

MAIN ISSUES

- **The advantages of mediation**

First and foremost, mediation empowers the parties in their attempt to settle their conflict. Parties may leave the mediation process any time. They have the final say. And this fundamental feature distinguishes mediation from arbitration or any judiciary system. The arbitrator or the judge will decide in the end, and parties will have to respect this conclusion whether they like it or not.

Mediation is a voluntary process. It is based on consensus. Put another way, each party has a veto power until the very end. As a result parties feel safe. Nothing can be imposed on them, and feeling safer they might engage with goodwill into the process. From this first advantage stems a second one. *Through mediation, a deal will be found only if everybody agrees*, and precisely because the solutions have been accepted by everybody, their implementation will be smoother.

Flexibility will enable mediation to generate inclusive agreements, addressing all the dimensions of the conflict with innovative solutions, and this exclusivity again will reinforce the sustainability of the deal.

Last but not least, *mediation can help repair the relationship* between the parties whereas this is hardly usual in court. In many conflicts, the substantial transaction, who does what, proves less important than the interpersonal dimension. Business partners need to cowork again in the future, and that matters much more.

This advantage is reinforced by another feature of mediation. *It is confidential*, and even conflicting parties may have this shared common interest. Let's keep our dispute confidential. None of our competitors need to know the solutions we agreed on in order to resume a partnership.

- **The mediation cycle**

Stage one, which is very important, is about introducing the whole process. You should explain the purpose and method of the meeting. Clarify what the mediation is about. It is a facilitation of conflict resolution with different stages, each party trying to meet one's interest better than through one solutions away from the table. Remind also what mediation is not, neither a judgment nor arbitration. At any time, either party can pull out and face his or her alternatives. You can also explain a bit how you see your role as a mediator. You will set an impartial process, you will facilitate the discussion, you will empower the parties, and you are not the decision maker.

The parties will have the final say. Now, in this introduction, it is also important to set a few ground rules. No interruption, mutual respect. You will give the floor. Full confidentiality of what is said in the sessions. And if need be, you can reinforce this confidentiality rule with an additional one. Full deniability, should any confidential information leak out of the room, the other party is perfectly allowed to deny it. The last key rule is, parties agree to commit to implement any agreement, keeping in mind that by definition there will be an agreement only if both parties agree

Now, let's turn to *stage two*, clarifying the facts. The purpose of this stage is to help both parties and yourself get the full picture of what happened in the conflict. You may want to flip a coin in

order to decide who will first present his or her side of the story. While this party is explaining his or her version, use active listening. Ask benevolent, open questions in order to help the party clarify things as much as possible. Prevent any interruption from the other side and help the party listen to this presentation. Then invite the other party to present his or her version of the same story. Use active listening to let each party review the facts once more. A number of misunderstandings may have appeared and got cleared away. Real and acute points of disagreement have been clarified.

Stage three. We'll now help the parties go beyond facts and explore core motivations. What they really need and why. List with the parties a series of issues with the need to move forward. Ask both parties in turn what is really important to him or her and why.

And here, it is crucial to go beyond superficial demands. Go to the core motivation. Dig deeper and deeper to understand why people need what they ask. Ask the other party to show understanding of the first party's interest while explaining that understanding doesn't mean agreement. Focus both parties attention on the motivations they have mentioned.

EXAMPLE: *New Caledonia is a far flung island in the Pacific, west of Australia. It was discovered by James Cook in 1774, and then colonized by France. In 1946, it became a French overseas territory. And a bit later, in the 1980s, serious civil unrest was triggered on the island by the issue of independence. Roughly one half of the population, the native Kanak wanted New Caledonia to become independent and the other half the Caldoche of European origins, wanted to remain within the French Republic. The situation became highly critical in 1988 with hostage crisis, casualties, deaths, to the extent that the French Prime Minister Michel Rocard decided to send the mediation team on the island headed by Christian Blanc.*

The mediation managed to get both sides to go beyond the initial positions, independence or no independence. That means that there is no zone of possible agreements. The mediators discussed with the separatist leader Jean-Marie Tjibaou, why, deeply why he wanted independence. Tjibaou described an independent New Caledonia with the following features: the flag of the Kanaky on official buildings, school pupils able to learn also the language of their ancestors at school, the museum showcasing the native cultures before Cook arrived, better road systems, a fair sharing of the nickel resources between communities etc. All these core motivations, acknowledgement of the past, recognition of a distinct culture, economy development etc., could then be addressed while remaining within the French Republic.

