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**THE UN AS AN INTERNATIONAL MEDIATOR:
FROM THE POST-COLD WAR ERA TO THE TWENTY-FIRST
CENTURY**

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The UN as an International Mediator: From the Post-Cold War Era to the Twenty-First Century

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ABSTRACT

This paper, in outlining the evolution of the UN's peacemaking and mediating roles from the immediate aftermath of the Cold War until well into the twenty-first century, seeks to examine challenges and opportunities and suggests possible niches for the organization's role in this field. The paper argues that there may be more room for the UN in mediating conflicts less affected by the vital security interest of great powers in conflict and points to the challenge of competition and rivalry in relation to other candidates as mediators such as regional organizations, non-governmental organizations, and entrepreneurial state mediators. It posits that the UN's value as mediator will depend in large measure on its ability to demonstrate usefulness in today's crowded mediation environment.

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In the late 1980s and 1990s, when the demise of the Cold War came into sight and was ultimately solidified, the UN played a significant role as mediator in many conflicts around the globe.¹ However, well into the 21st century, the UN's track record as an international mediator appears to be less impressive, low-profile, and actually obscure, occupying the center of global media attention less frequently. The UN rarely takes center stage in international mediation efforts, especially in high-profile conflicts. Even when the organization does, it tends to fade easily from the limelight of international peacemaking diplomacy, failing to make a substantial contribution to political settlement of such conflicts as in the recent case of Syrian mediation by Lakhdar Brahimi as the joint special envoy of the UN and Arab League. Of course, the UN, as a chief global peacemaking body, still remains active in many conflicts worldwide. Yet seen from a medium- and long-term perspective—at least in a time span of two to three decades, the political relevance and efficacy of the UN as a mediator may arguably have declined. What factors have led to such perceptions of invisibility and difficulty? Is there a niche for the UN as a mediator for international peacemaking in the current century?

While the UN, as a genuinely universal intergovernmental organization and indeed the only one of that kind, possesses a great potential as an international mediator, with distinctive attributes, resources, and power, it is proving to be an enormous challenge for the organization to fulfill such a potential in 21st century international relations

undergoing significant transformations. This paper aims to contribute to a better understanding of the evolution of UN mediation in the post-Cold war era and beyond, and also to offer guidelines to policymakers searching for the UN's effective strategies in mediating ongoing and future conflicts. The paper attempts to do so by focusing on two important aspects. The first is that the UN, by nature, is a composite mediator composed of member states, and its efficacy as a mediator is greatly affected by the key member states, particularly the interests of the five permanent members of the Security Council (P-5). The second is that the UN is currently one of many potential candidates to serve as a mediator in the "crowded field"² of international mediation. It seeks to contribute to a search for niches and roles for the UN in the contemporary practice of mediation by analyzing the effects of these two aspects on UN mediation, providing a broad picture of how these effects have changed or remained the same—in both form and intensity—over approximately the last three decades.

UN Mediation and Great Power Politics

As an intergovernmental organization on a global scale, activities of the UN in any field, including the maintenance of peace and security, are naturally influenced by the interests and positions of member states. Mediation by the UN is no exception, and its conduct and effectiveness are greatly affected by disparate national interests, especially those of major powers. Saadia Touval problematized that aspect in his provocative and insightful essay, stating that "the UN can't mediate" because it, as a collective mediator, is encumbered by the multiple and divergent positions of member states and the resultant lack of credibility and coherence in pursuing mediation efforts.³ On a more optimistic note, underscoring the need for mediators to "speak with one voice,"⁴ Stephen Stedman argued that "[w]hen concerned member states reach a consensus on how to terminate a war, the United Nations can be an effective agent for bringing this about."⁵ Despite a slight difference in the tone of the language, it is the intergovernmental nature of the UN that both authors heed in discussing the efficacy of UN mediation. Put differently, the UN is a composite mediator in the sense that mediation efforts by international organizations are in themselves "multiparty mediations," as they are undertaken on behalf of multiple member states that may indeed act as interveners and mediators on their own.⁶ This is certainly a key factor that comes into play in any form of UN mediation by either the Secretary-General or his special representatives and envoys.

This composite aspect makes it necessary for a UN mediator to coordinate frequently

divergent interests, positions, and priorities so that he or she can act as if representing the collective will.⁷ UN mediators are likely to find themselves mediating not only between disputing parties but also among interested member states (and also other actors such as regional organizations and non-governmental organizations [NGOs]), which may serve as potential or actual mediators on their own. In more specific operational terms, UN mediators would need to build and maintain a broad consensus on an international response to conflict (with the core of such consensus likely consisting of consent from P-5 members). They would also need to have their peacemaking initiatives and proposals endorsed as a clear consensus mandate in the form of a series of Security Council resolutions. In doing so, they could legitimize their mediatory intervention and marshal the necessary political support from the international community at large. The possible paralysis of the Council due to the exercise of veto power (even an indication of veto power) can make such tasks extremely difficult, depriving UN mediators of a legal and political basis and a common sense of direction essential for effective peacemaking. In this sense, the lack of or weakness of concerted political support from the Council has often been a major impediment to establishing the centrality of the UN in peacemaking processes.

Viewed in this light, the achievement of broad consensus among great powers (especially interested P-5 members) is significant in any UN-mediated peace process, given their weight in international politics likely surrounding the conflict in question. The possibility of achieving this consensus is contingent upon an alignment of great power interests—in the interrelated contexts of specific conflicts and the broader international order. More specifically, attaining the convergence of interests (at least the absence of a serious clash of interests) among great powers may be an essential condition for effective UN mediation efforts.

