

The international mediation conference 1998



Mediation Notes

In August 1998 IMSSA, in partnership with the Centre for Conflict Resolution and the South African Institute of International Affairs, is housing an international mediation conference.

The conference entitled "Peacemaking through mediation" seeks to enhance the prospects for the peaceful settlement of political conflict in Africa. This will be done through putting mediation "on the map", ie gaining greater recognition for the role mediation can play in disputes between and within states and sharing information with a view to establishing codes of best practice to assist practitioners involved in international mediation initiatives.

The conference will produce a range of lasting resources such as training material and a lobbying strategy, result in new levels of co-operation between key role players and provide much needed impetus for the establishment of a structure under which international mediation will take place.

Background

Many attempts at mediating international disputes have taken place in the latter part of this century. These mediations range from formal diplomatic interventions conducted by statesmen and women with the support of their governments, to 'second-track' initiatives driven by community, church and non-governmental

*by Sharon Wakeford, IMSSA
panelist and trainer.*

groupings.

With the increasing use of mediation as a tool for the resolution of international and intra-state disputes, a growing body of mediation practice is emerging. Little attention has, however, been dedicated to the systematic examination of mediation techniques and therefore, international mediation remains a seemingly ad hoc and unco-ordinated strategy.

The African continent embodies many of the successes and failures of inter-and intra-state mediation processes. Initiatives have recently taken place in the former Zaire, Somalia, Burundi and Rwanda with differing degrees of success.

Efforts to mediate the conflict in the Sudan are ongoing and pose constant challenges to those involved in the process.

As Africa moves into a period of commitment to the ideals of democracy and human rights issues, African leaders and respected state's persons are increasingly being called upon to play a proactive role in the prevention and management of conflict on the continent. For example, South Africa's President Mandela played a key role in brokering peace in the former Zaire.

Julius Nyerere, the former Tanzanian President, has also been a critical member of the negotiating team in Burundi, albeit that his role has at times been controversial.

Track two initiatives have also taken place which are often conducted by people from NGOs, trade unions and church groups. The on-going behind-the-scenes negotiations which the UNHCR has been involved with in Sierra Leone is one such initiative.

A range of NGOs and church groups based in Kenya have also been involved in such negotiations.

The United Nations (UN) has been an important, if not always popular player, in attempts to resolve conflict on the continent. The UN has tended to play a more reactive than proactive role in its handling of conflict.

Huge resources have been made available for humanitarian assistance in the later stages of conflict but relatively little has been given for more proactive forms of intervention such as mediation at an early stage of a potentially devastating conflict.

The appointment of the new Secretary General, Kofi Annan, who is committed to the peaceful resolution of conflict and to reforming UN structures, creates an exciting opportunity to push mediation to the forefront of the international community's thinking on conflict resolution. The UN's greater commitment to mediation would also facilitate the UN playing a more proactive role in conflict resolution.

Regional bodies such as the Organisation for African Unity (OAU) and the Non-Aligned Movement (NAM), which South Africa will chair in 1998, can play a significant role in campaigning for the enhanced use of mediation.

South Africa's own recent experience of

transformation, places it critically to share its experiences and learnings with fellow African countries.

Overviews

The purpose of the conference is to 'enhance the prospects for the peaceful settlement of international disputes through mediation processes'. The conference, which will have an African focus, will provide a forum for academics and practitioners to share knowledge, information and experience of inter-and-intra-state conflict resolution.

Through focussed discussion and analysis of recent mediation initiatives, the conference aims to establish codes of best practice which will build on practitioners knowledge and skill and increase the possibilities for more successful interventions.

The conference will promote a common understanding of mediation as distinct from coercive diplomacy. Another result will be the increased levels of networking and co-ordination between the different stakeholders. Critically, the conference seeks to promote mediation as a tool for the peaceful settlement of disputes in Africa.

This will be achieved through a strong lobbying strategy which aims to influence the international community's approach to conflict prevention and management. The conference will also work towards the establishment of formalised and well resourced structures under whose auspices mediation will be conducted.

