mediation structure that is able to provide all the necessary capacities to run a mediation process that is credible and supported by the political will of member states."⁹³ The IGAD MSU's main priority is developing regional capacities in three areas, namely building institutions, harmonizing national policies for an integrated regional approach, and enhancing technical skills and knowledge.

⁹¹ Interview with Aleu Garang, Nairobi, 23 April 2017.

⁹² Interview with Aleu Garang, Nairobi, 23 April 2017.

⁹³ Interview with Aleu Garang, Nairobi, 23 April 2017.

2.5 Switzerland⁹⁴

Genesis

Switzerland has promoted peace as part of a niche foreign policy since the second half of the 19th century. Peace promotion historically focused on hosting arbitration tribunals, taking over protective power mandates to enable communication between states having severed diplomatic ties, and hosting international conferences.⁹⁵ Switzerland also mediated, as between France and the Algerian National Liberation Front in the 1960s, but these engagements were rather rare and ad hoc. This changed after the end of the Cold War when Switzerland developed a full-fledged peace policy. The increased engagement in peacebuilding was fostered by a more internationalist orientation of Swiss foreign policy, invoking long-established concepts such as neutrality and humanitarian tradition.⁹⁶ Moreover, as Thomas Greminger writes, it was underwritten by a growing realization among foreign policy elites and in public opinion that “a wealthy country that profits from globalization is expected to adequately contribute to the resolution of global issues.”⁹⁷

Switzerland’s full-fledged peace policy emerged after peace promotion was included as a core aim of the country’s external relations in the revised federal constitution of 1999.⁹⁸ This was followed in 2003 when parliament adopted a bill defining the objectives and measures of Swiss peace policy, which was later operationalized through a four-year credit facility providing funds for Swiss peace promotion activities.⁹⁹ In addition, in 2000, the Political Division IV – later renamed the Human Security Division (HSD) – was created to institutionally anchor peace promotion in the FDFA.¹⁰⁰ PD IV also comprised a desk dealing with mediation and constitutional issues.

The post-Cold War expansion of its peace policy led to Switzerland’s increasing involvement in mediation processes. The support it provided to the peace negotiations in Burundi from 1998 to 2000 is a case in point, as is its role in facilitating a ceasefire agreement in the Nuba Mountains in 2002 and subsequent expert support for the negotiations between the Sudanese government and the Sudan People’s Liberation Army/Movement. These engagements brought home the need to develop expertise to support mediation efforts. These coincided with a realization that “peace processes have become more complex and there was expertise in terms of thematic and process-related knowledge that were useful for senior mediators. This was the tenor of events like the Oslo Forum.”¹⁰¹ Moreover, having joined the UN in 2002, Switzerland was looking for niches to engage in, whilst mediation proved to be suitable in this respect.¹⁰² Finally, thanks to the credit facility, PD IV had resources at its disposal to create additional capacities in mediation.

Against this background, the Mediation Support Project (MSP) was created in August 2005 as a joint venture between the Center for Security Studies (CSS) of the Federal Institute of Technology (ETH) in Zurich and swisspeace. Together with the mediation desk at PD IV, it constituted Switzerland’s MSS and the first such structure as conceptualized in this report. The Swiss model of mediation support was, from the beginning, characterized by three core features, which remain present today.

First, it is a hybrid structure, characterized by institutionalized cooperation between a government actor, i.e. the mediation desk of the Swiss FDFA, and two non-government actors, i.e. swisspeace and CSS. The reason why FDFA reached out to external actors was, on the one hand, due to restrictions to create additional posts in the federal administration. On the other hand, FDFA was looking for “synergies to

⁹⁴ This case study draws on the experience of the authors working for the Mediation Support Project.

⁹⁵ Andreas Graf and David Lanz, ‘Conclusions: Switzerland as a Paradigmatic Case of Small-State Peace Policy?’ *Swiss Political Science Review*, vol. 19, no. 3, 2013, pp. 410-423, at pp. 414-415.

⁹⁶ Graf and Lanz, ‘Switzerland as a Paradigmatic Case’, pp. 412-413.

⁹⁷ Thomas Greminger, *Swiss Civilian Peace Promotion: Assessing Policy and Practice*, Zurich: Center for Security Studies, 2011, pp. 9-10.

⁹⁸ Peace as a foreign policy goal is enshrined in article 54 of the Federal Constitution of Switzerland under the heading of ‘foreign relations’.

⁹⁹ This credit facility has subsequently been renewed by parliament. The current facility covers the phase from 2017 to 2020.

¹⁰⁰ For a more comprehensive account of the expansion of Swiss peace policy, see Graf and Lanz, ‘Switzerland as a Paradigmatic Case’, pp. 415-416.

¹⁰¹ Interview with Thomas Greminger, former head of HSD, Geneva, 18 July 2017.

¹⁰² E-mail correspondence with FDFA staff, 22 August 2017.

complement its expertise".¹⁰³ It also sought to anchor its activity in Swiss civil society. To this end, it chose two organizations that each brought their added value: CSS, a university-based think tank based in Zurich, brought expertise on security and environment issues, while swisspeace, which is based in Bern and well-connected in Swiss civil society, had expertise in justice and governance issues.

The second feature of the Swiss model was that mediation support was broadly conceptualized. As outlined below, apart from training and operational support, it also included networking and research. This reflects an interest to go beyond support for FDFA activities and to contribute to the development of knowledge, norms and discourses around peace mediation on a global scale.

The third feature is related to this: Swiss mediation support was inward-looking in the sense that MSP and the FDFA mediation desk worked to support Swiss mediators and mediation processes led and promoted by Switzerland. At the same time, it was also outward-looking insofar as Switzerland put in-house FDFA as well as MSP expertise at the disposal of others, supporting mediation processes led by others and contributing to the creation of a global network of mediation practitioners.