Toward the end of the 1980s and the beginning of the 1990s, the abatement of the East-West confrontation led to renewed momentum toward a multilateral and collective approach to international security. Released from the earlier debilitating constraints, the UN was reinvigorated amid high expectations toward its peacemaking role, and catch words and slogans such as “UN-centered multilateralism” or “New World Order” gained currency. In 1990-1991, the Security Council served as a central forum of international efforts to respond to the crisis in Iraq, and the publication of the Agenda for Peace pointed to the broadening scope of the UN’s role. The UN, via the Secretary- General and his representatives, played a significant part in restoring peace in such cases as Namibia, Cambodia, Mozambique, and El Salvador. In Cambodia, for example, a major driving force behind the effective UN peacemaking role was a common interest and cooperation

among P-5 members at the Council in ending engagement in this part of the world, which was previously dictated by Cold War rivalry.⁸

While the UN was soon faced with great complications in the former Yugoslavia, Somalia, and Rwanda, causing doubts about the optimistic view of the UN's effectiveness in responding to violent internal conflicts, the organization began to play an active peacemaking role in other conflicts. Most notably, it took the form of the emergence of "groups of friends" mechanisms through which the Secretary-General and secretariat worked with ad hoc groups of states and intergovernmental organizations to support UN efforts in resolving conflicts. Teresa Whitfield cited Georgia, Guatemala, Haiti, Western Sahara, and Tajikistan as exemplary cases of peacemaking where the UN played an important mediation role between 1992 and 1995 through "groups of friends," modeled after the earlier successful experience of a similar mechanism in El Salvador.⁹ Whitfield makes an insightful observation that conflicts with the substantial involvement of "friends" groups are not the kind of conflicts that took place in the Balkans or the Middle East in which "high politics" among great powers are involved with their core interests possibly at odds with one another but are conflicts that "command a middle level of international attention that have left room for the development of a substantive role for the United Nations and its secretary-general."¹⁰ What is clearly posited here is that a clash of great power interests represents a serious impediment to the UN's role as lead mediator and conversely, that the absence of this clash of interests creates some room for engaging the organization in active peacemaking. Relatedly, Whitfield wrote:

[F]rom the mid-1990s, a move away from peace processes in which the secretary-general had a clear lead limited the creation of groups of Friends of the Secretary-General, particularly where the interest of powerful states were directly involved. Perhaps most notable, the UN's nominal lead of the political process in the Balkans was displaced by the Contact Group and then by the decisive intervention of the US, most obviously in its emphatic negotiation of the Dayton peace agreement in 1995.¹¹

Indeed, in the Bosnian mediation (1992-1994), major European powers and the United States were often "speaking with different voices" in coping with the disputing parties. The lack of agreement among them adversely affected the coherence and credibility of peacemaking efforts by the EC/EU and the UN. These intergovernmental organizations, through the actions of prominent figures such as UN Special Representative Yasushi Akashi, former US Secretary of State Cyrus Vance, and former British Foreign Secretary David Owen, were "incapable of pursuing coherent, flexible, and dynamic negotiations

guided by a coherent strategy,” greatly hampered by multiple, contradictory pressures as a result of their membership and weak political support.¹²

From the latter part of the 1990s onwards, the UN’s centrality and prominence in international peacemaking and mediation, especially in high-profile conflicts, by all appearances was generally on the decline. A sense of euphoria surrounding the idea of multilateralism centered on the UN in the immediate wake of the end of the Cold War had already begun to wane with the organization’s effectiveness being called into question. The legitimacy and authority of the UN as well as states’ expectations toward the organization in international conflict management were certainly diminishing. As has been argued, the UN’s profile and efficacy as peacemaker and mediator were intrinsically linked to great power relations. Relations between the US (and its Western allies) and Russia were already strained in large measure by the American unilateral diplomatic and military action in Bosnia in 1995 and were further aggravated as a consequence of the Kosovo crisis in 1999 (and subsequent negotiations on the final status of Kosovo).

The pursuit of a rather unilateralist policy under the rhetoric of a “war on terror” by the Bush administration in the post-9/11 period, which culminated in the Iraq war in 2003, further polarized great power relations and undermined international policymaking and multilateralism in general. Most symbolically, a conflict of interest among great powers manifested itself frequently at the Security Council—typically polarized between the US, the UK, and France on one hand and Russia and China on the other—out of which hardly emerged a clearly defined and effective mandate built around a firm consensus in response to specific conflict situations. Consequently, prospects of the UN playing a central role in orchestrating and coordinating international mediation efforts were severely dampened or at least limited in many cases. Nevertheless, as Fen Osler Hampson pointed out, the UN continued to be an important mediator in some cases. For example, in Cyprus and Western Sahara, the UN was “essentially ‘grandfathered’ as the mediator of choice as a direct consequence of its previous mediated interventions.”¹³ In Afghanistan and East Timor, the UN was “driven into a mediation role as a result of responsibilities it has acquired for peace-building.”¹⁴ In Burundi, the UN found itself in the position of “mediator of last resort because others have tried and failed.”¹⁵ (The UN’s continuing role in grandfathered cases of Cyprus and Western Sahara can be conceived as part of the notion of mediator of last resort.¹⁶) In these instances of UN involvement, despite great variations among them, major power rivalry was always a critical factor in mediation processes but not an inhibiting one that would put a brake on occurrence of mediation attempts.¹⁷ Yet overall, the case for UN-centered multilateralism, if not multilateralism per se, as the rule of the game in international conflict management

apparently lost the degree of salience and momentum it enjoyed in the immediate post-Cold War era.