Conference outcomes

The conference aims to:

- ☐ educate people on 'best practice' methods of mediation;
- ☐ establish networks across the formal and informal tiers;
- ☐ promote track one and track two joint

initiatives;

- ☐ draft an international code of 'good practice';
- ☐ formalise and establish well-resourced international structures to house international mediation;
- ☐ promote a greater commitment to the use of mediation;
- ☐ link up databases;
- ☐ publish a report based on the conference;
- ☐ produce documentary and training videos;
- ☐ promote parallel mediation skills training courses.

The conference event

The event will take place in Johannesburg over three days from 26 to 28 August. An international audience ranging from diplomats, political leaders, union members, church leaders, mediation practitioners and civil society will be invited to attend the event.

The conference will comprise of a high profile public event combined with focussed discussion groups of selected participants. The first day of the conference will bring together key international role players. Papers will be presented by six speakers who can share critical insight into the role mediation has played in a number of international mediation initiatives.

In line with the conference's African focus, the role of mediation as an essential component of peacemaking in Africa will be addressed.

The second and third days will be more of a workshop format with participants being divided into case study groups. A number of possible case studies have been identified and five or six will be selected for discussion.

Those identified include: Burundi, Mali, Angola/Mozambique, South Africa, Bosnia,

Northern Ireland, Middle East and Sri Lanka.

The focus groups will consist of 10 to 15 people selected on the basis of their particular knowledge/experience of the process. The groups will draw on individuals from the ranks of government, practitioners, NGOs, UN, OAU, SADC etc in order to bring as much diversity to the debate as possible. Within the groups, participants will look critically at the mediation process in an attempt to understand:

- ☐ what helped and hindered the process;
- ☐ the role played by government;
- ☐ the role played by track two (civil society);
- ☐ how to increase the chances of a successful intervention etc.

The purpose of the discussion groups is to draw out learnings which will form the basis of codes of best practice. Serious consideration will be given to how to take the findings of the conference forward including an examination of the following issues:

- ☐ how to formalise international mediation – setting up a panel of mediation practitioners;
- ☐ where to locate a mediation, ie within or independent of the UN;
- ☐ acquiring resources for internal mediation;
- ☐ ways of enhancing networks;
- ☐ establishing a lobbying strategy.

The conference will be an extremely important event which will allow for an exchange of information and resources between practitioners, academics and policy makers.

More importantly, this event provides the forum for future relationships to be built and further co-operation on an international scale in the pursuit of peacemaking through mediation in Africa.



INDEPENDENT MEDIATION SERVICE OF SOUTH AFRICA

EDUCATION AND TRAINING SERVICES

IMSSA LABOUR TRAINING COURSES INCLUDE

- ☛ Arbitration skills training (4 days)
- ☛ Negotiation and dispute resolution skills training (3 days)
(Introductory, intermediate and advanced levels)
- ☛ Labour Relations Act training (2 days)
- ☛ Understanding employee participation and workplace forums (2 days)
- ☛ Business finance and information disclosure

The structure of these events is:

- ☛ In-house training *(minimum of 14 participants per course)*
- ☛ Scheduled courses where individuals and small groups attend courses *(dates available on request)*

Training of trade union organisers and shop stewards is subsidised by a grant from the Department of Labour.

PUBLICATIONS

- ☛ The *IMSSA Review*, a quarterly publication that gives readers a greater and more varied insight into the field of alternative dispute resolution.
- ☛ The IMSSA Digest of Arbitration Awards contains summaries of IMSSA arbitration awards.

IMSSA OFFICES

Johannesburg

P O Box 91082, Auckland Park, 2006
1st Floor, 1 Park Road, Richmond
Tel: (011) 482-2390/1
Fax: (011) 726-6846

Cape Town

P O Box 15920,
Vlaeberg, 8001
Tel: (021) 22-1016/7
Fax: (021) 22-1030

Durban

7th Floor, Standard Bank Centre,
96 First Avenue, Greyville, 4001
Tel: (031) 309-4315
Fax: (031) 309-4318

Port Elizabeth

P O box 23492, Port Elizabeth, 6000
Silver Oaks Building, Cnr Bagshaw &
Main Streets, North End, Port Elizabeth
Tel: (041) 573-083/4
Fax: (041) 573-096/7