Design and structure

The main features of the Swiss MSS are reflected in the structure of MSP and of the FDFA mediation desk. MSP started as a pilot project running from August 2005 to July 2006. During this time, the focus was on organizing trainings and events, and on collecting lessons learned about Swiss mediation engagements. As a result, studies were completed on Switzerland's engagement in the peace processes in Sudan and Nepal, which were among the most prominent cases of Swiss mediation involvement at the time.¹⁰⁴ The purpose of this was partly to "sensitize people within the FDFA for the topic."¹⁰⁵ MSP struck a chord within FDFA and with partners, which is why PD IV decided to extend MSP and expand its activities. It was therefore in the project proposal for the second phase that MSP's main structure along four activity lines materialized.¹⁰⁶

The first activity line relates to research. This refers to in-depth analyses of FDFA mediation engagements, but, more importantly, it comprised applied research about mediation methodology and cases. In the 2006 proposal, MSP identified so-called "mediation gaps", which is knowledge on how topics, such as security, power-sharing, justice, and the environment play out in mediation processes. Research has focused on lessons learned from practitioners, on mediation skills and methodologies of teaching mediation. The broad research focus illustrates the above-mentioned broad nature of mediation support as a core feature of the Swiss model.

Second, MSP develops and runs mediation trainings together with Swiss FDFA. This activity line is present in all MSS analyzed in this study. What is noteworthy, however, is that trainings developed and run by MSP and the Swiss FDFA, including the Peace Mediation Course, do not only target FDFA personnel, but staff members of international organizations, states, and NGOs working in peace mediation as well as representatives of conflict parties and people close to them.

This is related to the third activity line, i.e. networking, which further shows the outward-looking nature of Swiss mediation support. MSP networking activities bring together different actors in the field of mediation with the aim of exchanging experiences and best practices. Most notably, MSP was the co-founder and still manages the secretariat of the MSN.

Fourth, MSP engages in process support. This means supporting FDFA mediation experts or processes that the FDFA is engaged in, for example by providing coaching to mediation teams or conflict parties. Process support also refers to operational activities that swisspeace and CSS are pursuing in contexts that are of interest to the FDFA and complementary to the latter's engagement.

The close cooperation with FDFA is part of MSP's DNA. MSP activities are sometimes triggered by requests coming directly from FDFA or requests coming from partner organizations like the UN channeled through FDFA. However, there is also ample room for MSP to proactively explore engagements and propose them to FDFA. This is facilitated by regular contact between FDFA and MSP

¹⁰³ E-mail correspondence with FDFA staff, 22 August 2017.

¹⁰⁴ Internal final report of MSP for the pilot phase of August 2015 to July 2016, draft of 7 September 2006.

¹⁰⁵ Interview with MSP staff member, Bern, 16 June 2017.

¹⁰⁶ Internal project proposal for MSP for the phase August 2006 to July 2007, draft of 27 July 2006.

staff members, allowing for frequent exchange and joint assessment of new opportunities. This illustrates the hybrid nature of Swiss mediation support.

While MSP adopts a broad approach, the mediation desk at HSD is more focused on the FDFA. It fulfils four main tasks. Firstly, it provides operational support to ongoing FDFA engagements in the field by deploying its own staff at short notice. Secondly, together with MSP, it offers training courses to its own experts and diplomats as well as staff from partner organizations. Examples are the UN Ceasefire Mediation Course and the UN High-Level Mediation Course. Thirdly, the mediation desk oversees the portfolio of mediation-related initiatives and projects that Switzerland supports. In this respect, it cooperates with governments, international and regional organizations, think tanks and NGOs. Fourthly, it manages Switzerland's relationship with other MSS, including those in the UN and the OSCE secretariats and states such as Germany, Finland, Norway and Sweden.

Development and institutionalization

Swiss mediation support developed gradually. Four phases in its development can be highlighted, each bringing specific challenges to the fore. First came an inception phase, which refers to the beginnings of the mediation desk at PD IV and the pilot phase of MSP from 2005 to 2006. During this phase, the Swiss model with the three core features outlined above developed and was fine-tuned. The challenge during this phase was to convince the Swiss diplomatic corps of the benefits of a hybrid approach. Seeing mediation as an activity reserved for diplomacy, some were concerned about whether they could trust a structure that was not fully integrated into the FDFA.¹⁰⁷ These reservations were addressed as MSP focused on activities that were not available in-house, such as training and applied research.¹⁰⁸ In that context, MSP staff emphasized the technical nature of their work complementing Switzerland's peace promotion engagements at the diplomatic level.¹⁰⁹

A second phase can be termed establishment. This is the period, roughly from 2007 to 2010, when the hybrid approach based on the close cooperation between FDFA mediation desk and MSP took shape and when this arrangement was accepted and became normal procedure. During this phase, the FDFA mediation desk and MSP were increasingly involved in operational support, which made the Swiss MSS a third-order actor as per the framework outlined in the first chapter of this study. It is also the phase when Switzerland became increasingly active in supporting others. This refers in particular to the UN MSU, for which it ran workshops and developed knowledge products. MSP also developed its convening role, as evidenced by its role as a founding member of MSN in 2008.