While these developments provide support for the basic argument that conflict and cooperation among great powers have a direct bearing on the UN's peacemaking roles, it is also necessary to discuss underlying factors for the deepening rivalry among the great powers over approximately the last two decades. Behind these tensions were resurfacing and widening geopolitical divides, combined with deepening discord over norms and principles underpinning world order—for example, state sovereignty and non-interference in other states' internal affairs vis-à-vis humanitarian intervention and the responsibility to protect, as well as the inviolability of existing borders and the creation of new states. Such conflicts often manifest themselves in international mediation processes.¹⁸ Major states reaching “a consensus on how to terminate a war,” as Stedman put it, which is a condition for effective UN mediation,¹⁹ has proven to be even more elusive in recent years as exemplified in Kosovo, Libya, and elsewhere. Additionally, especially since the Bush period, as concerns over religious extremism and transnational terrorism have overshadowed the international agenda, a greater emphasis on counter-terrorism has also diminished the legitimacy of and the prospects for seeking a negotiated and mediated settlement to internal armed conflicts involving the UN or any other mediator. In a word, complex geopolitical and doctrinal conflicts among great powers and the high propensity for a military solution for humanitarian causes have compounded the intractability of the composite elements in light of the effective conduct of UN mediation.

Indeed, at the time of writing, recent and ongoing conflicts of strategic importance for major powers—Libya, Syria, the Ukraine, or Palestine, among others—have driven home further the difficulty in mending the geopolitical divide and generating a concerted response among great powers, despite some policy shifts to a more multilateral approach put into place in the Obama era. A recent striking example of this dilemma comes from failed international mediation attempts in Syria. Indeed, when Brahimi took over, the former Secretary-General Kofi Annan, as mediator of the Syrian conflict, stated, “They [the UN Security Council] are asking me to do this job. If they don't support me, there is no job,” calling for concerted political backing from the long-divided Council for his mediation efforts.²⁰ Unfortunately, however, Brahimi followed in the footsteps of his predecessor, who, at the time of resignation, harshly criticized the failure of the Council to reach a consensus.²¹

These latest episodes seem to provide additional support for the above argument that the UN can play a substantial role as a mediator in conflicts only where great powers' vital geopolitical and security interests do not clash and if there is room for a negotiated

and diplomatic solution in the first place. The size of such political space may be limited, as mentioned above, where concerned states, especially great powers, are likely to be pitted against one another over controversial norms and principles. Here, Whitfield's above-referenced argument still seems relevant in that conflicts with "a middle level of international attention"²² provide a more auspicious environment for UN mediation. Part of the UN's intrinsic value resides in its capacity to sustain a long-term mediatory engagement in such conflicts that are not on the top of the international security agenda, helping maintain a certain degree of attention from the international community. (The aforementioned, grandfathered cases of Cyprus and Western Sahara can be conceived as variants of those conflicts.)

While the UN, as a composite entity, may find a promising field for its mediation activities, more often than not, in conflicts with a moderate level of great power rivalry and international attention, the universal intergovernmental conflict manager may well be obliged to attempt to play a role in other types of conflicts as well. On one hand, the UN may well find itself in a position to deal with the low-profile, "true orphan conflicts such as Burundi and Somalia"²³ with minimal international attention, trying to keep them from falling into oblivion. On the other hand, the UN may be entrusted with the thorny task of mediating high-profile conflicts (even the one almost doomed to failure like Syria as it has been as of writing). Here, it should be remembered that its staying power as a mediator—particularly, as an effective lead mediator in the limelight—appears to have diminished due to its weakened legitimacy and credibility and lowered expectations as a peacemaker, as compared to the immediate post-Cold War era.

The dual attributes of composite nature and global responsibility pose a constant policy challenge for UN mediation in terms of ensuring strategic prioritization and resource allocation among potential cases and maintaining a track record and credibility as an international mediator.

The UN's Role in a Crowded Mediation Environment

Having so far examined the UN's effectiveness as an international mediator with an emphasis on its *composite* nature as an intergovernmental organization, it is also imperative, for the sake of a comprehensive analysis, to treat the UN as a *unitary* actor and discuss its mediation role in relation to those played by other actors.

Contemporary international mediation has often been multiparty in nature with the involvement of a variety of third-party external actors such as states, international and

regional intergovernmental organizations, NGOs, and even individuals. At the turn of the century, Chester Crocker and his colleagues, in their seminal work on “multiparty mediation,” described the proliferation of mediators at the end of the Cold War as “less a matter of choice than a fact of life.”²⁴ About 15 years later, David Lanz and Rachel Gasser characterized the situation as “a crowded field,” highlighting pressing issues of competition and coordination among an increasing number of mediators.²⁵ As they have suggested, it is due to the growing recognition of mediation as a tool for international conflict management as well as the actual and perceived development of the roles and capacities of mediators.²⁶ More broadly, behind this trend are far-reaching changes in overall patterns of international relations such as globalization, regionalization, and privatization. At any rate, the multiplicity or randomness of a mediator’s engagement has increased and is now inevitable in almost any conflict situation. What is important to note is that this very fact has had a profound effect on the weight and value of the UN as a mediator.

