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“Conclusion: Motives, Roles, Effectiveness and the Future of the EU as an  
International Mediator”

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## **Conclusion: Motives, Roles, Effectiveness and the Future of the EU as an International Mediator**

This Special Issue set out to advance our theoretical and empirical knowledge about the European Union's (EU) role as an international mediator. Its individual contributions share a common concern with the motives/drivers, roles/strategies, effectiveness and institutional capacities of the EU's engagement in mediation and mediation support activities, albeit with different theoretical and empirical foci. As the articles demonstrate, the scope of EU mediation activities and the diverse settings where they take place suggests the need for comprehensive reflection; and this is the focus of this concluding article. We identify some connection points between the articles and discuss their findings via the three research questions laid out in the introduction to this issue (Bergmann et al., this volume). Thereafter, we reflect on the implications of these findings for policymaking. Finally, we set the scene for future research endeavors on EU mediation.

### **Motives and drivers**

To varying extents, the contributors to this special issue have engaged with the first research question concerning the motives and drivers of EU mediation. Several findings corroborate the assumptions of Touval and Zartman (1985a) that (EU) mediators are driven not only by normative concerns, but also by their own interests. For the case of EU mediation in Egypt, Pinfari (this volume) noticed a clash between democracy and human rights promotion on the one hand, and curbing irregular immigration, the provision of security/stability against Islamic extremism and the continuation of Member

States' bilateral preferences, on the other hand. In the case of the Democratic Republic of Congo, Davis (this volume) suggests that EU commitments to human rights were more consistent than those to its application of UNSCR 1325 concerning women's essential role in peace building and equal participation in peace and security efforts worldwide.

This point is echoed by Haastrup (this volume) who finds that the EU's intent to be perceived as a significant security actor has led to sidelining the commitments of UNSCR 1325 in the institutional architecture of mediation. Nevertheless, it is clear that the EU views the use of mediation as fundamental tool in its peacebuilding repository. Particularly in its Eastern Neighbourhood, Bergmann (this volume) and Richter (this volume) show convincingly the EU's dogged pursuance of mediation even when the results are mixed. Mediation as an EU policy practice is thus here to stay and its implications significant. The outcome of the EU's mediation efforts are however dependent on how the EU employs its capabilities and this is examined in relation to the next research question theme on roles and strategies.

### **Roles and strategies**

Typically, the practices of international organisations like the United Nations (UN), and states have eclipsed the role of the EU of an international mediator. Yet, as the Special Issue shows, this role can no longer be ignored. Although a relatively new actor, the varied roles the EU undertakes in the international mediation universe also has a diverse set of consequences that necessitate knowledge of these roles, and the internal (Davis, this volume; Haastrup, this volume) and external implications thereof.

In considering the EU's role as an international mediator, it is fair to acknowledge that this is relational vis-à-vis other EU crisis management tools (Davis, this volume; Haastrup, this volume) other mediation actors (Bergmann, this volume; Davis this volume; Elgstrom et al., this volume), the conflict environment (Davis, this volume; Nartoski, this volume; Pinfari, this volume; Richter, this volume) and the conflicting parties' interests and negotiation behaviour. The relationality of the EU's role as mediator is already evident in the context of its institutional configuration. Within the European External Action Service (EEAS), PRISM (Prevention of conflict, Rule of Law/SSR; Integrated approach, Stabilisation and Mediation) puts mediation as one of the many ways in which the EU intends to respond to crises. And, given that the EU has often emphasised collaboration in its approach to crisis responses (Diez and Tocci, 2017), assuming the same of mediation is unsurprising.

And Davis, who notes that the EU's role as a mediator is bolstered in relation to others, confirms this. She, moreover, argues that in understanding how we conceptualise the institutional context of EU mediation roles and how we come about knowledge of these roles, this relationship with others should be acknowledged. Nowhere is this more evident than in the Democratic Republic of Congo (DRC), where the EU has multiple crisis management missions and works with individual states and especially the UN. The DRC thus offers a useful exploration of the EU's roles and how it fits within the international mediation landscape. Further, in the case of the DRC and in Egypt as well, it is evident that the overlap of EU roles – those that are mediation specific and those extending beyond mediation including other CFSP/CSDP roles tend to obfuscate potential and reality of the EU's role as a mediator. At the same time, it is precisely because the EU engages in a multitude of roles, as was the case in the DRC that makes it a (somewhat) unique actor.

For Bergmann (this volume), when examined against other potential actors, in his case the UN, the EU's contributions are grounded in its particular strategies of mediation. In the Kosovo-Serbia negotiations for instance, the EU demonstrated an advantage over the UN's role. This advantage rested partly on its proximal position via contractual dealings and the vague potential of the eventual membership of the conflict parties within the EU. This created a more receptive opening for the EU during negotiations.