Stage 4 is about exploring possible solutions at the table. Now that core motivations have been identified in Stage 3, it is time to look for mutually acceptable solutions. Remind the parties that there isn't a unique solution to solve a usually multi-fold problem. Rather, a package deal, gathering several solutions of different kinds, should be looked for.

As a result, the mediator should encourage creativity from the parties. Why not prompting a brainstorming session? Explain the method of brainstorming at that stage, no criticism, no evaluation, no ownership, no commitment. Engage parties to try and propose as many options as possible. This usually brings surprisingly fruitful results.

Stage 5 is about getting a commitment from the parties. A number of possible solutions are now on the table. It is time for the parties to commit on the package of solutions that they can seriously implement and then live with. To some extent a number of these solutions will be spontaneously agreed on by the parties, simply because they're in line with their core motivations. Other solutions will prove more difficult to agree on. And yet, they remain absolutely necessary for the package deal to exist. Here, as a mediator, you need to help the parties realize that these solutions, even though they don't really like them, are legitimate.

You need to help them compare these solutions with justifications. Objective reference points, which are non-deniable, and which will help everybody around the table measure the legitimacy of the said solutions. These justifications can be connected to the legal system, the law says that, or to benchmarks, the market study said that, or to precedents, in a similar case it was agreed that. Another way to overcome deadlocks, in order to build this package deal, will be through trade-offs. Party A accepts a solution on a given issue on the condition that Party B accepts another solution. Or, Party A gives up on an option, on the condition that Party B gives up on another one.

Do not hesitate to call for breaks at that point, so that parties can reflect on the situation. Time may help get a situation ripe for resolution. Last but not least, the mediator should have the parties compare the package on the table with the solutions they have away from the mediation table, without a deal. What are their alternatives?

This is very important. If parties compare the compromise on the table with the dreams they had in mind when entering the mediation process, then of course the package deal is likely to look disappointing. However, the correct comparison is totally different. The parties should compare this package deal with the reality they'll be stuck in, if there is no deal. And usually, this comparison proves favorable to the package on the table. Remember that the parties accepted to enter the mediation process precisely because the status quo is not pleasant for them. This reality check, as we call it, proves more effective when done behind closed doors on a one-on-one basis, so that there is no face-losing effect.

Now our sixth and final stage is the conclusion of the process. As the mediator, you took notes along the way, maybe you drafted the possible deal. It's time to recall what the parties had agreed on. Clarify things in writing to avoid any future misunderstanding, neither in the substance nor on the implementation. If no agreement on substance is reached yet, maybe there's at least an agreement to meet again, in order to reenter the mediation cycle, maybe directly at step three, or four, or even five. If a certain level of formalism is needed, make both people sign the agreement.

- **Getting ready: as a mediator**

First of all, and as far as the process is concerned, here are seven basic points that you must be able to clarify before the mediation.

(1) are you ready to expose to the parties the benefits of mediation should they still hesitate to engage into the process?

(2) are you ready to introduce yourself as a mediator and to share with the parties how you perceive your role?

(3) are you ready to clarify key principles of mediation, such as impartiality, confidentiality, thoroughness, mutual understanding.

(4) are you ready to run this mediation on your own, or should you look for a co-mediator or an advisor, for instance, on certain technical matters.

(5) are you clear on who should join the mediation? Obviously, the main parties are there. But shouldn't you also convene important stakeholders at some point or at least discuss this possibility with the parties?

(6) if need be in formal situations, have you prepared a written document laying out the ground principles for this mediation so that the parties agree upon it before entering in to the substance.

(7) if need be, again, and where applicable, is everybody clear on your remuneration system?

Second, as far as the problem, the substance is concerned, here practitioners face a choice. Either they try and gather as much information as possible beforehand about the issues at stake. Where does the conflict come from? What are the parties' demands? Which could be the solutions, etc. These mediators try to gather enough information for a number of reasons. They want to make sure that they will be in a capacity to check the reliability of what parties will tell them during the mediation. And besides, they want to be able to contribute possible solutions in a relevant and useful manner. Before the mediation, ask each party to send you, on a confidential basis of course, a short memo.

