

Studying EU Peace Mediation: Theoretical and Empirical Perspectives

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Abstract

With the »Concept on Strengthening EU Mediation and Dialogue Capacities« adopted in 2009, the EU aims to further develop its capabilities in the field of peace mediation, building also on various mediation experiences made by EU institutions and actors in different conflict regions. Yet, the academic literature has not paid much attention to the EU's involvement in mediation or mediation support activities. To develop a better theoretical and empirical understanding of EU peace mediation, the Unit of International Politics of the Johannes Gutenberg-Universität Mainz organized a workshop on »The EU as Actor in International Mediation - Theoretical and Empirical Perspectives« which took place in November 2015 in Mainz. The working paper discusses this project in the light of the current research literature and reflects on the results of the presentations and discussions of the workshop.

Keywords: mediation, mediation strategies, EU foreign policy, effectiveness

1. Introduction

In the context of the implementation of the European Security Strategy, the Council of the EU adopted the Concept on Strengthening EU Mediation and Dialogue Capacities in November 2009 (Council of the EU 2009).¹ This document, which is considered the key reference point for EU mediation activities, spells out the EU's ambition to develop a more systematic approach in the area of peace mediation and dialogue and calls for a strengthening of the EU's capabilities in this field.²

To reach this goal, a number of structures inside and outside the EU's institutional set-up have been created since 2009, such as the Mediation Support Team (MST) in the Conflict Prevention, Peacebuilding and Mediation Instruments Division of the European External Action Service (EAAS), the European Parliamentary Mediation Support Service within the bureaucracy of the European Parliament (EP) and the European Institute of Peace (EIP). The latter was founded in April 2014 as an independent foundation by eight European states and has so far developed a special working relationship with the EEAS (Girke 2015a; Krümpelmann and Major 2013). The EU's aspiration to systematically expand its capacities in the field of mediation can, among other things, be explained by the experiences that EU institutions and actors have made as mediators in a number of different conflict regions such as Western Balkans, the South Caucasus and Southeast Asia (Bergmann and Niemann 2015; Herrberg et al. 2009).

In light of the current research on the EU's external policy and the literature on international mediation, it is evident that the EU's role as a mediator in peace negotiations and supporter of third parties' mediation efforts has not been analysed systematically, yet (Bergmann and Niemann 2015: 959; see section 2). The overall research question resulting from this empirical as well as conceptual gap is the following: How can we conceptualise and empirically map the EU's engagement in international mediation? From this overarching question, three specific research questions can be derived which, in our point of view, have so far not sufficiently been dealt with in the literature:

- 1) *What are the EU's motives in becoming involved in mediation and mediation support activities?*
- 2) *What different roles and strategies does the EU adopt in its mediation practice? And how can we conceptualise and understand the EU's different roles (and strategies)?*
- 3) *To what extent is the EU effective in mediation and mediation support activities? And how can we conceptualise and investigate the effectiveness of EU mediation practice?*

These questions touch upon the three dimensions of a mediation process: the input-dimension (question on the EU's motivation), the process-dimension (question on strategies and patterns of behaviour) as well as the outcome-dimension (question on effectiveness). To answer these questions and to thereby contribute to a better theoretical and empirical understanding of the EU's peace mediation activities, the Chair of International Politics at the Johannes Gutenberg University in Mainz organised the workshop "The EU as Actor in International Mediation – Theoretical and Empirical Perspectives", which took place from 26th

¹ We would like to thank the workshop's participants for the interesting papers and discussions and Kathrin Bank for the support in editing this working paper.

² In the concept, mediation is defined as: "[...] a way of assisting negotiations between conflict parties and transforming conflicts with the support of an acceptable third party. The general goal of mediation is to enable parties in conflict to reach agreements they find satisfactory and are willing to implement" (Council of the EU 2009: 2-3).

to 27th November 2015 in Mainz.³ The fruitful discussions among the participants illustrated the high relevance of dealing with the research questions identified above.

2. Current state of the art

In the field of peace and conflict studies, international mediation is considered a voluntary and non-violent tool of international conflict management, by which a third party supports disputants in solving their conflict through negotiations (Bercovitch 1992: 8). Moreover, mediation is a procedure that can be used in all sorts of conflicts and in every phase of a conflict, irrespective of whether those are violent conflicts or not (Greig and Diehl 2012: 2).

Analysing the EU's role as a mediator in conflicts contributes to the literature on international mediation, which has established itself as an important sub-field in peace and conflict studies (Bercovitch and Gartner 2008; Greig and Diehl 2012). In contemporary mediation research, however, the EU as an actor in mediation has been rather neglected. One reason for this may be that the primarily quantitative oriented studies on the conditions of success of international mediation frequently analyse the impact of particular factors on mediation rather than focusing specifically on single actors like the EU (cf. Wallensteen and Svensson 2014; Bergmann 2014). Furthermore, it is striking that the EU's share of international mediation initiatives worldwide is only marginal in comparison to the "track record" of the United Nations (UN) and regional organisations like the Organization for Security and Co-operation in Europe (OSCE) and the African Union (AU) as well as mediation efforts of states (cf. Bercovitch and Schneider 2000; Greig and Diehl 2012).