A third phase from 2011 to around 2013 corresponds to a period of consolidation. During this phase, MSP expanded its activities and saw a modest growth in its personnel resources. FDFA shifted to funding MSP through three-year contracts, which indicated the strong acceptance of the hybrid model in the FDFA. During this phase, the MSP partner organizations, swisspeace and CSS, with encouragement from FDFA, began to develop activities outside of MSP and seek additional external funding. Coupled with the growth of MSP, this led to an expansion of the respective teams, leading to the establishment of a Mediation Support Team at CSS and a Mediation Program at swisspeace. This expansion brought some challenges in terms of differentiating activities inside and outside of MSP and ensuring smooth communication in the enlarged teams of MSP partners.

A fourth phase from 2014 until today can be termed expansion. This relates to the growing profile of mediation in Swiss foreign policy. One trigger was the chairmanship of the OSCE in 2014, which allowed Switzerland to play a prominent role in managing the Ukraine crisis. This experience created an interest to have more high-level mediation engagements, which "pushes the FDFA towards being an actor."¹¹⁰ To that end, Federal Councilor Didier Burkhalter in 2015 declared his intention to significantly strengthen Switzerland's mediation capacities.¹¹¹ As a result, the HSD mediation desk saw a significant increase in

¹⁰⁷ Interview with former FDFA HSD staff member, Bern, 20 April 2017.

¹⁰⁸ Interview with former FDFA HSD staff member, Bern, 20 April 2017.

¹⁰⁹ Interview with FDFA HSD staff member, Bern, 3 June 2017.

¹¹⁰ Interview with MSP staff member, Bern, 16 June 2017.

¹¹¹ See speech of Didier Burkhalter at the annual conference of the Human Security Division, 12 November 2015. Retrieved on 25 August 2017, <https://www.eda.admin.ch/eda/en/home/fdfa/didier-burkhalter/speeches.html/content/eda/en/meta/speeches/2015/11/12/59423>.

human resources.¹¹² Moreover, FDFA created a more solid conceptual basis for its engagement, differentiating between facilitation, negotiation support, mediation support and mediation under the heading of 'good offices'.¹¹³ It also consolidated thematic expertise on certain topics, for example, mediation around ceasefires. This allowed FDFA to fine-tune the support it provided, either through its own staff or jointly with MSP. At the same time, as the mediation desk took on additional tasks in particular in support of FDFA mediation efforts, cooperation between MSP partners had to be recalibrated. Despite such adaptations, the essence of the Swiss model – a hybrid structure, a broad set of activities, and support provided to its own mediation efforts as well as those of others – has remained unchanged.

2.6 Germany

Genesis

The backdrop against which Germany developed a focus on mediation is a recent trend towards the articulation of a more proactive foreign policy role. The coordinated speeches by the German president (Joachim Gauck), the defense minister (Ursula von der Leyen) and the foreign minister (Frank-Walter Steinmeier) at the Munich Security Conference in January and February 2014 were both an expression and a catalyst of this development. In his speech, Steinmeier pointed to growing geopolitical tensions and escalating conflicts and, in this connection, said "Germany must be ready to act sooner and to play a more substantial and more decisive part in foreign and security policy." Moreover, "the military is a means of last resort. Restraint is necessary in its use. However, a culture of restraint should not mean for Germany that we sit on the fence. Germany is too large to comment on world politics from the sidelines. What is decisive above all is that we reflect more intensely and more creatively together with others on how we can equip the toolbox of diplomacy and make use of it for smart initiatives."¹¹⁴ Mediation was, evidently, a good fit for this vision, and the fact that in the course of 2014, Germany, and Steinmeier personally, played a lead role in mediating the Ukraine crisis further reinforced this.

This alone was, however, not enough to institutionally anchor mediation in German foreign policy. Two windows of opportunity seem to have been conducive to this. The first materialized in connection with discussions on the creation of a European Institute of Peace in Brussels, a project that was strongly promoted by Green Party MEP Franziska Brantner as well as civil society organizations based in Brussels and for which they sought Germany's support. A number of Berlin-based civil society actors and institutions working on peace mediation issues capitalized on this discussion to draw attention to the potential of mediation and existing capacities in Germany. "We wanted to bring the discussion to Germany to highlight a blind spot, that nobody in the Foreign Office was responsible for the topic of mediation. This is why we got together as organizations sharing a common interest."¹¹⁵ The result was the creation of the "Initiative Mediation Support Deutschland" (IMSD), which operates not as a legal entity, but a loose consortium of like-minded organizations.¹¹⁶ A number of members of the German parliament were receptive to the aims of IMSD. Therefore, a public event on peace mediation and mediation support took place in May 2013 under the auspices of the parliamentary Subcommittee on Civilian Crisis Prevention. IMSD prepared a background paper for this event in which it formulated its propositions for a better use of Germany's mediation potential.¹¹⁷

¹¹² The HSD mediation desk initially had 1 staff member; in 2013 another person joined, and in 2015 two more posts were created. As of fall 2015, the mediation desk has four staff members.

¹¹³ This distinction was out lined by Didier Burkhalter in his above-cited speech at the annual conference of the Division of Human Security on 12 November 2015.

¹¹⁴ Speech by Frank-Walter Steinmeier at the Munich Security Conference, 1 February 2014. Retrieved 12 July 2017, http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Reden/2014/140201-BM_M%C3%BCSiKo.html. Original in German, translation by the author.

¹¹⁵ Skype interview with representative of IMSD, 15 June 2017.

¹¹⁶ Five organizations are part of IMSD: the Berghof Foundation, the Center for International Peace Operations ZIF, the Centre for Peace Mediation at the European University Viadrina Frankfurt (Oder), CSSP Berlin Center for Integrative Mediation and inmedio Berlin.

¹¹⁷ IMSD, *Friedensmediation: Kurzinformation und Vorschläge für die Politik*, online paper, 30 April 2013. Retrieved on 12 July 2017, http://www.zif-berlin.org/fileadmin/uploads/analyse/dokumente/veroeffentlichungen/Kurzinfo_Mediation_30042013.pdf.