Provide them with the following guidelines. How would you describe the situation? What would you need to achieve through an agreement? Which questions would you like to raise during the mediation or with me in a separate meeting? Which solutions would you be ready to contribute? And which solutions would you expect the other party to contribute? Such a short, brief memo will serve two purposes. One, provide you with both perspectives on the situation. And second, help both parties get prepared for the upcoming sessions.

*** Parties should neither sit facing each other, which might prompt some aggressiveness, nor side by side facing the mediator, as they do need to interact one with the other. As a result, practitioners and researchers conclude that a round table is best. And as you can see, nothing much has been invented since King Arthur and the Knights of the Round Table.

- **Topology of resources on which the mediator can rely to establish his or her credibility**

Now, what follows is inspired from a classic topology, on the form of power designed in a 1959 paper by two social psychologist French and Ravanne. They identified five bases of power: reward, coercion, status, expertise, and reference.

(1) **reward.** That's pretty clear, a mediator can reward the parties to nudge them towards an agreement. This implies a set of positive incentives or carrots in line with the co-motivation of the parties. For example, in the 1996 Oslo agreement between Israel and the PLO, the USA put on the table the commitment to ensure the security of Israel, and the capacity to invest in the economic development of the Palestinian territories.

(2) **coercion**, is the opposite source of leverage. The mediator can threaten the parties with negative consequences, if they do not move into the direction of an agreement. Examples of these sticks are numerous. In the mediation leading to the Dayton agreement on the war in Bosnia, for instance, US Assistant Secretary of State Richard Holbrooke, used a big stick to force the Serbian President Milosevic. He basically explained, either you go this way or NATO will bomb Belgrade.

(3) **status**. The mediator gets legitimacy through his or her own status, usually is the envoy of an institution. The special envoy of the United Nations secretary general, doesn't have a direct capacity to reward nor to force. Nevertheless, he or she has leverage as the agent of a preeminent institution.

(4) **referent power**, is close to status, but different. Here the parties value their relations with the mediator, and they do not wish to put it at risk. The classic example is the involvement of the Vatican, or of the community of Sant' Egidio, between Catholic parties in conflict. As an example, the Pope was acceptable and able to prevent result to arms, in the Beagle Channel Dispute between Chile and Argentina due to a similar religious legions by both parties. Another example closer to us, in the ongoing mediation effort on Ukraine, only Russia enjoys this referent power over the separatist groups in the eastern part of that country.

(5) **expertise**. Here, the parties trust and follow the mediator because of his or her expertise and experience. They consider that they are in safe hands because the mediator knows a lot about the mediation process itself, about conflict resolution, and/or about this particular conflict. He or she knows the region well, the act as well.

Now, in any given situation, a mediator can usually rely on a combination of these five sources of leverage, these five resources.

- **Joint or Separate Meeting?**

Whatever the topic of the mediation, the mediator may choose three different working formats. Separate meetings only. The mediator will meet with each party alone, sequentially. Joint meetings only. The mediator will systematically combine all the parties together. Or a mix of both. The mediator will alternate plenary meetings and separate meetings.

The first format is also called the **shuttle diplomacy**. Former US Secretary of State, Harry Kissinger, used a lot this method. Flying from one capital to the other, discussing with each party alone in order to try and find a zone of possible agreements. And this method applies when parties cannot meet physically because of one or several other reasons. The parties are simply too far apart and cannot travel. Or they refuse to meet in the same room. Either because they hate each other so much or because meeting with the other would face losing.

In day-to-day situation, this method is useful when parties need simply to settle initial. Such as the amount of compensation, but they do not need to fix a relationship in order to face again, a shared future. And this simple transaction can be conducted through exchanges of documents thanks to the mediator.

In many situations, however, mediation ends also at rebuilding a relationship between partners. As a result, separate meetings only can be the right approach. And in this second format means that the parties will always meet together with the mediator.

This approach is helpful when a core objective of the mediation is to help both parties fix their relationship in order to keep on coworking together. Direct communication is necessary. Both parties need to vent something with the other listening and acknowledging.

As the mediation proceeds with joint meetings only, transparency is enhanced. Everything which is said on one side will be heard on the other side. And vice versa. For that very reason, however, parties will refrain from sharing important information at the table. Although, it might nevertheless help the mediator identify where those own possible agreements could be.

As a result, a mixed approach works better. Although joint meetings prove helpful to mend the relationship, separate meetings will be necessary in several situations. And the mediator should alternate plenary meetings with separate meetings.