Research on EU external policy offers important insights since the EU's activities in the field of conflict management constitute a key subject of inquiry in current theoretical and/or empirical research. One of the most extensive analyses on this subject is the volume "The European Union as a Global Conflict Manager" by Richard Whitman and Stefan Wolff. Throughout a number of individual case studies and comparative contributions, the authors analyse the EU's capabilities in three dimensions: (1) the EU's capabilities to act, in particular sufficient staffing as well as suitable institutions and instruments; (2) the EU's capabilities to fund (short-term and long-term financial resources) and (3) the capabilities to coordinate and cooperate within the EU as well as with external partners (cf. Whitman and Wolff 2012a). The editors conclude that especially the lack of suitable institutional structures in the period prior to the ratification of the Lisbon Treaty had a negative impact on the EU's effectiveness as a conflict manager (Whitman and Wolff 2012b).

Whereas a range of academic studies deals particularly with the EU's military conflict management instruments, only a limited number focuses specifically on the EU's engagement in the field of mediation.⁴ Since the majority of these studies have, to a large extent, been published by NGOs and think tanks, they are primarily policy-oriented (Gündüz and Herbolzheimer 2010; Herrberg et al. 2009). Therefore, the emphasis is mainly on policy recommendations concerning the expansion and professionalization of the EU's mediation abilities. Studies that are not policy-oriented often contain case specific descriptions and findings, with a limited potential of generalization for other cases (Forsberg and Seppo 2010; Grono 2010; Pifer 2007). Moreover, there is a lack of comparative work that analyses EU mediation efforts throughout numerous conflicts and that contrasts the EU's activities to those of other mediators.

³ The workshop was organised in cooperation with the Jean Monnet Centre of Excellence "EU in Global Dialogue" which is jointly held by the Technische Universität Darmstadt and the University of Mainz and is central part of the research project "A Peacemaker in the Making? The European Union as an Actor in International Mediation" at the University of Mainz, which is funded by the German Foundation for Peace Research.

⁴ See also Gross/Juncos (2012) and Peen Rodt (2015).

Nevertheless, several studies have been recently published that try to address these gaps. Taking a foreign policy analysis perspective, Natalie Girke (2015a) investigates how the efforts of the EU delegation in Yemen mediation in the context of the National Dialogue Conference from 2011 to 2014 mirror the EU's understanding of conflict and mediation. Laura Davis' study (2014) analyses the EU's various mediation efforts on different levels ("tracks I-II/III") in the Democratic Republic of Congo, focusing on how fundamental principles of EU external policy such as peace and justice influence the EU's mediation practice and potentially lead to a conflict of norms. Finally, a recently published article by Julian Bergmann and Arne Niemann (2015) seeks to conceptualise and empirically assess the EU's effectiveness as a mediator. The authors propose a theoretical framework to explain EU mediation effectiveness and probe its plausibility by applying it to the case of the EU-led dialogue between Serbia and Kosovo.

In the following sections, we discuss what contribution the papers that were presented during the workshop in Mainz can make and have made to answer the three research questions. We hereby follow the order of the research questions spelled out above.

3. Motives and drivers of EU peace mediation

In general, it seems worth to investigate to what extent EU peace mediation efforts are driven by normative motivations similar to other fields of EU external policy (Söderbaum et al. 2005). The discussions at the workshop showed that there are several connections to the debate on the Normative Power Europe that could be further taken into account in future research (Whitman and Cochrane 2015). One key question is in what ways the EU's specific understanding of conflict and conflict resolution interacts with the EU's foreign and security policy goals and how this translates into the EU's peace mediation practice. The EU's engagement in the peace processes in Yemen and Myanmar illustrates exemplarily how the tension between the EU's foreign and security policy preferences and its understanding of conflict results in the EU delegation's difficulty to develop a clear rationale concerning their mediation activities (Girke 2015b).

Furthermore, the discussions during the workshop highlighted that the EU as a normative power does not always take a neutral position in terms of its preferences towards the negotiation outcome. The EU's neutrality may depend on the particular context of the respective case. It was stressed that the member states very often pursue different goals that may conflict with the EU's interests. In addition, the EU institutions' mediation efforts may sometimes be interpretable as initiatives to strengthen their own independence. The EU's peace engagement may therefore be partly driven by the self-interest of European institutions in some cases, but also to some extent by the EU's normative intention to promote peace.

Interestingly, the goal to increase the participation of women in peace processes as well as gender inclusiveness that was formulated in the Concept on Strengthening EU Mediation and Dialogue Capacities is only partly mirrored in the reality of EU mediation practice. Hastrup's analysis (2015) indicates that the contemporary design of the EU security architecture rather hampers than supports the objective's attainment.