There seems to be a great deal of flexibility and fluidity in the involvement of national governments in international mediation in the present era, as many observers have suggested, marked by a decline of US hegemony and a shift toward a more multipolar world. In tandem with the general retreat of the US and other great powers from commitments to international conflict management or the lessened appetite for such activity, medium and small states (or rising powers) have shown renewed interest in attempting mediation.²⁷ Many of these states, in the past, chose to get involved in international mediation in a rather supportive role through such channels as membership in the “friends group” of the Secretary-General and participation (e.g. as observers) in peace processes led by the UN or great powers. On the other hand, there are now independent mediation initiatives by an increasing number of states—longtime and frequent mediators like Norway (as in the Oslo process, Sri Lanka, and Sudan), emerging and would-be mediators like Qatar (as in Lebanon and Yemen) and Turkey (as in the Israeli-Syrian/Palestinian conflicts), and many other occasional mediators. In the literature on international mediation, states in general are believed to engage in mediation out of self-interest in addition to humanitarian concerns.²⁸ These “entrepreneurial state mediators” may well find that undertaking an independent mediation initiative rather than working through the UN framework may better serve their foreign policy objectives. Under such circumstances, it may be even more difficult for UN mediators to accommodate such state interests and aspirations (frequently contradictory and disparate) and to “herd” potential lone state mediators in UN-led mediation processes.

Another important consideration is the greater involvement of regional organizations

in international mediation.²⁹ In the present international environment marked by the increasing prominence and capacity of regional and sub-regional organizations in conflict management (and, in contradistinction, the relative decline of the UN's peacemaking roles as noted above), while a renewed sense of division of habitats between these organizations and the UN may be emerging, it is often taxing for them to reach an agreement on which organization should take center stage and how to establish the division of labor in conflict situations where they coexist. Seen from the perspective of the principle of subsidiarity, for example, it can be no longer taken for granted that regional organizations follow the lead of the UN in mediation.³⁰ A role reversal can happen in some situations. In the words of a senior UN official:

There is less room than ever for the UN to get involved as mediator in conflicts worldwide for various reasons. This is a tough time for the UN as a mediator. Even in Africa, where this tendency is less pronounced, the UN finds itself in a crowded field, having to share the space with an increasingly assertive AU, the RECs [Regional Economic Communities] and a whole host of international NGOs and other self-appointed mediators.³¹

In Africa, for instance, the relationship between the UN and regional organizations has varied from case to case. This can be constructive with sufficient coordination in place, as in the case of the UN playing a supporting role to the African Union (AU) when Kofi Annan teamed up with two colleagues from the AU's Panel of Eminent Personalities in a successful mediation initiative in Kenya in 2008.³² A senior UN official directly involved in the effort, reflecting on the organization's role, noted that "[r]ather than fighting for the limelight we had the maturity to accept playing a support role and we did everything we could to play it as best we could."³³ In a worst-case scenario, the absence of clear hierarchies may give rise to competition and "turf battles" between the UN and regional actors.³⁴ When a constitutional crisis occurred in Madagascar in early 2009, the UN initially played a leading role in mediating negotiations between rival camps. However, that leadership was subsequently taken over by the AU and the Southern African Development Community (SADC). Behind the takeover were aspirations of these regional actors to enhance their own standing and roles as conflict managers in Africa as well as the UN giving a rather low priority to the conflict. Disagreements ensued and tensions arose among the three organizations in spite of some coordinated efforts.³⁵

More and more, unofficial actors are also becoming actively involved in international mediation. By the 1990s, NGOs had already become part of any peace process that involved substantial third-party engagement, and to date, some of them have built a

reputable track record and have expertise in mediation and mediation support in response to conflicts in many parts of the world. From 2000 to 2003, the Geneva-based Centre for Humanitarian Dialogue (the HD Centre) facilitated negotiations between the Indonesian government and the Free Aceh Movement.³⁶ In 2005, the Conflict Management Initiative, located in Helsinki and led by former Finnish President Martti Ahtisaari, mediated the signing of a peace agreement between the parties.³⁷ At times, NGOs have worked in partnership with states or intergovernmental organizations in international mediation processes. For instance, the HD Centre was involved in the above-noted Kenyan mediation,³⁸ and together with a few other NGOs (and several states), it has been a member of the International Contact Group, established in 2009 to support the mediation process in Mindanao.³⁹ To be sure, NGOs can make distinct, invaluable contributions to international mediation. However, particularly when official/Track 1 (to which the UN traditionally belongs as an intergovernmental entity) and unofficial/Track 2 run in parallel, the challenge of minimizing friction and ensuring collaboration between the two tracks can be even more daunting in the contemporary era characterized by an increasing prominence of nongovernmental actors in general and their active roles as peacemakers in particular.

In the wake of the end of the Cold War era when the UN stood out as a global conflict manager and enjoyed a high degree of legitimacy, moral authority, and prestige in the eyes of other actors, utilizing the UN framework or at least making an attempt at doing so was a widely accepted norm and practice in many conflict situations (setting aside its appropriateness and efficacy). In today's more crowded mediation environment, the UN is often just one of many mediators or candidates for such roles. In cases where the UN has played a peacemaking role, that role may well be part of a broader process involving other state and non-state mediators, rather than a separate and distinguishable role involving an overarching and coordinating character bolstered by widely recognized international authority and leadership.⁴⁰ It appears that the UN and other actors are in the midst of exploring and searching for ways to interact with one another, to divide their labor in responding to ever-changing demands for conflict management, and to possibly collaborate effectively. On the other hand, needless to say, the UN is bound to be faced with competition and rivalry involving state and non-state actors that equally strive to find a niche for themselves and possibly capture the limelight in international mediation processes, harboring disparate and conflicting interests.