In a stalemate, a deadlock. Whenever parties refuse to move towards a possible deal, separate meetings are an appropriate, again, to help each party realize what no deal would mean. And in many cases, the reality that parties would be stuck in without a deal would prove less interesting than the compromise on the mediation table.

- **The challenge of confidentiality**

Imagine a conflict between two partners in a business joint venture. Should potential clients become aware of this conflict, they might delay or even cancel orders thus weakening further both partners and threatening jobs in the joint venture company.

Whatever is said during the mediation will remain confidential. This is one of the ground rules of the mediation process to be highlighted from the outset. The mediation creates a safe sphere of dialogue in which parties can share all the information they have precisely because nobody else will be able to misuse this information and sharing more information will help parties go to the root causes of the conflict, and therefore, address the situation in an effective manner.

Of course, parties will not entirely play open book and share all the information they have with the other party. That is why in order to encourage further information exchange, the mediator can organize separate meetings. Whatever party A tells the mediator in such separate meeting, the mediator will keep confidential towards party B, and vice versa of course. Thanks to these additional information, the mediator can identify where the zone of possible agreements could be.

Another exception to confidentiality as a legal justification. The mediator must prevent any breach of law. As a result, should parties insist to include an illegal clause into their agreement, then of course, the mediator would be relieved from the confidentiality obligation. He or she could turn to the relevant authority and blow the whistle.

- **Traps for the mediator**

There are of course many, many traps and I selected nine of them. Straight from the beginning, to forget to clarify what mediation is about and your role as a mediator.

(1) *At the outset is to forget to set ground rules, no interruption, confidentiality, commitment to implement any deal, etc.* Effective mediators clarify the rules of the game and get the party's approval, and this creates a predictability. Parties feel safer, and are therefore more prone to engage in a productive manner.

(2) *The mediator fails to control the flow.* Of course, a mediator should not be a control freak. To some extent, it is useful to let the parties vent what they need to express. However, you have to know where to draw the limit.

(3) *Typical mistake, to let one party use you.* Especially in stage two of this mediation cycle, when you try to clarify the facts. Either party could turn to you in order to find support and build a coalition against the other party. Do not let this happen, remain impartial and distinguish, constantly, understanding and agreeing with.

(4) *Later in this mediation cycle, a fifth typical mistake is to appropriate the problem, and to try and impose your own understanding of it.* Let the parties bridge reach their own analysis of what happened and of what they need to move forward.

(5) *Similarly, resist the temptation to know what's good for the parties.* Of course, it is perfectly okay for a mediator to throw ideas on the table. Their suggestions can feed the parties' reflections towards a package deal they can live with. Options coming from the mediator can also avoid the reactive devaluation that usually hits a solution in the perception of party A as soon as this idea is mentioned by party B. However, do not try and impose your own solutions to the parties. The purpose of mediation is not that your solutions are accepted, it is that parties come with their own solutions, which they will be ready to implement. To pick on mistake number seven. You think you know which party is right and which one is wrong.

Now, the purpose of mediation is to never to decide who's right and who's wrong. The purpose is to find a way forward. Similarly, do not side with either party. Remain impartial, otherwise you can no longer do your job as a mediator.

(6) *Next mistake, to let your own interests influence the process.* The purpose is not that you conduct the mediation, it is that the find a solution by themselves. As a mediator, take things seriously but not personally. At some point it might be wise to step back and let someone else try and help the parties.

(7) *Premature closure.* Avoid rushing to the conclusions in the end of the mediation cycle. Take the time to wrap up things. Make sure there is no misunderstanding and no missing point. Clarify what has been agreed on, but also how this agreement will be implemented.

??? Think of a situation (personal or professional) in which you intervened, unsuccessfully, to help solve a dispute/conflict between two parties. Which of the 9 traps did you fall into? How can you ensure that these traps will be avoided in the future?

Typical barriers to resuming negotiation once a breakdown has occurred

- (1) diminish the expression of high negative emotions whenever possible while allowing their expression in caucus, and try to synchronize a reduction in overt hostility between the parties.
- (2) improve the quality of listening, and the accuracy of intergroup communication.
- (3) control any expansion of the issues and problems to be negotiated.
- (4) re-establish some common ground between the groups concerned, such as shared principles or goals.
- (5) make the preferred options of each side more desirable to the other. And whenever possible, look for small reciprocated concessions from them.
- (6) finally, if needed suggest a change of negotiators or of the negotiation process itself when constructive talks can resume.