The second window of opportunity was linked to a review of German foreign policy, which Steinmeier initiated in 2014. The review involved many international experts and its outcomes confirmed the need for a more active German role, in particular in the area of crisis prevention and peace promotion.¹¹⁸ This provided traction for the topic of peace mediation as an instrument of crisis prevention within the Foreign Office, and it opened up the possibility for institutional innovations. Indeed, the review process provided anchor points for IMSD experts, members of parliament, and Foreign Office staff, who made the case that if Germany were to step up its engagement in peace promotion, infrastructure needed to be created to support these efforts.

Out of this grew an international conference, organized by the Foreign Office in cooperation with the IMSD, titled “Germany as a Mediator” in November 2014. The conference was crucial in multiple respects. The large turnout and high-level attendance at the conference demonstrated bipartisan support for the topic of mediation in Germany. The conference shed light on mediation support structures in other countries and thus “created momentum insofar as people realized that without a dedicated MSS, Germany was lagging behind.”¹¹⁹ On a technical level, it showed the diversity of institutional models of mediation support. The conference also featured many international mediation experts making the case vis-à-vis a domestic audience that Germany had a relevant role to play with existing expertise and experience but without, at that point, a systematic approach in its foreign policy. The final report of the conference, which was widely disseminated, prominently captured this point.¹²⁰

In March 2015, as an outcome of the review process, a new Directorate-General for Crisis Prevention, Stabilization and Post-Conflict Reconstruction (Directorate-General S) was created in the German Federal Foreign Office.¹²¹ According to a German diplomat, “the idea behind creating the new division was to bundle together funding instruments and expertise in order to support political initiatives related to different crisis prevention and peace promotion topics.”¹²² The new Directorate-General thus covered a range of topics, including early warning, humanitarian aid and stabilisation, and, in its division S03, crisis prevention, mediation and peacebuilding.¹²³ At its inception, division S03 concluded a framework contract with IMSD, creating a hybrid government-civil society support structure reminiscent of the Swiss model, but adapted to the specific context of Germany. Therefore, by 2015, Germany had given itself a MSS.

Design and structure

Division S03 is the institutional home for mediation within the German Federal Foreign Office. Mediation support is thus provided through division S03, often by drawing on resources and expertise of IMSD members. The close cooperation between government and civil society is the defining structural feature of the German case.

Concerning mediation support, division S03 covers four main activity lines: first, it generates knowledge on the use of mediation in crisis prevention. Second, it provides training courses for German diplomats, either through its own courses, such as, for example, a joint course with the Swiss FDFA for mid-career diplomats, or by sponsoring the participation of Foreign Office staff in external courses, such as the MAS Mediation in Peace Processes run by ETH Zurich. Third, it manages the mediation-related part of the budget of Directorate-General S. It funds mediation initiatives carried out by NGOs or international organizations, ensuring they are in line with German foreign policy priorities. As a result, in 2016, the Foreign Office funded nearly four times more mediation projects than three years ago. Fourth, S03 leads

¹¹⁸ See the archived website of the review process. Retrieved 12 July 2017, <http://www.aussenpolitik-weiter-denken.de/en/topics.html>.

¹¹⁹ Skype interview with representative of IMSD, 15 June 2017.

¹²⁰ Report of the conference “Germany as a Mediator”, Berlin, 25 November 2014. Retrieved 12 July 2017, http://www.friedensmediation-deutschland.de/fileadmin/uploads/friedensmediation/dokumente/Report_on_Peace_Mediation_Conference_2014.pdf.

¹²¹ The creation of the new section was announced by Frank-Walter Steinmeier at the concluding event of the 2014 foreign policy review, Berlin, 25 February 2015. Retrieved 12 July 2017, http://www.auswaertiges-amt.de/DE/Infoservice/Presse/Reden/2015/150225-BM_Review_Abschlussveranstaltung.html.

¹²² Interview with German Federal Foreign Office staff, Switzerland, 17 May 2017.

¹²³ For details, see the website of the Directorate General S. Retrieved 14 July 2017, http://www.auswaertiges-amt.de/EN/AAmt/Abteilungen/S_node.html.

Germany's cooperation on mediation matters with other states, notably Switzerland, Finland and Norway.¹²⁴

The activities of IMSD are synchronized with that of the Foreign Office. To contribute to knowledge generation, IMSD has written fact sheets on different mediation topics, including the intersection of mediation and international law. IMSD has contributed to several mediation trainings, and it has cooperated with the Foreign Office in the organization of several mediation conferences. These include the above-mentioned conference of November 2014, an expert meeting in October 2015, and a large conference during Germany's 2016 chairmanship looking at the OSCE's role in mediation. IMSD's support to the Foreign Office results from a joint consultation process, and lead organizations for specific activities are designated case-by-case based on the respective competencies of the consortium members. For the purpose of coordination, IMSD members meet on a monthly basis for the most part and every three months with the Foreign Office. One IMSD member acts as the coordinator of the initiative on an annually rotating basis.¹²⁵

Development and institutionalization

The establishment of mediation support in Germany is a recent achievement and, as a result, structures are not yet consolidated. Indeed, representatives of the Foreign Office and of IMSD interviewed for this study both emphasized that mediation support remains a "work in progress" as part of a joint learning process.¹²⁶ Having said this, since its inception in 2015, mediation support in Germany has made significant progress.