Most likely, there would be no set pattern for partnership between the UN and other actors in the field of mediation. As Whitfield noted, "[a] more crowded field for conflict resolution placed new demands on the United Nations as a peacemaker, principally with

respect to its readiness to play distinct roles within difference peace processes, reflecting the different configurations of actors involved.”⁴¹ While panaceas are not readily available, it seems reasonable to say that in order to meet the challenges of multiparty or crowded mediation and thus be able to carve out a meaningful role for themselves, UN mediators should not only capitalize on their strengths but also exercise a considerable measure of flexibility and adaptability in response to specific working environments.

In his 1992 paper, Jeffrey Z. Rubin posited that there are six different bases of power for mediators: reward power; coercive power; expert power; legitimate power; referent power; and informational power.⁴² Although discussing in detail the nature of a mediator’s power according to this typology is beyond the scope of this paper,⁴³ it may be helpful to rely on it in examining the UN’s attributes and resources as a mediator. As Rubin put it, the UN has relatively little reward power or coercive power, apart from, for example, the possible exercise of modest coercive power through the imposition of sanctions or the threat of political embarrassment caused by wide media coverage. Rather, primary sources of power for the UN’s mediation derive from its unique position as “*the official international agency*” as well as “*the official representative of the world community [Emphasis in the original].*”⁴⁴ Because of this special standing, the UN mediation team is deemed to have expert power with access to considerable expertise on international security issues and also has legitimate power by its ability to speak with authority and prestige.⁴⁵

Despite the passage of more than two decades since Rubin’s writing, in essence, these arguments remain valid, and the judicious usage of these bases of power is the key to effective UN mediation. Nonetheless, the important point is that the organization’s strengths in these kinds of power have been eroded. As suggested above, profound changes have been under way in every aspect of international relations of this century, triggered by deepening impacts of globalization and the information revolution, and the increasing salience of regionalism and privatization, among others. Arguably, the diffusion of power⁴⁶ may have been at work in the sense that, *at least in relative terms*, there has been a decline in the UN’s expert power and legitimate power while those bases of power for other mediators have grown to some extent. Expertise is now shared and is more widespread in this global information age and international legitimacy is, of course, not monopolized by the UN; the UN is in no way unparalleled in terms of these resources and may well be forced to compete more intensely than ever with other mediators on a somewhat level playing field in this crowded mediation environment. As noted above, seen from a long-term perspective, the UN’s legitimacy has apparently weakened (hand-in-hand with its effectiveness) partly as a result of the retreat of multilateralism from the

late 1990s onward and the reigniting of geopolitical and normative conflicts among great powers. On the other hand, in the midst of waves of regionalism, some regional and sub-regional organizations appear to have enhanced their capacity in mediation and other forms of international conflict management, accumulating experience and expertise, and have strengthened legitimacy and authority as the official representative of their member states. Such trends as a transition to multipolarity and privatization of international affairs may also mean that an increasing number of states—not only large but also smaller states—and NGOs now have more room for developing and utilizing distinct forms of expert power and legitimate power in mediation.⁴⁷ In terms of Rubin’s framework on bases of power for international mediation, under the prevailing circumstances, all principal actors may be seen as possessing both expert power and legitimate power in one form or another (see Table 1).

As a consequence of the growing overlap of power bases in mediation, either expertise or legitimacy, for various types of actors, there is an inevitable effect on the deployment of these resources in their mediation efforts. Indeed, mediators are thought to perform many different functions and roles.⁴⁸ In fulfilling these different roles and functions, different bases of power are necessary. Among these roles, mediators play an important role in legitimizing the process and outcome of negotiations.⁴⁹ In performing such a role, legitimate power is necessary. For instance, the UN and regional organizations have different sources of legitimacy. According to Rubin, while the UN’s legitimacy derives from its unique standing as “the official representative of the world community,”⁵⁰ that of regional organizations can be understood as follows: “whether a regional organization is fragmented or not, it is still the central repository for a regional identity, the place where individual national identities come together (in theory at least) as a unified regional voice.”⁵¹ Importantly, given the diffusion of legitimate power, there are, at least in theory, more (full-fledged) candidates or aspirants for assuming the role of legitimization.

Viewed in this light, the frequent juxtaposition of the UN and regional and sub-regional organizations in the mediation field reflects an increasing degree of the diffusion of legitimate power as well as the proliferation of legitimizers as mediators. The question then arises as to whether this can be turned into assets or liabilities for international peacemaking, and examining the two African cases noted above provides interesting insights in this regard. In Madagascar, issues regarding overlapping mandates and competition arose among mediating organizations. In the words of Lanz and Gasser:

[T]he UN, the AU and SADC all had mandates to mediate: the UN as the guardian of the global system of collective security, the AU as the foundation of the African security architecture, and SADC by virtue of

the principle of subsidiarity. ...[A]ll three organizations had a *legitimate claim* to lead the Madagascar peace process and there was no mechanism to clarify the hierarchy and division of labor between them.⁵²

In Kenya, on the other hand, Annan's mediation team received a mandate from the AU Peace and Security Council (as well as support from the UN Security Council), which provided the effort with broad recognition and approval.⁵³ It can be interpreted that because the UN played a rather supporting role to the AU, the dual involvement of global and regional organizations, capitalizing on different sources of legitimacy, generated the combined elements of legitimization at different levels (albeit overlapping to some extent) that worked to endorse the mediation process. Different actors may possess distinct ingredients for power bases, which means that when they put them into practice in mediation, their seemingly similar mediating roles are likely to be enacted in different ways having different effects on the third-party process. More importantly, the synergy of such effects may be realized with adequate coordination among mediation partners.