??? One of the challenges a mediator has to tackle is re-establishing common ground between the groups concerned (such as shared principles, values and goals). Take, for example, a dispute involving a teachers' union, a parents' association and the Ministry of Education. The teachers have gone out on strike over a pay dispute. The strike has lasted two weeks already and it is important to achieve a return to normal. Note down what draws the parties together and which might open the door towards a possible set of solutions.

- **Political Mediation**

We are going to define the very concept of mediation and its importance to solving conflicts that tear apart societies. And make persons, communities, and peoples fight against one another. That is why talking about mediation is always talking about violence. And one objective the mediator always pursues is to understand the roots of violence.

The mediator should always ask himself why people resort to violence. And why they could think, at one point, that they can ensure their rights by force. So mediation, far from being only a practice and an art aimed at facilitating conflicts resolution, is, first of all, an exercise meant to understand people's mind. And help them work out, peacefully, the best agreed solution to their conflicts.

Many mediation cases could be found in ancient history among Greeks and Romans, and other peoples, where mediators used to be appointed in order to build up a common ground for a way out of a conflict between two disputing cities or communities. In our contemporary world, mediation is a political process highly encouraged by the United Nations in its chapter six, dedicated to the Pacific Settlement of Disputes.

Mediation then occurs when the conflict has begun. But, as violent conflicts and wars tend to grow, late secretary general of the United Nations Organization Boutros Boutros-Ghali, has put forth the idea that prevention and mediation should take place before violent conflicts flare up. He was confronted at that time to the two major internal conflicts of the end of the 20th century namely; the war in the Balkan region after former Yugoslavia was partitioned, and the civil ethnical war in Rwanda where mass murders claimed the lives of hundreds of thousand civilians.

At this point, the idea of a preventive mediation intended to avoid crisis, wars, and bloody conflicts begin to make its way as a necessary step. In order to ensure positive results, belligerent parties have on one hand to choose an adequate mediator. As a reminder, mediation can be implemented only and only if both parties agree on the third party that will organize and conduct the mediation process.

On the other hand, international mediation is a process that includes confidentiality, willingness of the disputing parties to come to terms with their conflict and reach agreement through a bonafide negotiation.

Only a few mediation have been successful in avoiding the outbreak of wars among states. Still, one has to keep in mind, the successful mediation in 1984 of late Pope John Paul the second, in settling the border disputes between Chile and Argentina over the Beagle Channel separating the two countries.

The treaty settled the longest conflict the world has known at that time. Among the famous mediation processes that lead to negotiation, one has to outline the importance of the Oslo Treaty, although it was signed in Washington on the 13th of September 1993. It initiated peace talks between the Palestinians and the Israelis, bringing about their mutual recognition and discussing crucial issues, such as land and territory, settlements, Jerusalem and the fate of the Palestinian refugees. This mediation was carried out by the Norwegian government. One has to mention also, that the previous treaty, namely the Treaty of Washington, also known as the Treaty of Camp David, signed in 1979, has ended the state of war between Israel and Egypt.

The Taif Agreement (1989)

Taif agreement has put an end to the Lebanese War in the second part of the late century.

But first, what about the Lebanese conflict? The war raged in Lebanon between 1975 and 1990. It was one of the bloodiest and the longest war in the Middle East. This protracted conflict has been widely portrayed as a civil war because it opposed Lebanese citizens, divided along secretarial lines, namely Christians and Muslim groups and militias, fighting to ensure power over the political system of Lebanon. However, the war in Lebanon was not solely a civil strife or war. Political movement and foreign parties from all the Middle East took part in the fighting.

The Palestinian fedayeens of the Palestinian Liberation Organization, the PLO, succeeded in imposing their hegemony on large parts of the country. They controlled cities, part of the capital, Beirut, the southern part of Lebanon, and shaped local politics through their alliances, with Lebanese factions.

Moreover, states such as neighboring Syria and Israel, Iraq, Iran, Libya, had their say at one point in the Lebanese conflict. Syria, for example, that once had one of the most important army among the Arab nations, occupied Lebanon for an extended period of time.