This particular advantage is unusual when situated within the prevailing norms and discourse of what a mediator should be. Some of the dominant literatures suggest that a fundamental characteristic of a mediator is their impartiality or neutrality. However, this is contested. Indeed, notable scholars like Touval and Zartman (Touval 1975, 1982; Touval and Zartman 1985, 2007; Zartman, 2008) have challenged this insistence on mediation neutrality or impartiality especially in the context of multi-track approach that the EU takes (see Davis, this volume).

The extent to which impartiality or neutrality is observed, nevertheless, has implications. All the empirical contributions within the special issue that identified a bias or lack of impartiality on the part of (EU) mediators concluded that the mediation process and conflict settlement were adversely affected, even if it was not always seen as a main cause of (perceived) EU ineffectiveness. In the cases of the Russia-Ukraine and Israeli-Palestinian conflict, the EU involvement in sanctions against Russia and political engagements within Ukraine, Israel and Palestine rendered it a 'problematic' mediator for the conflict parties (Natorski, this volume; Elgström et al., this volume). In the Bosnia and Herzegovina case, all sides of the conflict perceived the EU as increasingly

inconsistent due to its previous involvement in domestic politics (Richter, Bergmann this volume).<sup>1</sup>

Even a “favourable” bias may not enhance the EU’s influence vis-à-vis conflict parties (Elgström et al., this volume). Often, the weaker parties in the conflict do not perceive the EU as biased enough. This is because its support appears to be undermined by the EU’s own economic and other interests. This suggests that assuming a selective or *ad hoc* normative power role, through crisis/peace mediation, is not sufficient to assure countries of the EU’s support. The EU would need to embed its mediation activities more consistently to enact a long-term normative agenda. The EU’s questionable track record, however, makes this unlikely (e.g. Niemann and Bretherton 2013, pp. 262, 272). Nevertheless, Elgström et al. show that the EU’s close relations with one of the conflicting parties may be an advantage for getting conflict parties to the negotiating table.

The EU’s strategies for how it approaches mediation are often dependent on its institutional configuration however. This is a theme that is echoed by the majority of the contributions and most keenly by Haastrup (this volume) who evaluates the institutional situatedness of mediation amongst other EU external relations tools and practices. In part reflecting the recent call of feminist scholars to take gender and representation more seriously in negotiation and mediation (see Goetz and Jenkins, 2015; Aggestam and Bergman-Rosamond, 2016), Haastrup analyses the ability of the EU institution to reflect gender concerns within its own capacities, despite its promise of inclusive mediation practices. The failure to institutionalise the Women, Peace and Security

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<sup>1</sup> With regard to the Kosovo-Serbia Conflict, the UN (Special Envoy Athisaari) when negotiating Serbia’s withdrawal from Kosovo in 1999 was perceived as an adversary rather than impartial mediator, which contributed to the failure of the mediation process (Bergmann, this volume).

(WPS) agenda is reflected, for instance, in the DRC as Davis (this volume) acknowledges. In many of the other cases in this issue, the WPS agenda does not feature beyond acknowledging the EU's commitment. The exclusion of gender perspectives invariably limits the reach of the EU as an international mediator, and its normative role as a gender actor in international security more broadly (Guerrina and Wright, 2016).

The findings of this issue suggest that there is considerable utility in viewing the different mediation strategies – based on the degree of control the mediator exerts in the negotiation process – as a continuum of degree rather than a dichotomous variable (cf. Touval and Zartman 1985a). The EU has used the entire repertoire of mediation strategies; not only across cases but – as far as could be ascertained from the contributions – also within cases. Hence, facilitation has usually been accompanied – sometimes in different periods of the mediation process – by formulation and also manipulation strategies (most explicitly in Bergmann, Elgström et al., Davis, and Natorski, all this volume). The articles within this issue reinforce the multiple roles of the EU in international mediation. These roles are dependent on its institutional capabilities, relationship to other actors and the conflict environment itself. How the different roles and strategies translate into effective mediation as well as the broader conditions of EU mediator effectiveness are dealt with in the next section.

### **Effectiveness**

The effectiveness of the EU as an international mediator is a theme with which most contributors to this volume engaged. However, findings vary. While EU mediation in the Kosovo-Serbia Conflict, in Ukraine during the Orange Revolution, and to a lesser extent in DRC have been (relatively) effective, the assessments concerning EU interventions in Egypt, in Bosnia Herzegovina, in the Israeli-Palestinian Conflict, and in

Ukraine during the Euromaidan crisis (as well as UN mediation in the Kosovo-Serbia Conflict) have been rather downbeat.