The diffusion of expertise also means that mediation roles drawing on this particular power base can now be fulfilled (in theory) by many kinds of actors. Among the important mediating roles are providing facilitation during negotiations between adversaries and proposing ideas and options that may lead to a solution. Enactment of these roles certainly requires substantive knowledge and expertise on a range of issues in question. Notably, in Rubin's original formulation in 1992, regional organizations and small states were thought to be lacking in expert power.⁵⁴ In the current century, they have apparently developed a considerable degree of expert power and are now full-fledged candidates for playing mediatory roles based on this power (see Table 1 again). Notwithstanding that changed landscape, as Pamela Aall put it, the UN can "offer a stable of diplomatic expertise in mediation and has been very active in applying this expertise to conflict resolution and peacemaking in conflicts ranging from Angola and Afghanistan to East Timor and Haiti."⁵⁵ In assuming a support role to the AU mediation in Kenya, the UN Department of Political Affairs (DPA) provided Annan with essential technical and political advice, especially on electoral matters (as well as logistical support).⁵⁶ As part of broader efforts, the UN established, within DPA, the Mediation Support Unit in 2006 and the Standby Team of Mediation Experts in 2008, with the aim of strengthening its operational capacity to provide mediation expertise and support to both UN and non-UN mediation efforts.⁵⁷ These initiatives may exemplify the lasting value of the UN as a repository and provider of mediation expertise in a field currently inundated with other actors claiming to have specialized competence.

It is, therefore, essential to recognize that while the UN retains vital assets such as expertise and legitimacy and the ability to employ these assets in mediation, there is a greater likelihood that UN mediators more frequently share the crowded mediation field with other state and non-state actors acting as mediators, possibly fulfilling mediation roles based on overlapping power bases. On the other hand, it is equally true that mediation, especially in internal conflicts, is highly complex and cumbersome, involving numerous tasks and necessitating significant resources. “Third parties need other third parties,” as it is extremely rare that a single mediator can meet all those requirements.”⁵⁸ The question of coordination among mediators is, in fact, a key element in considering policy prescriptions for the UN’s mediation role in this crowded field. To date, there is a considerable body of literature that stresses the need for coordination in international mediation.⁵⁹ Indeed, as has been clear from recent UN reports, the UN itself has attached great importance to this crucial problem. The absence, or lack of, coordination might result in unhealthy competition among mediators, which makes it infeasible for them to cooperate when assuming mediating roles in concert or to agree on a common mediation strategy. Without unity among mediators, it would be extremely difficult to maintain coherence and credibility in the peacemaking initiative, with mixed messages emanating from different mediators. In the worst case scenario, conflicting parties may attempt “forum shopping” to promote their own interests.⁶⁰ Under these circumstances, in order to maintain its role and profile as a global peacemaker, it is increasingly crucial for the UN (and other actors as well) to have greater awareness of increasing congestion in the field of mediation and the resulting need to coordinate with other mediators and also to hammer out appropriate ways of doing so⁶¹ in order to ensure effective partnerships and divisions of labor based on each mediator’s unique assets and on specific conflict environments.

Conclusion

This paper has attempted to analyze the UN’s mediation roles since the end of the Cold War and to shed light on principal policy challenges and suggest possible niches and roles for UN mediation in the current century, taking a dual perspective on the UN as a mediator; it is a composite mediator and also just one of many mediators.

The nature of the UN as an intergovernmental organization is an inescapable aspect of its existence and actions. Mediation is no exception in this regard, and the UN’s composite feature has had great impact on the effectiveness of mediation. Although at

times it has been conducive to the organization's role as a mediator, it has often worked as a setback, especially when great powers were at loggerheads. This innate difficulty was always present during the Cold War and is not new; however, it has taken the form of a new challenge over approximately the last two decades. This has been compounded by reignited conflicts among great powers, especially in geopolitical and normative terms, since the late 1990s. These conflicts often manifested themselves in the form of inaction from the Security Council. Under the circumstances, it is possible to posit that there should be more room for the UN as mediator to maneuver away from conflicts involving a serious clash of the core security interests of great powers. On the other hand, the UN as a global conflict manager is likely to be held responsible for mediation in adverse environments such as high-profile conflicts in which great powers' interests are in diametric contradiction or orphan conflicts where their marginal interests can be an impediment instead. This poses a perennial challenge for the UN as a composite, universal mediator.

Another relatively new challenge facing UN mediators is that of competition and coordination in today's crowded mediation environment, as newcomers have emerged from different categories of actors ranging from medium and small states to regional and sub-regional organizations and NGOs. Of course, there are unique capabilities and resources that the UN can bring to mediation. Among others, the UN is able to provide a mediation process with a strong international legitimization and political backing—the strongest of that kind when backed by a solid consensus at the Security Council (which is a positive embodiment of the organization's composite nature)—in such a way that other actors are unable to do. Furthermore, the UN's repository of expertise remains substantial and useful for mediation activities by itself and others. However, it is equally true that the organization's advantages in its traditional bases of mediation power, such as legitimacy and expertise, have become salient in the present era of diffusion of power among potential mediators. The UN's value as a mediator now depends to a considerable extent on its ability to learn to exercise these kinds of power in coordination with other actors, developing effective partnerships and prudent divisions of labor.