So did Israel and here again, in both occupations, local forces joined those two external, regional powers in order to foster their own positions inside the country, by siding with foreign powers. Syria entered Lebanon in 1976, in order to hinder the military operations of the Palestinians' group

in Lebanon and prevent them from prevailing. The Syrian army, backed by the internal political forces and militias, that were fighting against Palestinian's own groups, remained in Lebanon for almost 30 years.

On the other hand, Israel invaded Lebanon in 1978, and again in 1982. The Israeli invasion had two objectives. One, to combat the Palestinian fighters launching attacks against the Hebrew state from the Lebanese borders, and the other objective was to prevent the control by the Syrian army of more territories in Lebanon. And here again, local forces back the Israeli invasions. Eventually, Israel withdrew from Lebanon in 2000.

A full account of events would include the role of regional states such as Saudi Arabia, or external powers like France, the United States or Great Britain, all played a diplomatic and military role, and sent troops at one moment to Lebanon. So, one has to conclude that far from being a limited conflict restricted to the sole area of Lebanon, the Lebanese War was indeed an internationalized civil conflict.

Several peace attempts were made, some by western powers, but with no results. However, after 15 years of bombing and massacres, that claimed more than 150,000 lives, peace ultimately came through an Arab League mediation that had the different factions to come to terms with a peace settlement. *At this point, we have to ask ourselves two questions. Why the Arab mediation was possible and suitable? And the second question is, what were the main provisions that were written down in the Taif Agreement and constituted a solid ground to get out of the whole crisis?*

The answer to this question lies partly in the fact that the conflict in Lebanon was a mirror of the Arab contradictions. Lebanon reflected at that time, namely in the late 80's, the regional balance of power in the Middle East. Many Arab countries have had an effective role in stirring up violence in the country, not to mention the direct involvement of different states of course.

Therefore, a decision from the League of Arab States to name a mediator in order to sort out the Lebanese situation within the Arab framework, was the most convenient way to shape a roadmap for peace. The designated mediator was Lakhdar Brahimi, a former Algerian diplomat.

Since the Lebanese war was an internationalized one, the backing of the international community was also crucial. The implementation of any accord would necessitate the cooperation of all external parties to the conflict. Therefore, the Arab mediation was also, in a certain manner, an international one. And that is what happened. When the Taif Agreement was signed, the United Nations Security Council voted a resolution endorsing the accord, thus giving the full support of the United Nations and the international community to its implementation. The Taif Agreement was signed outside Lebanon in Taif, a city in Saudi Arabia, whose government played a crucial role in hosting the Lebanese members of parliament who voted the agreement. Saudi Arabia as we all know is a powerful state in the region Arab system. Its decisive influence has brought about the success of the whole process, along with Syria imposing in the agreements, provisions that guarantee its presence and influence.

The Taif Agreement has set up the foundations of a renewed constitution for Lebanon. Political reforms were adopted with almost no possibility to discuss the Constitutional draft prepared by the mediator. New rules for power sharing were set forth.

A president of the Republic was elected after two years of stalemate and legislative elections were held after 20 years of interruption, and the new government was formed at last. Nevertheless, the Taif Agreement fell short of dismantling all the militias and maintain the militia forces of the Hezbollah. In addition, the agreement was not robust enough to bring about the withdrawal of Israel forces and to restrict the influence of Syria on Lebanese politics. Still, the agreement was pivotal in launching the internal peace process, and in bringing back through an international mediation, the Lebanese people together once again.

The good practices that we can draw from the resolution approach of the conflict were: settle the dispute by addressing the international issues at stake, make all parties agree on political reforms to be carried out, and finally provide an international endorsement to the agreement found and written down, such as in the document of national accord called also the Taif Agreement.

??? Are there any similarities between the Lebanese conflict of the 1970s-90s and the Syrian conflict of today? What are the interests of the various states in the area and who/what would be an ideal mediator?

Mali

Since May 2012, a violent conflict has broken out in Mali, a West African republic.

So first, what is the conflict in Mali about? Several elements have to be taken in account in order to answer this question. At first, the causes of the conflict are deeply linked to internal factors.

Mali is one of the poorest countries on Earth. Poverty and the development, lack of infrastructures have fueled throughout the years, social and economic protest. Mali's human development index is one of the lowest. Albeit, it has important natural resources. On the political level, stability and the rule of law were always a matter of concern during the 20th century starting from 1960, the year of Mali independence. Till the beginning of the 90s, the country has undergone several coup d'etat, thus, preventing a democratic life to slowly emerge.