Four aspects are relevant in this respect. First, the political commitment underpinning Germany's activities has been strengthened. An important indicator of this are the guidelines of the German government for crisis prevention, conflict management and peace promotion, which the cabinet adopted in June 2017. According to the guidelines, "the federal government will strengthen its capacities in the area of mediation and seeks further engagement in mediation processes."¹²⁷ This signals the growing acceptance of mediation as a key tool of German foreign policy. Second, the Foreign Office managed to strengthen its capacities, as evidenced by the recruitment of additional staff members within the division S03 and the participation of senior Foreign Office officials in mediation training and coaching events.

Third, the cooperation between the Foreign Office and IMSD has become widely accepted and is even internally seen as a model for constructive cooperation between civil society and government. Processes of cooperation both within IMSD and between IMSD and the Foreign Office were fine-tuned, which contributed to smoother functioning of this hybrid structure. Fourth, Germany's mediation support capacity has generated deliverables such as the series of conferences, training events and fact sheets. This has provided visibility and indicated the relevance of mediation support within the Foreign Office and beyond.

Three open questions and potential limitations remain as Germany further develops its capacities in coming years. First, IMSD has been on a trajectory from lobbying for more political engagement in peace mediation – which was the focus during the inception phase of 2013 and 2014 – to an entity providing services for the Foreign Office. As IMSD has become operationally engaged, member organizations face the challenge of maintaining a more traditional civil society role, reminding government actors of the importance of non-violent conflict resolution and pointing to shortcomings in the government's policy in this field.

Second, as far as the Foreign Office is concerned, the division S03 faces the challenge of going beyond indirect support to become more directly involved in German mediation initiatives. This could entail, for example, the deployment of experts into mediation processes run by the UN, the OSCE or the EU. These deployments are, until present, handled by the geographic sections of the Foreign Office. It could also

¹²⁴ This paragraph draws on an interview with a German Federal Foreign Office staff, Bern, 17 May 2017.

¹²⁵ This paragraph draws on a Skype interview with an IMSD representative, 15 June 2017.

¹²⁶ Interviews with German Federal Foreign Office staff, Bern, 17 May 2017, and Skype interview with IMSD representative, 15 June 2017.

¹²⁷ *Krisen verhindern, Konflikte bewältigen, Frieden fördern: Leitlinien der Bundesregierung*, June 2015, p. 31. Retrieved 12 July 2017, http://www.auswaertiges-amt.de/DE/Aussenpolitik/Themen/Krisenpraevention/7_PeaceLab/PeaceLab.html?version=20. Original in German, translation by the author.

mean providing direct operational support to a mediation initiative run by the German government. However, whether Germany is seeking a lead role in mediation, or whether it prefers to support the efforts of others, remains an open question. How this question is answered will decide whether Germany's MSS has the potential to become a second or even third-order actor, as defined in the first chapter of this study. If that is the case, additional personnel resources within division S03 will be required.

A third challenge concerns the synchronization of different instruments and actors working on peace processes within the German government. For Germany's mediation support to be effective, coherence and complementarity of government interventions and services for which non-state actors are mandated are needed. Notably the Federal Foreign Office and the Ministry for Economic Cooperation and Development, usually led by representatives of different parties in a government coalition, need to work hand-in-hand in order to explore the full potential of mediation and mediation support in German foreign policy.

3. Findings to understand the emergence, design and development of MSS

This part presents the findings of the report based on the six case studies. Specifically, it addresses the three research questions identified in part 1. First, it provides elements to understand the emergence of MSS. Second, the report compares the design of different MSS, exploring similarities and differences between different organizations. Third, the report provides elements to understand the development and degree of institutionalization of different MSS.

3.1 Emergence of MSS

The six case studies show that the interest-based, functionalist and normative approaches worked in conjunction. MSS materialized through the interplay of political interests, operational needs, and discourses emphasizing that professionalization is required for effective peacemaking. This also means that the emergence of MSS does not follow a strategic plan devised at the outset. Rather, it is the product of a multifaceted process with a variety of factors and actors intervening. In what follows, based on the case studies, findings regarding the three main approaches outlined in part one are presented.

First, the interest-based approach posits that political interests of states are the driving force behind the emergence of MSS. The report finds that political interests played a role in some contexts, in particular in organizations where member states drive the political agenda. Interest-based motivations were important in the beginning, as political bodies took the decision to establish a MSS and endow it with a formal mandate. For example, in the OSCE, the role of Switzerland acting together with like-minded states was crucial. This is similar in the EU, where countries, such as Sweden and Finland, successfully advocated for a decision of the EU Council to strengthen the EU's mediation support capacity. In IGAD, the MSU was also established based on a decision of its member states. The creation of MSS in foreign ministries is also interest-based as it is tied to a stronger emphasis on peace promotion in their foreign policies.

In regional and sub-regional organizations, political interests are not only an enabling factor, but they can also limit the development of mediation support. For example, the growing emphasis on stabilization in EU foreign policy posed challenges for the MST. Contradictory political interests have prevented the OSCE MST to establish additional posts and obtain a strong mandate. IGAD is an example of an organization where the interest of member states to retain control over mediation weakens the relevance of its MSU.

In none of the cases analyzed in the report is the emergence of a MSS linked to the instrumentalization of multilateral organizations by big powers or by hidden agendas to influence ongoing negotiation processes. Insofar as political interests were relevant, it was those of states that have made mediation a priority in their foreign policy. For these states, working towards the establishment of MSS in multilateral organizations is a way to consolidate their reputation as an actor specializing on mediation, frame themselves as responsible actors and gain prestige. Their engagement for mediation support also goes hand-in-hand with a commitment to strengthen the role of multilateral organizations in peace and security. Not surprisingly, mediation support is promoted by countries, Switzerland and Germany being a case in point, that emphasize civilian over military means in managing global crises and conflicts.