Many of the contributors to this volume sought to address the impact of the mediation strategies of manipulation and power mediation (or the lack thereof) on EU mediator effectiveness, arriving at different conclusions. Natorski maintains that in the Euromaidan crisis, the Ukrainian authorities refused to recognise the material leverage of the EU as relevant. Material incentives (i.e. manipulative strategies) did not enhance the prospects of settlement. Unlike the Ukrainian case where membership was not an option, and was thus the EU arguably could only employ moderate leverage, this was not the case for Bosnia Herzegovina. Richter argues that manipulation, through conditionality with accession prospects does not constitute an effective mediation strategy in contested issues of state-building. Further, it is ineffective in the short-term and counter-productive in the long-term. These findings contradict the mainstream view that power mediation is the most effective strategy to reach agreement among conflict parties (cf. Beardsley et al. 2006).

In contrast, Pinfari and Bergmann see more potential for effective mediation through strategies of manipulation. Pinfari suggests that in Egypt the EU faced structural problems to effective mediation due to weak leveraging in the absence of a membership perspective. For Bergmann the EU's relatively effective intervention in the Kosovo-Serbia Conflict (compared to the UN effort) can be explained through its manipulation strategy, which allowed it make use of its leverage vis-à-vis both conflict parties. Compared to the cases of ineffective power mediation above, the EU seems to have had the greatest leverage in the Belgrade-Pristina Dialogue as Serbia has arguably had the most concrete accession prospect of the conflict parties across cases. This would



suggest that power mediation is only effective when it is backed through (very) substantial and credible leverage. However, the findings of Richter as well as Bergmann indicate, in line with the literature (Beardsley et al. 2006; Quinn et al. 2013) that power mediation may be detrimental for producing lasting agreements as it risks providing “artificial incentives” for agreements.

To further interrogate some of these findings, further analysis and reflection would be useful to understanding what the (broader) scope conditions are for successful (EU) mediation. These conditions are situated at different levels, most importantly: the EU level and the conflict context. At the EU level, on the basis of the Special Issue and beyond the issue of power mediation discussed above, one factor has been addressed by most authors: the EU tends to mediate effectively when it is recognised as legitimate by the conflict parties (see Natorski, Davis, Richter, Elgström et al, all this volume). This issue is to some extent linked to that of mediator impartiality, because partial mediators are less likely to be viewed as legitimate. However, there are other factors that have been identified as relevant in terms of the acceptance/credibility of the (EU) mediator: EU unity (Elgström, this volume; cf. Bergmann and Niemann 2015), the consistency of EU (rhetoric and) action (cf. Richter, this volume; Pinfari, this volume). In addition, it has been pointed out that the (EU) mediator needs to be flexible to adapt its strategy to the respective context (Bergmann; Richter; more implicitly: Pinfari, all this issue) and finally, that the EU’s institutional context must be conducive and consistent in its approach to implementing the normative values it espouses (Davis; Haastrup, in this volume).

As for the conflict context, the contributions to this issue confirm what might be a truism in mediation research: that mediator success/effectiveness is contingent on conflict parties’ willingness to compromise (Bercovitch and Lee 2003: 5; cf. Bergmann,

Pinfari, Richter, all this volume). The analyses also illustrated the link between the (EU) mediator specific factors, and those related to the conflict parties; for instance, EU biases and inconsistencies have tended to open the door for spoilers and furthered devious objectives by the conflict parties (esp. Richter, this volume). In terms of the nature of the broader nature of the conflict, several factors have been identified as detrimental for effective (EU) mediation, such as sudden, fast-paced crises, especially when coupled with EU incoherence; and exclusively domestic crises, which substantially reduce the scope for foreign mediation (Pinfari, this volume). In addition, the prominence of other (competing) mediators can be unfavourable for effective EU mediation (Elgström et al., this volume).

### **Policy implications**

This Special Issue has produced rich empirical insights into the drivers, roles and effectiveness of EU mediation that should provide some food for thought to EU policymakers. First, our summary and discussions of the scope conditions of successful EU mediation above has relevant policy implications that may feed into EU-internal consultation and decision-making processes on the initiation and conduct of mediation activities. The degree of recognition of the EU as a legitimate mediator by the conflict parties and its perceived biasedness both among conflict parties' representatives and their domestic constituencies are key factors that should be taken into account in any EU policy analysis of the mediation environment. In addition, the degree of EU unity towards the conflict parties and its ability to speak with a single voice strongly influences conflict parties' perception of the EU (see also Bergmann and Niemann 2015). These issues of legitimacy and perception are important factors in any EU mediation

effort as they influence the EU's ability to move the parties beyond their reservation points and spur agreements between them.