However, what constituted the real political problem was that the different governments failed to bring together the many communities that live in Mali. Mande, Fula, Tuareg, Songhai, these are the main ethnical groups that have had reasons to complain about the situation vis-a-vis, some other communities blamed of centralizing power and wealth.

In addition, the Tuareg tribes were always demanding a larger autonomy, a sort of self rule within Mali. But some of them demanded total independence for their land in northern Mali, called in Tuareg language, Azawads. This question remained an important obstacle for the unity of the country. So when in 2012, the Tuareg rebellion started again under the leadership of the National Movement for the Liberation of Azawad.

The army of Mali was unable to defeat them. The rebellion took control of the north, and proclaimed independence of the Northern Mali, a coup d'etat then toppled the government. The

army seize power blaming the civil power for the military meltdown. Heavily armed Islamist groups such Al-Qaeda, Ansar Dine, or AQIM joined at that time the Tuareg rebellion before turning on them. The situation went out of control.

Foreign intervention meant to rescue a government threatened by terrorist groups heading towards Bamako, the capital of Mali, with a large European population, was launched in January 2013. The French army, at the request of the interim government of Bamako, intervened in Mali. This operation has received beforehand, the green light of the UN Security Council. A new moment of the Malian crisis begun.

To initiate an organized mediation, an international team was created. The African Union, the United Nations, the European Union, the Islamic Conference, they were all part of the team. Along with African, European states, and China, and the USA.

The country leader of the international mediation was and still is Algeria. The peace agreement was signed at the time in Algiers, the 1st of March 2015. It encompasses three important sets of proposes.

First, the idea was that within the territory or unity of Mali, the accord gives room for the creation of regions that would have large competences. And would be vested in with important attributions in the field of economic and social development. Second, security wise, demobilization, disarmament, social integration of all fighters and their integration in the official armed forces was proclaimed and stated. Three, national reconciliation, justice, sustainable development, return of all the refugees along with displaced persons to their home were also major commitments of all parties. The agreement had a goal, it wanted to be inclusive. And actually all parties signed it.

Obviously, it is a long and a difficult process that is beginning now. Nevertheless, the agreement on Mali political transition and reconciliation has been crucial in order to help the government of Bamako, to restore its still very fragile authority. Now, what are the lessons drawn from the mediation setup for Mali?

The magician agreement, obviously, pave the way for the achievement of such a goal, giving a complete road map for the rehabilitation of the state administration and of its political institution. But to benefit from the help of many countries, various international organizations and stakeholder, it is necessary to build up a huge cooperation. Here lies the big challenge for a magician that has to coordinate a multidimensional action in which so many parties are involved.

Now, there is another question. Very much interesting, in the global situation of Mali. It is the question of the global security dimension. And this dimension is essential. This is why. External non-African countries are interested in the stabilization of Mali. And thus, of the whole region, in order to prevent terrorist threats to Africa and Europe. The tight link between internal and external security in the case of Mali is obvious. Therefore, unless the whole geographical environment is secure, there are no chances to succeed on the national level.

Mediation in a Protracted violent War: bringing peace to Syria

What about the internal conflict in Syria, what are its origin and causes? The conflict in Syria began in the aftermath of what has been called the 'Arab Spring', whatever it might be named and described. The Arab Spring was a huge popular wave that swept the Arab world intending to free citizens and open up the gates for democracy. Dignity, the end of corruption, the quest for civil rights and more liberties were some of the words that were shouted by demonstrators and protesters.

The nature of the conflict in Syria changed into a violent opposition when Syrian police and armed force cracked down on civilians that were taking to the streets in the biggest cities of Syria, Damascus, Aleppo, Homs, Hama and Daraa. The beginning of this dreadful cycle happened in March 2012.

From this date on, the course of events turned into an escalation of violence. More people protesting on one hand, and more repression on the other hand. To what was meant to be peaceful protest marches, the regime retaliated by more violence towards activists from the civil society. Nothing stopped the demands in favor of more liberties and nothing stopped the regime response crushing political and civil claims. These events happened in the context of an authoritarian regime. Bashar al-Assad was elected president of Syria after the death in 2000 of his father Hafez al-Assad, who himself came to power in 1970. Since that time, Syria has undergone a permanent state of emergencies, liberties restricted and freedom of speech was banned. Syria lived under the rule of the boss governing as a single party. In the case of Syria, Bashar al-Assad and his regime was allegedly supposed to represent and support Alawites interests since the Assad family belongs to the Alawites religious community.