Many states that actively promote mediation support in multilateral organizations have also created MSS in their own foreign ministries. Both grow out of a general, naturally politically motivated foreign policy emphasizing conflict prevention and mediation. While the overall foreign policy orientation provides the context, the trigger for establishing a MSS in Switzerland and Germany did not come from politicians in parliament or even the foreign minister directly. Rather, it came from within the foreign ministry (Switzerland) and from an alliance of civil society, parliamentarians and foreign ministry (Germany).

Second, the functionalist approach holds that MSS emerged as a problem-solving device, responding to the need to make mediation more effective through coordination, training and expertise. The study finds this approach to be relevant across cases, most importantly for actors that already mediated prior to the establishment of a MSS. This notably refers to the UN and Switzerland. As for the UN, the first mention of mediation support is in the report of the High-level Panel on Threats, Challenges and Change, which

precisely followed a functionalist logic, as it was tasked to propose measures to strengthen the UN. The subsequent establishment and consolidation of the MSU was driven from within DPA with the argument of strengthening one of the UN's core tasks, the pacific settlement of disputes. Likewise, in the Swiss case, the initiative to establish mediation support came from the FDFA wanting to strengthen its mediation engagements.

In other cases, the functionalist logic was not decisive. In the OSCE and IGAD, the push came from within the secretariat and from interested member states. Moreover, Germany set up a MSS before it acted as mediator as part of a policy shift towards stronger engagement in peace promotion. Having said this, even if operational needs were not the trigger, in all observed cases the entrenchment of a MSS meant that the new structure eventually provided things that senior mediators found useful. Without it, it would not have been possible to sustain the structure. In any case, functionalist arguments were present in the discourse around establishing MSS in all cases. It would have been hard to convince skeptics if one could not point to an operational need for a new structure.

Third, according to the normative approach, MSS were built as a result of the increasing acceptance of the idea that mediation is a profession, and that effective mediation requires the support of dedicated experts. The first finding from the report is that the normative and interest-based approaches often merge. The belief that a professional support capacity is needed for effective mediation is at the core of states investing in MSS as a way to advance their interest of having strong multilateral organizations. Without this interest, states would channel their resources elsewhere, as they did before mediation support came to the fore.

For the early MSS, i.e. the UN and Switzerland, the normative approach was less important. However, it has become more salient over time and proved to be an important factor for the EU, IGAD, the OSCE and Germany. In all these cases, the notion that they needed to catch up with an established practice, which had proven its worth elsewhere, was present in discussions around the creation of the respective MSS. Mediation networks, including the Group of Friends and the MSN, provided forums where this idea was promoted and diffused. Related to this, experts who already worked in mediation support were mobilized to provide advice and assistance. Experts from the early MSS were influential in this process, making them vectors of the mediation support norm. For example, IGAD was helped by UN MSU in its setup. The OSCE MST concluded a joint work plan with the UN MSU, and experts from the Swiss MSP were seconded into the team early on. The EEAS MST also hired an expert who previously worked with the UN MSU and shaped the new team based on his experience. Swiss and UN experts were also present in discussions around the creation of the MSS in Germany.

Indeed, Germany provides a telling example, showing the influence of the mediation epistemic community. The tipping point for German mediation support was the conference in November 2014. It was there that members of parliament and foreign policy elites were exposed to the discourse of mediation support, hearing different experts say that Germany had a role to play, but that it needed to invest in building its capacity if it wanted to do so. These arguments were convincing and marked the socialization of Germany into the mediation epistemic community. The creation of a dedicated structure was therefore a logical consequence.

3.2 Design of MSS

The six case studies reveal a striking similarity in the design of the MSS. All structures, regardless of their institutional context, converge around three main pillars of activity along the lines of Lehmann-Larsen's typology: first, they provide trainings to mediators and conflict parties; second, they collate and produce knowledge about mediation processes and related topics; third, they provide direct support to mediators with administrative, logistical and financial matters and by deploying external experts or their own staff into mediation teams.

Another similarity concerns the location that MSS occupy within the larger structure of a ministry or the secretariat of an international organization. All MSS are institutionally separated from geographic desks, even those that cover conflict regions. This shows that mediation support is articulated across the board as something distinct from the 'normal' political work that a ministry and an international organization

does in a conflict region. It also brings to the fore a common challenge of MSS: to establish its place, while at the same time synchronizing its work with geographic desks.

How can the similarity in the design of MSS be understood? One argument is that the above-mentioned functions of mediation support are generic and allow for variation in terms of the concrete activities. However, the more salient factor emerging from this study is that models of mediation support developed in one context travel and are translated into new locales. The foundation of this is a common understanding, shared by experts working in the field, that mediation support should be organized and structured in a certain way. The case studies show how influential mediation support practitioners were in setting up new structures. Among many examples, Switzerland worked closely with the UN MSU when it was set up. In turn, the UN MSU advised the EEAS, the OSCE Secretariat and IGAD Secretariat during their setup. As the case study revealed, the OSCE MST was explicitly conceived as copy-paste of the UN MSU. Germany sought inspiration from different actors having built a MSS, including the UN, Switzerland, Norway and Finland. In short, the mediation epistemic community has to a significant degree provided the blueprint for the design of new MSS, with the effect that they converge towards a relatively similar model.

There are, however, certain differences between the MSS. The study reveals five: first, among the international organizations, there is a difference between the UN and the EU as supranational organizations, which today mainly support mediation processes led by others, and traditional regional and sub-regional organizations, such as the OSCE and IGAD, which focus on supporting their own mediation processes. Switzerland and Germany also provide support to external processes. This being said, in the case of the UN, the EU and Switzerland, the respective MSS also focused on their own operations at first, and branched out only as it became more established. Germany is thus an exception in that it supported external processes from the outset.

