

Mediation Strategy/Process Design

DPA/OAS Gender and Mediation Training

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Women, Peace, and Security

- Participation of women in conflict prevention, resolution, and post-conflict reconstruction
- Gender-sensitive approaches to peacebuilding
- Prevention of gender-based violence (GBV)
- Protection of women and girls

Mediation

- A process in which a third-party assists two or more parties to resolve a dispute. It is a non-adversarial approach to conflict resolution.
- A successful mediation effort seeks to have an outcome that is accepted and owned by the parties.

What is the role of the mediator?

- Facilitate communication between the parties
- Assist parties in focusing on the real issues of the dispute and in designing a solution
- Generate options that meet the interests or needs of all relevant parties for settlement of the dispute.

Arbitration

- Where an intermediary listens to the arguments of both sides and makes a decision for the disputants

Facilitated dialogue

- Dialogue: Through (dia) the word (logos)
- A process for sharing and learning about another group's beliefs, feelings, interests, and/or needs in a non-adversarial, open way, usually with the help of a third party facilitator.
- Unlike mediation, in which the goal is usually reaching a resolution, the goal of dialogue is simply improving interpersonal understanding and trust.

OAS Definition of Dialogue

- Problem-solving process utilized to address socio-political and economic-based issues that cannot be adequately and effectively solved by one or several governmental institutions alone.

--from Bettye Pruitt and Philip Thomas, *Democratic Dialogue-A Handbook for Practitioners*

Political Dialogue

- A particular kind of facilitated dialogue.
- In its goal to promote peace and security in the hemisphere, the OAS facilitates dialogue relating to four key pillars: democracy, human rights, security, and development
- Specific topics addressed have included rights of indigenous peoples, territorial disputes, regional goals for education

When is Mediation Used?

- prior to conflict through preventive diplomacy;
- during a conflict through peacemaking activities;
- after a conflict to promote implementation modalities and agreements;
- during peacebuilding efforts to consolidate peace and lay the foundation for sustainable development.

Gender in Mediation

1. Gendered Analysis
2. Inclusivity—ensuring voices of all stakeholders, remembering that women are often leaders in civil society. The sooner you do it, the easier to make it happen.
3. Expertise on the team.
4. Leadership and role modeling.

Mediation and Gender

- Designing a Peace Process/Mediation Strategy
 - Women's Participation
 - Gender Dimensions of Conflict and Peace

What are the potential entry points for female engagement and for consideration of gender?

Potential Entry Points: Understanding the Process

1. Conflict Analysis
2. Preparatory or Pre-Agreement Phase
3. Establishment of Formal Process
 - Track I Mediation/Negotiation/Facilitation
 - Track II Dialogues and Activities
4. Negotiation and Agreement Phases
5. Post-Agreement Phase

1. Conflict Analysis

- Evaluate the conflict and its ripeness for resolution
- Define conflict actors
- Define drivers of conflict
- Assess national and international context
- Identify potential spoilers
- Identify potential allies

Gender-Sensitive Conflict Analysis

- Who are the conflict actors (for change, conflict and peace and war)?
- How does the conflict impact different genders (girls, boys, women, men, LGBTBI)
- How has the conflict impacted gender roles?
- Do certain kinds of violence affect different genders differently? (Displacement, discrimination, sexual and domestic violence)
- What are the needs and interests of men and women?

2. Preparatory or Pre-Agreement Phase

- Design strategy for process
- Determine partners
- Manage spoilers
- Reach out to conflict parties
- Assess party readiness
- Initiate “talks about talks”
- Prepare the parties
- Draft framework for talks
- Produce framework agreement

3. Establishment of Formal Process

- Track I Mediation/Negotiation/Facilitation
- Track II Dialogues

Track I

Mediation/Negotiation/Facilitation

- Prepare mediation strategy
- Organize logistics and security
- Consult widely to lay groundwork for mediation, build trust, engage public
- Include marginalized groups
- Develop communications strategy
- Refine mediation strategy

