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## **Analysis of multiparty mediation processes**

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# ***SUMMARY***



## Summary

Contemporary scholarship defines the processes where a conflict is managed (i.e. mediated) by more than one third party as *multiparty mediation* (Crocker et al. 1999; Crocker et al. 2001). Even though in recent years multiparty mediation processes have been under growing academic scrutiny, traditional literature on international mediation recognized the benefits of having multiple mediators working in concert. As emphasized by Zartman, “if a number of conciliators are available to the parties themselves and if a number of friends of the conflicting parties can coordinate their good offices and pressure, the chances of success are improved” (Zartman 1989, 276). To this day, several studies have shown the potential benefits and liabilities of having multiple mediators (Crocker et al. 1999; Crocker et al. 2001, Diehl and Lepgold 2003), the relationship between the size of the mediating coalition and its effectiveness (Böhmelt 2011), and the need to have a cooperative endeavor by multiple mediators in order to achieve success in the mediation process (Whitfield 2007, Böhmelt 2011, Hampson and Zartman 2012).

In essence, the aim of this dissertation is to explain in more details the effects of cooperation and coordination on multiparty mediation. As previous illustrated studies have shown, crucial challenges that must be overcome in multiparty mediation processes are the (1) achievement of adequate *cooperation* among the mediators and (2) consequent *coordination* of their activities in the mediation process. While the two concepts have in common the presumption that actors involved in the mediating coalition need to have shared goals on how to resolve the conflict, there is still a clear difference between the two: a necessary prerequisite for a successful cooperation is that all parties recognize mutual benefits of working together; once the parties perceive the benefits of working together, cooperation might lead to a coordinated endeavor which implies a more mechanical process of dividing the labor effectively, and clarifying who needs to do what, when and how.

Crucial ingredients for a successful multiparty mediation seem to be ‘*consistency in interests*’ and ‘*cooperation and coordination*’ between mediators. The aim of this dissertation is to further expand the existing knowledge on multiparty mediation by answering a number of (*sub*) *research questions*. First of all, how much do the ‘consistency of interests’ and ‘cooperation and coordination’ affect the overall process? Given the

dynamic nature of cooperation, and likelihood that a party changes its behavior from cooperative to non-cooperative throughout the process of multiparty mediation, it is important to understand if the efforts that lack cooperation inevitably end in failure? Similarly, what happens to the mediation process when mediating parties do not share the same idea and interest in a common solution? At the same time, present research explored the obstacles in achieving coordination and coherence between various mediators in such an environment and how to surmount the problems that multiple mediators face when operating without a 'common script' in attempting to mediate a negotiated settlement. In other words, this study will investigate which mechanisms (both on the systemic and contextual level) have the potential to deter defection from a (potential) member of the multiparty mediation coalition? Finally, as the number of states and international actors that are involved in mediation increases, a careful assessment is necessary not only of their relative institutional strengths and weaknesses, but also of how to promote complementary efforts and how to synchronize the whole process when one actor is transferring the responsibilities for mediation to others. In other words, this research will try to point out the importance of self-interests that motivate third-parties to get involved and to unveil the link between coordination and self-interests (also described as strategic interests) and the impact of such interaction on the overall effectiveness of the mediating process.

Multiparty mediation is not a new theory of mediation, rather an advancement of the existing knowledge of international mediation as method of conflict management. Therefore, this dissertation will start by laying out a theoretical framework of mediation in Chapter 1. Existing literature will reflect the multicausal nature of the mediating process, where interplay of a variety of factors (systemic and behavioral) directly affects the effectiveness of the process. Once the fundamental theoretical framework of international mediation has been described, this research will move to the existing knowledge of multiparty mediation in Chapter 2. Given the existing limitations of current knowledge on multiparty mediation, this research will aim to expand it with a game theoretical model that was developed in order to observe a general pattern of mediators' behavior in multiparty mediation. The model will be interpreted using the Theory of Moves (Brams 1994). Reflecting on the insights from the existing literature on mediation and the game the-

oretical model, this research will generate several hypotheses regarding the dynamic of cooperation and coordination in multiparty mediation. These will be tested on the basis of five different case studies, of recent international conflicts that were managed through a multiparty endeavor. The existing studies (Kriesberg 1996, Crocker et al. 1999, Crocker et al. 2001, Böhmelt 2011) have all shown that there is a strong correlation between cooperation and coordination among multiple mediators and success in multiparty mediation. Present research will aim to go one step further and try to analyze potential existence of a causal mechanism between success in multiparty mediation and cooperative and coordinated activities of multiple mediators. One of the most suitable methods of examining causality is certainly *process tracing* (George and Bennett 2005, Beach and Pedersen 2012), and this study will conduct a process tracing analysis on five different case studies of multiparty mediation.

The cases were selected based on two criteria. The first one is quite straightforward, and it implies that a particular international conflict was managed by multiple mediators. Second criteria, prescribed in process tracing literature (Beach and Pedersen 2012), implies the existence of both hypothesized X and outcome Y, which in this research means the existence of a cooperative (and coordinated) effort and (un)successful outcome. Therefore, three cases that were selected had a successful outcome - Tajikistan, Namibia and Cambodia - while two failed - Sri Lanka and Kosovo. In principle, using a process tracing method, this research will analyze various dynamics surrounding the achievement of necessary cooperation and subsequent coordination between mediators, and the effect these had on the outcome of the peace process. The dissertation will conclude with a discussion on various factors that could induce the change in mediators' attitudes and promote cooperative behavior within the mediating coalition, which in turn would improve the chances of successfully managing the conflict.