Second, the closer a MSS is institutionally to those that actually do mediation, for example when special envoys report to the institution where a MSS is based, the more likely it is that it puts a premium on operational support. The UN and Switzerland are cases in point. Conversely, the more distant structures are to actual mediation, the more likely it is that they focus on training and knowledge management, which is the case, for example, for Germany.

Third, MSS adapt to the specificities of the respective organizations, ensuring an institutional 'fit'. For example, IGAD works a lot with national bodies of mediation, and the OSCE's mediation support mandate stipulates coordination with national bodies, revealing the member state-orientation of these organizations.

Fourth, MSS work differently with civil society. The two states under analysis, Germany and Switzerland, have institutionalized their cooperation with civil society, while international organizations work with NGOs on a more ad hoc basis. This points to an interest by foreign ministries to anchor their mediation work in society.

Finally, as the case studies show, all MSS had to overcome a level of internal resistance. This resulted in a reluctance to design heavy structures at the outset and the adoption of a gradual approach instead. Thus, every MSS started out small with around one to three staff members. Also, during the design and setup phase, strong emphasis was put on the technical character of mediation support, as highlighted in the cases of the UN, Switzerland and the OSCE. All MSS at the outset focused on organizing training courses and on knowledge management. These activities neither pose a threat nor interfere with operational engagements. They were a way to convince skeptics that the establishment of a MSS would not mean challenging the work of existing offices focusing on political analysis and supporting field operations on the ground.

3.3 Institutionalization and development of MSS

Part 1 identified different degrees of institutionalization of MSS based on Law's model of orders of cooperation. The spectrum ranges from third-order cooperation representing a fully institutionalized MSS involved in the decision-making around mediation processes to first-order cooperation, where MSS focus on training and research but are not directly involved in mediation processes. Second-order cooperation is a state in between the two poles. The case studies display significant differences in terms of degree of

institutionalization. The two oldest MSS – the UN and Switzerland – are the most integrated and represent third-order actors. The focus of their work is on operational support, helping mediators to devise strategies and supporting them in processes. However, they are not necessarily involved in all mediation activities the UN and Switzerland conduct, which means that in some situations they revert to lower orders of cooperation.

The OSCE Secretariat and the EEAS can be understood as acting under second-order cooperation. The respective MST have access to special representatives and work with them on specific assignments even if they are not usually part of the core mediation team. In some mediation processes, they are not engaged, so their involvement, although generally accepted, is not automatic. This has less to do with the fact that the EEAS and OSCE MST are recent creations, and more with particular circumstances. In the case of the OSCE, the fact that mediation activities are led by chairmanship representatives, not representatives of the Secretary-General, poses challenges to more integration. The EU, in turn, often has envoys endowed with mandates that do not specifically focus on mediation. This makes it difficult for MSS staff members to fully incorporate themselves in operational engagements. However, in some processes, OSCE and EU staff are fully involved, which represents a higher order of cooperation.

Finally, the activities of IGAD and Germany can be categorized as first-order cooperation, although with the potential to move to a higher degree of institutionalization. For IGAD, mediation engagements continue to be member state driven with the Secretariat relegated to administrative and logistical support. The IGAD MSU is also not yet fully entrenched, lacking staff members and being almost entirely dependent on donor support from outside of IGAD. For Germany, it is the opposite. Mediation support is entrenched in the Federal Foreign Office and in civil society. However, it is not yet clear what type of mediation engagement Germany is seeking, which has thus far meant that operational engagements remained relatively rare.

How can we understand these differences? The study reveals five factors that contribute to the institutionalization of mediation support. First, and most importantly, mediation support gains relevance if there is demand for it from special envoys and senior members of mediation teams. While in the beginning, all MSS work to generate demand, with time, the demand must come from mediators directly based on the utility of mediation support. Without it, it is impossible to attain third-order cooperation.

Second, there needs to be political will within an organization to have a strong MSS. If some member states, as is the case in IGAD and the OSCE, want to limit the role of the secretariats, it will be difficult to attain third-order cooperation.

Third, highly integrated mediation support marries thematic expertise with context-specific expertise, which continues to be prioritized by senior mediators. This can be done by including experts with context knowledge in MSS or through close cooperation with geographic desks.

Fourth, a high degree of institutionalization requires a strong structure in terms of the number of staff members, financial resources independent of donor agendas and acceptance within the institution. The establishment of mediation support is aided by the positive performance of MSS staff members and by the internal leverage and skills of the heads of mediation support units.

Fifth, time is a factor, even if it should not be overrated. In the case of the UN and Switzerland, it took at least five years for third-order cooperation, allowing the MSS to establish itself institutionally, build networks and fine-tune their activities so they are fully relevant for senior mediators.

4. Concluding reflections and implications for practitioners, policymakers and donors

In conclusion, this study presents a number of reflections, some of a more critical nature, with corresponding implications for mediation support practitioners, policymakers and donors. The aim of these reflections is to encourage debate and to think about mediation support in the broader context, going back to the question of what the essence of mediation support is.

First, as peace mediation has gained prominence in international affairs in recent years, events, workshops, policy debates and publications on mediation have proliferated. These products undoubtedly have their merit, and it is important for staff members of MSS to participate in them. They are ways in which the mediation epistemic community articulates itself and develops. Having said this, the core of mediation support is enhancing the effectiveness of mediation operations. Hence, the principal added value is that MSS put expertise and resources at the disposal of those engaged in processes. Therefore, in terms of implications for practitioners, it is important that MSS avoid becoming an elevated PR entity or that they engage in self-referential work. If, for one of the reasons stated above, MSS do not have access to senior mediators, their team members or conflict parties, they can still support processes, for example by providing financial resources and deploying experts if requested by the mediator.