¹ See for example Yasushi Akashi, "The Limits of UN Diplomacy and the Future of Conflict Mediation," *Survival*, vol. 37, no. 4 (1995).

² The term is symbolically used by David Lanz and Rachel Gasser in their recent report, "A Crowded Field: Competition and Coordination in International Peace Mediation," *Mediation Arguments*, no. 2 (2013) (Pretoria, South Africa: Centre for Mediation in Africa, University of Pretoria). See also Fen Osler Hampson, "Can the UN Still Mediate?" in Richard M. Price and Mark W. Zacher, eds., *The United Nations and Global Security* (Basingstoke, UK: Palgrave Macmillan, 2004), pp. 84–90.

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- ³ Saadia Touval, "Why the UN Fails," *Foreign Affairs*, vol. 73, no. 5 (1994).
- ⁴ Stephen John Stedman, "Negotiation and Mediation in Internal Conflict," in Michael E. Brown, ed., *The International Dimensions of Internal Conflict* (Cambridge, MA: MIT Press, 1996), p. 361.
- ⁵ *Ibid.*, p. 362.
- ⁶ Chester A. Crocker, Fen Osler Hampson, and Pamela Aall, "Introduction," in Crocker et al., eds., *Herding Cats: Multiparty Mediation in a Complex World* (Washington, DC: US Institute of Peace Press, 1999), pp. 9–10.
- ⁷ *Ibid.*
- ⁸ Richard H. Solomon, "Bringing Peace to Cambodia," in Crocker et al., eds., *Herding Cats*.
- ⁹ Teresa Whitfield, *Friends Indeed?: The United Nations, Groups of Friends, and the Resolution of Conflict* (Washington, DC: US Institute of Peace Press, 2007), p. 30.
- ¹⁰ *Ibid.*, p. 7.
- ¹¹ *Ibid.*, pp. 30–31.
- ¹² Saadia Touval, *Mediation in the Yugoslav Wars: The Critical Years, 1990-95*, Basingstoke: Palgrave Press, 2002, pp. 176–177.
- ¹³ Hampson, "Can the UN Still Mediate?" p. 85.
- ¹⁴ *Ibid.*, p. 86.
- ¹⁵ *Ibid.*, p. 89.
- ¹⁶ I am indebted to one of the anonymous reviewers of the present paper for this broader notion of mediator of last resort.
- ¹⁷ In grandfathered cases of Cyprus and Western Sahara, for instance, major power interests and competitions have never prevented the UN to act as a mediator continuously but have seriously constrained its effectiveness, to the extent that UN mediation has only enabled management rather than resolution of the conflict. The US has been unwilling to pressure Greece and Turkey, both NATO allies, strongly enough to settle the conflict over Cyprus. Hampson, "Can the UN Still Mediate?" pp. 85–86; Fen Osler Hampson, *Nurturing Peace: Why Peace Settlements Succeed or Fail* (Washington, DC: US Institute of Peace Press, 1996), pp. 28, 36. In Western Sahara, France and the US have been reluctant to force Morocco, their regional strategic partner, to compromise. Hampson, "Can the UN Still Mediate?" pp. 86–87; Whitfield, *Friends Indeed?* pp. 165–190.
- ¹⁸ Lanz and Gasser, "A Crowded Field," pp. 15–16.
- ¹⁹ See note 5.
- ²⁰ Cited in *France 24*, "New Syria Mediator Hopes for Security Council Support," August 17, 2012.
- ²¹ *The Independent (London)*, "Annan Quits as Syria Envoy with Blast at Bickering UN; Despairing Mediator Begs Security Council to Stop 'Finger-pointing' and Focus on Ending Bloodshed," August 3, 2012.
- ²² See note 10.
- ²³ Whitfield, *Friends Indeed?* p. 7. Lanz and Gasser, in their case study on Madagascar, argue that marginal interest and attention from the international community may be a discouraging factor for the UN in developing a full-fledged mediating role. See Lanz and Gasser, "A Crowded Field," pp. 10–13.
- ²⁴ Crocker et al., "Rising to the Challenge of Multiparty Mediation: Institutional Readiness, Policy Context, and Mediator Relationships," in Crocker et al., eds., *Herding Cats*, p. 666.
- ²⁵ See note 2.
- ²⁶ *Ibid.*, pp. 2, 15.
- ²⁷ See for example I. William Zartman, "Mediation Roles for Large Small Countries," *Canadian Foreign Policy Journal*, vol. 19, no. 1 (2013), pp. 13–25.
- ²⁸ I. William Zartman and Saadia Touval, "International Mediation," in Chester Crocker, Fen Osler Hampson, and Pamela Aall, eds., *Leashing the Dogs of War: Conflict Management in a*

Divided World (Washington: US Institute of Peace Press, 2007).

²⁹ For a discussion of the involvement of regional organizations in conflict management in general, see for example Paul D. Williams and Juergen Haacke, “Regional Approaches to Conflict Management,” in Chester Crocker, Fen Osler Hampson, and Pamela R. Aall, eds., *Rewiring Regional Security in a Fragmented World* (Washington, DC: US Institute of Peace Press, 2011), pp. 49–74.

³⁰ Lanz and Gasser, “A Crowded Field,” pp. 14–15.