Second, the multiple ways and tracks through which the EU engages in mediation tend to be an advantage for the EU as mediator. The ability to intervene on multiple tracks with different instruments as part of the EU's integrated approach to crises and conflicts is a considerable potential resource and advantage for the EU as mediator. Moreover, the EU's ability to provide significant assistance to support implementation of agreements, for example through deployment of civilian CSDP missions, makes the EU relatively attractive to other international bodies as a partner in multi-party mediation efforts (see Davis, in this volume).

Third, the findings of the special issue underline the critical importance of the EU's ability to flexibly adapt its mediation approach and strategy to changing international, regional and local circumstances. As Sheriff et al. (2013: vii) pointed out in their 2013 study evaluating the implementation of the Concept on Strengthening EU Mediation and Dialogue Capacities, 'continual adaptation to the various and constantly evolving country and regional contexts in which mediation and dialogue take place is [...] a crucial determinant of a successful EU intervention'. In conflict contexts where a directive mediation behaviour has not brought the desired results, the adaptation of the EU's mediation approach towards facilitative mediation tactics may be essential not to run into a deadlock of the mediation process that is typical of many protracted conflicts (Harpaz 2017).

### **Avenues for future research**

The contributions of this special issue have addressed various facets of EU mediation engagement, having sought to improve the conceptual and empirical understanding of

the EU as an international mediator. At the same time, the findings of the articles inspire a number of follow-up questions that could be taken up by future works on this topic.

First, the papers' findings on the motives of EU mediation underline that EU foreign and security interests are a main driver of EU mediation activities (see Pinfari, Davis, in this volume). Preserving or re-establishing stability, and mitigating the potential spillover effects of (armed) conflicts in its wider neighbourhood has been a central driver of EU mediation engagement in conflict contexts such as Ukraine, Kosovo, and Egypt (see Natorski; Bergmann; Pinfari; all in this volume). Thus, EU mediation must be seen in a broader political context, especially when mediation is only one of a broader set of tools and channels through which the EU becomes involved in conflict management. The papers' findings on the *input* dimension of EU mediation suggest that there is continuous scope for research that improves our understanding of the *politics* of EU mediation and mediation support. Future research could deal more explicitly with the following questions: What factors/processes determine the institutional arrangements of EU mediation activities? In other words, we need to know more about the factors that influence the decision-making process on the initiation of mediation activities and the delegation of mediation tasks to EU institutions and bodies at different levels (HR, EUSRs, Heads of Delegations, etc.). Moreover, future research could also investigate the EU-internal political drivers that influence if the EU's decides to play a leading role as mediator in a specific conflict or favours a more indirect intervention into a conflict setting by providing mediation support to third parties such as the UN or regional organisations. Equally promising could be the study of non-cases of EU mediation in order to understand the circumstances under which the EU refrains from becoming engaged in mediation activities despite a potential demand for third-party mediation.

Second, there is scope to further explore domestic effects on EU mediation. The contributions of Natorski, Elgström et al. and Richter demonstrate that perceived mediator bias and/or power mediation strategies may negatively affect the EU's credibility and legitimacy as mediator and thus lead to counter-productive and unintended results (see Natorski, Elgström et al., Richter; all in this volume). Future research could further explore how and under what conditions EU mediation involvement spurs/increases domestic contestation and the rise of spoilers seeking to derail peace processes. Moreover, the contributions of Elgström et al. and Natorski on Ukraine and the Israeli-Palestine conflict demonstrated that the EU's perceived bias may render it a problematic mediator for the conflict parties (Elgström et al, this volume; Natorski, this volume). Based on these findings, scholars could further explore if there are specific conflict characteristics that produce domestic environments that are unfavourable or even hostile to EU mediation engagement. Again, exploring non-cases of EU mediation in which the EU purposively decided to refrain from mediation activities or any other diplomatic involvement may lead to interesting findings on this issue.

Third, the contributions to this volume enrich our knowledge about the effectiveness of EU mediation and its scope conditions across a sample of relevant cases. While the comparative analysis of EU and UN mediation in the Kosovo-Serbia conflict addressed the lack of comparative work on EU mediation (Bergmann et al., this volume; Bergmann, in this volume), there is still a significant demand for putting EU mediation effectiveness in a broader comparative perspective. Comparing the EU to other mediation actors such as states, international organisations and, in particular, other regional organisations, would certainly enrich our understanding of the EU's added value in the sphere of international mediation and its "comparative uniqueness" in all three dimensions (motives, roles, effectiveness).

While the goal of this special issue has been to make a significant contribution to the nascent literature on EU mediation and thus shed light on an insufficiently empirically explored and under-theorized facet of EU foreign policy, our analysis suggests that this special issue should mark the beginning rather than the end point of academic discussion on the EU as an international mediator.

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