The second comment relates to the question of whether MSS are established as a response to an existing demand or whether they seek to create a demand in a rather artificial way. Indeed, MSS have proliferated in recent years, including in contexts where there seems to be limited demand. This points to a danger of blindly transplanting MSS on a cookie-cutter basis. The implication for policymakers and donors is that the impetus for creating a new MSS should not be their own interests, but the demonstrated need for a new structure in that particular organization or government. If this need is absent, a new structure will remain an alien element and it will not fulfil its promise of making mediation more effective. In that vein, it is important to consider ways of strengthening mediation without creating a new structure. One possibility, for example, is the scaling up of staff, through redeployments from other sections or external hiring, once a mediation process gets off the ground.

The third comment concerns a question, which this study did not explicitly tackle: does mediation support make mediation more effective? Is the professionalization of mediation that MSS are working towards contributing to better mediation practice? As it stands now, this question has not been conclusively answered. There is anecdotal evidence showing that unskilled and unprofessional mediators, who fail to mobilize appropriate expertise for mediation, constitute a problem. In some cases, ill-guided mediation has worsened conflict and complicated future peace negotiations. However, these anecdotes are not enough to build a strong case that professional mediation support actually contributes to effective mediation. Additional research exploring this question is needed. Such research should also consider unintended effects of MSS, for example, how the continuous search for mediation entry points fosters competition between mediation actors.

The fourth comment calls into question the universality and appropriateness of the kind of model of mediation support, on which this study sheds light. The prevalent model of mediation support in this report is predicated on the idea that there are comprehensive peace processes, with lead mediators and clearly identifiable conflict parties, requiring specialized expertise. However, this type of mediation has become rare, as fragmented processes with issue- and actor-specific sub-processes occur more frequently. The practical implication is that it is necessary to go beyond this established model, providing mediation support in a more decentralized manner and putting a premium on country or region-specific expertise, for example provided by anthropologists, rather than generalist mediation support professionals.

It seems indeed that some mediation actors have opted for a different model. This concerns for example NGOs, some of which have dedicated structures to support their own mediation efforts. However, their design is different from MSS in foreign ministries and international organizations, with a stronger focus on training and research. Some states have also opted for alternatives to the mediation support approach described in this study. In the Norwegian Ministry of Foreign Affairs, for example, a section acts as focal point for mediation and dialogue facilitation, but does not constitute a fully-fledged MSS. Rather, support

is mounted on a case-by-case basis, based on the requirements of the senior diplomats leading Norway's engagement. The practical implication is that building a permanent MSS is not the only way to achieve the goal of effective mediation support and that existing MSS need to adapt to new circumstances. Further research should be conducted to elucidate the diversity of solutions to support mediation processes.

The fifth comment points to the limitations of mediation and by extension mediation support. Its broader goals are to prevent and resolve conflicts, lessening the deadly effects of armed violence and allowing people to lead their lives free of want and fear. This goal goes far beyond mediation and is influenced by a range of financial, economic, environmental, political and social aspects impacting countries experiencing armed conflict. Mediation is not necessarily the right response and in some contexts, its effectiveness is limited. This is all the more true for mediation support, which is a rather narrow and technical approach that focuses on institutions. This means that mediation practitioners, policymakers and politicians need to be aware of the limitations of the field of mediation and not omit the more transformational aspects of peacebuilding, including climate change mitigation, trade patterns and the proliferation of small arms.

Finally, to conclude on a more positive note, despite its limitations mediation has proven to be an effective tool, helping conflict parties reach a settlement and settle their disputes peacefully. Mediation has grown in recent years, as armed conflicts have increased. This creates a continued if not greater need to collect, synthesize and disseminate knowledge, connect different dialogue tracks, and assist mediators, conflict parties and other stakeholders in peacemaking efforts. While existing MSS need to adapt, these contributions continue to be relevant to realize the full potential of mediation in today's world.

Annex: Questionnaire for expert interviews

How can we understand the emergence of MSS across organizations engaging in mediation?

- Whose initiative triggered the creation of the MSS?
- What motivated the early promoters of mediation support?
- How did global mediation support networks influence the creation of the MSS? How was the initiative to create an MSS received internally?
- What was the overall political context? Were there any specific events that facilitated the creation of the MSS?
- What are the norms and principles that guided the emergence and operation of the MSS?

How can we understand the design of the MSS?

- What were the reasons for establishing the MSS? What arguments were advanced to justify the creation of an MSS?
- What knowledge and skill gaps does the MSS address? What niche does MSS address compared to other units and agencies?
- What practical cooperation and coordination problems does the MSS try to solve?
- What is the mandate of the MSS? What are the main lines of activity?
- How is the MSS structured? In which department is the MSS located?
- What existing models or institutions inspired the design of the MSS?

How can we understand the development / progressive institutionalization of the MSS?

- How do you see the development of the MSS? How have perceptions of staff, but also of 'clients' changed?
- To what extent do you think the MSS serves the purpose it was originally created for?
- How do you think the MSS should develop in the future, what should be its role? Where do you see gaps that the MSS could fill?

About swisspeace

swisspeace is a practice-oriented peace research institute. It analyses the causes of violent conflicts and develops strategies for their peaceful transformation. swisspeace aims to contribute to the improvement of conflict prevention and conflict transformation by producing innovative research, shaping discourses on international peace policy, developing and applying new peacebuilding tools and methodologies, supporting and advising other peace actors, as well as by providing and facilitating spaces for analysis, discussion, critical reflection and learning.

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