³¹ Author interview, senior UN official, Pretoria, June 2, 2015.

³² Lanz and Gasser, “A Crowded Field,” pp. 7–10.

³³ *Politically Speaking* (Bulletin of the UN Department of Political Affairs), summer/fall 2008, p. 4.

³⁴ Lanz and Gasser, “A Crowded Field,” pp. 14–15.

³⁵ *Ibid.*, pp. 11–12.

³⁶ Konrad Huber, *The HDC in Aceh: Promises and Pitfalls of NGO Mediation and Implementation*, Policy Studies, No. 9 (Washington, DC: East-West Center Washington, 2004).

³⁷ Edward Aspinall, *The Helsinki Agreement: A More Promising Basis for Peace in Aceh?* Policy Studies, No. 20 (Washington, DC: East-West Center Washington, 2005).

³⁸ Charles T. Call, “UN Mediation and the Politics of Transition after Constitutional Crises” (New York, International Peace Institute, 2012), pp. 6–9.

³⁹ See for example Conciliation Resources, *Innovation in Mediation Support: The International Contact Group in Mindanao (Practice paper)* (London: Conciliation Resources, July 2013), <http://www.c-r.org/resources/practice-paper-innovation-mediation-international-contact-group-mindanao> (accessed 7 July 2015).

⁴⁰ Whitfield, *Friends Indeed?* p. 35. What seems relevant to this point is the notion of “collective conflict management” put forward by Crocker et al. See Chester A. Crocker, Fen Osler Hampson, and Pamela Aall, “A Global Security Vacuum Half-filled: Regional Organizations, Hybrid Groups and Security Management,” *International Peacekeeping*, vol. 21, no. 1 (2014).

⁴¹ Whitfield, *Friends Indeed?* p. 16; Martin Griffiths, “Talking Peace in a Time of Terror: United Nations Mediation and Collective Security (opinion)” (Geneva, Switzerland: Centre for Humanitarian Dialogue, 2005), p. 6.

⁴² Jeffrey Rubin, “Conclusion: International Mediation in Context,” in Bercovitch and Rubin, eds., *Mediation in International Relations: Multiple Approaches to Conflict Management* (New York: St. Martin’s Press, 1992), pp. 254–256.

⁴³ For full treatment of this typology, see for example Pamela Aall, “The Power of Nonofficial Actors in Conflict Management,” in Crocker et al., eds., *Leashing the Dogs of War*.

⁴⁴ Rubin, “Conclusion,” p. 265. Emphasis original.

⁴⁵ *Ibid.*

⁴⁶ Joseph S. Nye, for example, discussed the notion primarily in terms of power diffusion from states to non-state actors in the twenty-first century. See Nye, *The Future of Power* (New York: Public Affairs, 2011). Here, the notion as it relates to mediation is conceived in a broader context involving multiple directions of diffusion, not just from states to non-state actors but also among non-state actors.

⁴⁷ Aall, “The Power of Nonofficial Actors in Conflict Management.”

⁴⁸ See for example Zartman and Touval, “International Mediation”; Christopher Mitchell, “The Process and Stages of Mediation: Two Sudanese Cases,” in David Smock, ed., *Making War and Waging Peace: Foreign Intervention in Africa* (Washington, DC: US Institute of Peace Press, 1997).

⁴⁹ I. William Zartman, “Conclusions: The Last Mile,” in Zartman, ed., *Elusive Peace: Negotiating an End to Civil Wars* (Washington, DC: The Brookings Institution, 1995), p. 342.

⁵⁰ See note 44.

⁵¹ Ibid., p. 261.

⁵² Lanz and Gasser, “A Crowded Field,” p. 15. Emphasis added.

⁵³ Ibid., p. 17.

⁵⁴ Rubin, “Conclusion,” p. 269 (see Table 11.1).

⁵⁵ Aall, “The Power of Nonofficial Actors in Conflict Management,” p. 480.

⁵⁶ *Politically Speaking*, summer/fall 2008, pp. 4–5.

⁵⁷ See <http://peacemaker.un.org/mediation-support> (accessed 10 November 2015).

⁵⁸ Hampson, *Nurturing Peace*, p. 233.

⁵⁹ See for example Louis Kriesberg, “Coordinating Intermediary Peace Efforts,” *Negotiation Journal*, vol. 12, no. 4 (1996).

⁶⁰ Report of the Secretary-General on Enhancing Mediation and its Support Activities (S/2009/189, April 8, 2009); United Nations Guidance for Effective Mediation, Annex I of the Report of the Secretary-General: Strengthening the Role of Mediation in the Peaceful Settlement of Disputes, Conflict Prevention and Resolution (A/66/811, June 25, 2012).

⁶¹ Lanz and Gasser propose that such coordination can be pursued through “hierarchical coordination,” where a recognized authority acts as a lead mediator and coordinates other interveners by allocating specific roles and tasks, or through “network-based cooperation,” where mediating partners form a network and agree on a division of labor with a common objective in mind. See Lanz and Gasser, “A Crowded Field,” pp. 16–17.

Table 1 Diffusion of Expertise and Legitimacy as Bases of Power among Principal International Mediators

Mediator	Expert power	Legitimate power
Regional/sub-regional organization	✓	X
Transnational organization/NGOs	X	X
International organization (such as the UN)	X	X
Medium/small state	✓	X
Large state/superpower	X	X

X : Already identified in Rubin's (1992) original formulation

✓: Newly added in view of subsequent developments (especially since 2000).