Track II Dialogues

- Develop strategy for civil society inputs
- Identify and coordinate with existing Track II efforts
- Build civil society capacity to engage
- Foster broad support for the peace process
- Share information and clarify roles
- Maintain the independence of Track II initiatives

4. Negotiation and Phase

- Establish principles of engagement
- Establish communications strategy
- Facilitate humanitarian agreements
- Determine ceasefire and security agreements and arrangements
- Establish mechanisms for monitoring and verification
- Establish contributions of parties to truth, justice, reparations, and guarantees of non-repetition
- Draft comprehensive agreement

5. Post-Agreement Phase

- Implementation of all agreements
- Post-Monitoring and Reporting Mechanisms

Costs of Excluding Women

- Creates a democratic deficit toward women
- Excluding women means less legitimacy for process and agreements
- Excluding women means agreements are less sustainable

Benefits of Inclusion

- Women and men are actors with equal rights to participate
- Women can provide alternate understandings of conflict, causes and solutions.
- Women's styles may be more collaborative and produce stronger agreements
- Women's participation can expand constituency for peacemaking, generate credibility, deepen buy-in

Women often broaden peace agenda

- In Northern Ireland, women broadened the peace agenda to include the needs of victims of violence, political prisoners, and young people, as well as provisions for integrated education and housing.
- In Guatemala, women negotiators inserted protections for indigenous, labor and women's rights, as well as guarantees for a balance of power between civilian and military authorities.

Women's Roles in Peace Agreements

- Of 24 peace agreements in 20 years:
 - 8% of negotiating teams included women
 - 3% of signatories were women

New Normative Frameworks on Mediation

- UN Guidance for Effective Mediation
 - Preparedness
 - Consent
 - Impartiality
 - Inclusivity
 - National Ownership
 - International Law and Normative Frameworks
 - Coherence, Coordination, Complementarity
 - Quality Peace Agreements
- UN Guidance for Mediators: Addressing Conflict-Related Sexual Violence in Ceasefire and Peace Agreements

Of 14 UN-led peace processes in 2011:

- 0 of 28 lead mediators were women
- 5 of 28 (18%) of SRSGs were women
 - 3 women co-led mediations (Malawi, Cyprus, Central African Republic)
- 1 UN facilitator was a woman
- 4 of 14 peace processes included women delegates (Cyprus, Georgia, Guyana, Yemen)
- 6 of 14 DPA led Special Political Missions have gender advisers

Women and Mediation Support 2012

- In the new trend toward mediation teams, women are faring better.
- United Nations Mediation Support Unit
 - 3 of 7 Standby Team members (43%) are women
- UN Mediation Support Unit Roster
 - 38 % of the experts on the MSU roster are women
 - 10 % of the total of 230 experts are gender experts, including on conflict related sexual violence

Gender Considerations in Agreements

- Of 300 post-Cold War agreements:
- Sexual/Gender-Based Violence mentioned in 18 peace accords
- 3 ceasefire agreements address conflict-related sexual violence
 - Nuba Mountains
 - Burundi
 - Lusaka (DRC)

Explaining Women's Relative Absence

- What are the hurdles for women's participation?
- Social, Economic, Political, Cultural, Practical
- Power dynamics of discrimination and exclusion
- Concern that women's presence will disrupt process
- Limited access to leadership
- Need for training and resources

Action Plan:

Addressing Issues of Exclusion

- How can women be incorporated into peace process?
 - Parallel Forums for Women (All Party Burundi Peace Conference)
 - Gender Sub-committees of Parties and Women's Groups (Sri Lanka)
- How can we ensure that gender dimensions are considered?

Indicators for successful gender-sensitivity in negotiations

- Inclusion of women on the mediating/negotiating teams
- Regular consultation with women's groups
- Content of peace agreements reflects gender awareness
- Cease-fire and peace agreements include provisions for women's security (SSR/DDR/SV)

OAS: Women and Mediation

- OAS Mediation Roster?
- How have women participated?
- Where are the entry points for women in OAS processes?

OAS Experiences

- Mission to Support the Peace Process in Colombia (MAPP)

Five steps to integrate gender and inclusivity