4. The EU's roles, strategies and patterns of behaviour

First of all, it should be noted that the EU has adopted a particular understanding of mediation that affects its mediation practice (Davis 2015). By incorporating mediation into its Common Foreign and Security Policy toolbox (CFSP), the EU has deliberately chosen a wide understanding of mediation which allows to use it in all phases of a conflict and to combine it with other methods of conflict management (Whitman and Cochrane 2015). The EU's

mediation efforts are often part of multilateral initiatives and are implemented at different levels (“tracks”) – ranging from state diplomacy to the support of grassroots movements. Both Whitman and Cochrane (2015) and Davis (2015) emphasize the variety of actors in the field of EU peace mediation. The EU provides support to mediation efforts undertaken by NGOs, for example in the Aceh conflict, cooperates with other international organizations like the UN or the OSCE as in the case of the Geneva Talks on Georgia’s territorial conflicts and engages with state actors as for example with the US in the Butmir Process in Bosnia and Herzegovina.

When comparing the different cases, it becomes clear that the EU uses a wide range of mediation strategies. In general, three ideal types of mediation strategies can be distinguished: (1) a communicative-facilitative strategy, (2) a procedural strategy and (3) a manipulative/directive strategy (cf. Bergmann 2014: 249). In the Kosovo-Serbia conflict as well as in the Butmir Process in Bosnia and Herzegovina, the EU pursued a rather interventionist strategy, drawing on the parties’ perspective of becoming an EU member state to create strong positive incentives to find a compromise solution (Bergmann 2015; Richter 2015). EU mediation efforts in the Democratic Republic of Congo and Egypt, that included all three types of mediation strategies, show that the EU can play a mediation role that goes beyond pure facilitation in regions where the EU membership perspective is less unambiguously clear as in the Western Balkans (Davis 2015; Pinfari 2015).

5. The EU’s effectiveness in mediation processes

A key question in the study of EU mediation is the one of how to assess the EU’s effectiveness (Bergmann and Niemann 2015). In the mediation literature, effectiveness is often defined in terms of problem-solving, assessing to what extent the mediation effort has led to the conclusion of agreements between the conflict parties.

An important part of the debate about the effectiveness of the EU’s engagement focuses on how the availability of positive incentives for the conflict parties has an impact on mediation effectiveness. In general, characteristics of conflict parties, the context of the conflict as well as the relations between member states and EU institutions can be identified as influential conditioning factors. Apart from EU mediation in the Kosovo-Serbia conflict, case studies also analyse the EU’s engagement in Bosnia and Herzegovina and Egypt. Despite favourable preconditions for a successful modification of the country’s constitution, the EU- and US-led mediation initiative in 2009 – the so-called Butmir-Process – has not been very effective (Richter 2015). Although the mediators chose an interventionist approach and offered important incentives like the perspective of NATO and EU membership, the mediation effort failed. The EU’s approach of combining strong conditionality with a “package solution” hardly left any room for the negotiation of individual issues and solutions. Together with a lack of sufficient sensitivity for the importance of identity in this conflict, this approach not only led to a failure of the Butmir process, but also to a radicalization of the domestic debate in Bosnia and Herzegovina.

Other cases where the EU has shown a low degree of effectiveness are, for example, its mediation attempts in Egypt in 2011, during the rule of President Mursi and after the coup in 2013 (Pinfari 2015). In these cases, complex internal coordination processes, the lack of political will to apply pressure to the conflict parties as well as tensions between a pragmatic and a normative approach towards Egypt weakened the EU’s effectiveness as a mediator.

In the conflict between Kosovo and Serbia, the EU intervention followed the engagement of the UN. Whereas the UN was not effective in terms of problem-solving, the EU succeeded in mediating several agreements between Belgrade and Pristina, particularly due to its ability to provide positive incentives. By connecting the Belgrade-Pristina dialogue with the EU enlargement process, the EU could offer incentives for a successful transformation of the dispute to the conflict parties. In comparison to the UN-led status talks from 2005 to 2007, it is evident that the availability of incentives and the imposition of political pressure upon the

conflict parties played a key role in moving the conflict parties to compromise (Bergmann 2015).

Altogether, the case studies show that the EU applies a range of different mediation strategies. In its immediate neighbourhood, like the Western Balkans, it relies primarily on an interventionist approach. The case of Bosnia, however, demonstrates that this strategy has not always been successful.

6. Conclusion

The workshop's discussions have illustrated the various facets of the EU's engagement as a mediator. It should be noted that the EU's mediation efforts are led by various motivations and strategies that also influence its effectiveness in different ways. Nevertheless, the workshop has underlined that focusing on mediation behaviour alone is too limited in scope. Particularly, the specific context of the conflict – in a local, regional and international dimension – determines the room for negotiations and the extent to which the EU can use its potential, especially in its immediate neighbourhood. Moreover, an advancement of the project based on the workshop in Mainz will have to reflect on how and in what ways the EU has drawn lessons from its various mediation experiences. In addition, it remains to be seen what conclusions can be drawn out of comparing the EU to other actors in international mediation.

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