On the other side, people opposing Al-Assad's regime were deemed to be mostly Sunnites, another Muslim community. This kind of binary opposition is obviously too much simplistic. In the context of exacerbated political tensions, religious mobilization and fanaticism are easily exploitable. And that is what happened particularly when the opposition became more militarized and less civil. Later, the civil opposition was gradually fought and marginalized.

Fundamentalist groups such; Al-Qaeda, Jabhat al-Nusra, or Fatah al-Sham took over. Not to speak, of course, about from June 2014 to speak about ISIL the Islamic State in Iraq and the Levant headed by Abu Bakr al Baghdadi becoming a major player of its own in Syria and in Iraq. And that is how a political process claiming a transition to democracy trigger a highly, so to say, sectarian strife. So, the nature of the conflict has totally changed in Syria. The evolution of the Syrian conflict led to further complications.

Foreign intervention eventually was one of the key moments in the violent conflict of Syria. From the very beginning, regional forces were involved in the fighting. Iran along with the Lebanese Hezbollah backed the regime. Western forces sided with the Syrian Democratic opposition. But not willing to engage further, they have let the opposition, be it military or political, be overwhelmed by the regime forces and their allies.

However, the major turning point in the battle for Syria was the Russian intervention in favor of the Assad regime in September 2015. Starting from this moment, the war in Syria became an overt confrontation between the states of the region, backed by Western powers or Russia. For tactical

reasons, Turkey, for example, sided with Iran and Russia while the Gulf States and Egypt continue opposing the regime with the support of the Western powers. The only point of consensus among all these foes is their commitment to fight ISIS. At this point of disintegration and complexity, we have to ask ourselves: Is mediation possible? And if yes, how?

International attempts, under the auspices of the United Nations, have been already made. The first mediation was led by Kofi Annan the former U.N. Secretary General. He was appointed, in February 2012, as an official mediator for the U.N. and for the Arab League at the same time. His plan for a political transition in Syria, endorsed by the Security Council, failed, alas, to be implemented. He resigned after five months.

The second mediation was conducted by the Algerian diplomat Lakhdar Brahimi in 2012. He resigned after the failure of the Geneva Conference on Syria in 2014. Staffan de Mistura, an Italian-Swedish diplomat, was appointed by the UN in July 2014. His mediation is still going on but with no tangible results till now.

So, why have the mediation missions on Syria failed?

Every party still believes that it could, in certain manner, prevail without giving up their condition or position. The Syrian regime, for example, seems relieved after having avoided a major defeat thanks to the Russian intervention. Russia is confident that it can solve the Syrian crisis quite alone by conducting its own mediation between the regime and the chosen opposition. Iran has a huge interest in maintaining the Assad regime, extending its influence, and getting rid of a radical opposition.

Western powers and the Gulf states deem that, although Assad is victorious, he will never be able to unify Syria and to rule a scattered country. The Syrian opposition wanted to see President Bashar Assad resign his functions before negotiating, but by now, nevertheless, they have come to accept that Assad should resign but at the end of negotiations. However, President Assad does not want to accept and discuss even the idea of leaving power.

Meanwhile, the war in Syria claimed nearly 400,000 lives. Refugees are settling down in the neighboring country or knocking on the doors of Europe. Several million displaced persons fled their home. Still, one has to continue to keep faith that reason and wisdom will someday be strong enough to push decision makers towards peace discussions rather than to war.

??? Looking back at the history of the Syrian conflict, to what extent is it possible to identify THE point at which an initiative or action could have been made to prevent the escalation of events?

??? The situation in Syria is extremely complex, involving multi-party interests. To what extent is the simple placing of a UN government representing all the stakeholders in charge pure fantasy or practical possibility?

??? Food for thought – what other major conflicts in the past three decades have proliferated through the interests of the major powers? To what extent is this acceptable?

Case study

You are the owner-director of a small, entrepreneurial-minded company. One of your key employees is threatening to leave the company over a dispute with her colleagues. Your role is to find out what happened, why, and carry out mediation in order to stop the fire from spreading and bring the parties together again in mutual trust and cooperation.

The three parties and mediator role:

Joanne Korby, project manager

Greg Fox, Director of the department.

The mediator: (You) Caroline Beckett, owner and CEO of HospEquip.