The model presented in this dissertation underlines that employment of cooperative strategies for parties involved is actually more beneficial than spoiling the process. In fact, even cumulative costs of cooperating and mediating complemented with potential benefits of acting as a spoiler still do not manage to match the benefits generated by cooperative strategies. As the model shows, although the choice of non-cooperating at first might appear appealing for a third-party, spoiling the process might actually backfire. Third-party's decision not to cooperate while

the multiparty endeavor is under way - thus implying that other mediators are engaged in the mediation in a cooperative manner - undercuts its own potential to exercise influence (or leverage) in the mediation and loses the potential to create expected benefits for itself and its partner side in the conflict. As long as the biased mediator is outside the mediating coalition, the conflicting party it is supporting might still remain in the process. In such circumstances the chances that potential solutions will be tilted to its partner's advantage (i.e. conflicting side it supports) get reduced. Consequently, as that particular conflicting side is losing through mediation, so will its outside partners (i.e. biased mediators), even though they are officially not cooperating in the process. For instance, the international reputation of a third party might be undermined. At the same time their leverage to influence future developments in the process might be considerably undercut. Therefore, the model induces a conclusion that both the non-cooperative outside actor and its partner party to the conflict will face far smaller benefits than those who opt to cooperate and potentially (through constructive dialogue and exercising necessary leverage) move the proposed solution to their advantage.

In light of a lower payoff, it is expected that a rational (biased) mediator will choose to alter its strategy and start cooperating with the rest of the group. Although the process of cooperation implies certain costs, and as such produces smaller utility than in cases when no party cooperates, the choice of altering the strategy and start cooperating will undeniably generate bigger benefits compared to those attained if a mediator remains outside the mediating coalition. By being a part of the mediating coalition, each mediator is able to exercise a certain influence over the process, and potentially negotiate a solution that is in favor of the side in the conflict that they have special relations with. Thus, (biased) mediators attain important utility as the conflicting side that they support actually starts gaining important benefits through mediation. Despite the costs of mediating and cooperating, the second outside actor still manages to create greater benefits through coordinated activities than if it opted to spoil the process and stay outside of the coalition. This only if the assumption from ToM - that mutual defection is not an option any more - continues to hold. Therefore, the model prescribes a dynamic that unequivocally remains in line with the initial statement and definition that cooperation implies the creation of new gains for

each party that were unavailable to them by unilateral action, albeit at some costs (Zartman and Touval 2010).

If interpreted through classical game theory, cooperation represents a dominant strategy in this model. ToM also provides a similar interpretation, given that once the multiparty mediation starts, cooperative behavior produces higher payoffs than defection. Overall, cooperation can be identified as a rational strategy that leads to nonmyopic equilibria. Once a party chooses to cooperate, short-term goals which induced a party to defect are no longer a priority. Rather, for a rational outside party that received low payoffs from a defecting strategy, cooperation becomes a useful mechanism through which it is possible to limit the other side's utility.

As cooperation proved to be decidedly beneficial not only to the overall process but more importantly also to the parties themselves, this research also wanted to go a step further and understand what mechanisms can induce a party to deter from defecting from the group. This notion has been already put forward by Sisk, who emphasized that the “game theory contributes to mediation strategies through the finding that one can *encourage moderation and deter ‘defection’* in bargaining relationships by not allowing a player to gain from a defection strategy, even if it imposes additional costs to cooperation to prevent a defector's gain” (emphasis added Sisk 2009, 48).

Inducing a party to switch from defection to cooperative behavior is obviously not a simple process, as it directly implies interference in another party's policy objectives. It would be too simplistic to assume that just by reproofing party's non-cooperative behavior or warning that such behavior is not constructive for the overall process of mediation would motivate a change in defector's strategy. This research departed from a rational choice assumption that in order to change its stratagem and pursue cooperative strategies the defecting party needs to realize the potential benefits of such a change. As third-parties get involved in managing a particular conflict not only for altruistic and humanitarian reasons but also to gain something from it (Greig 2005), the choice of cooperating also needs to be in line with party's self-interests. This research hypothesized three different reasons why a party would change its policy objectives.

On one hand, significant developments on a systemic level caused by dramatic political, social, economic and/or natural events might in-



duce a party to rethink its current guiding principles. This research referred to this mechanism as *exogenous geo-political shifts*. The rationale for assuming that such developments might alter third-party's behavior from non-cooperative to cooperative stems from the assumption that no policy objective is ever self-motivated or self-sufficient to linger indefinitely; it is rather a building block of a complex network of strategic choices developed by each actor in the international arena. Since such incidents rarely affect one actor at a time they may cause not only a shift in priorities with on party but also the needed *convergence of interests* among several actors that might induce cooperative behavior. In other words, once their interests are compatible, third-parties will be more inclined to cooperate. As the case of Tajikistan shows, Taliban storming of Kabul induced Russia and Iran to rethink their policies in the region, put more pressure on conflicting sides in Tajikistan and drive them toward a commonly acceptable solution. In Cambodia, two events had a similar impact. As Hampson and Zartman indicate, "Gorbachev's accession to power in the Soviet Union in the mid 1980s brought changes in the interests and positions of major outside parties. As a part of its overall effort to normalize relations with China, the Soviet Union began to step up its own efforts to resolve the conflict, by encouraging Vietnam to withdraw its army unit from Cambodia and threatening termination of its military and economic aid to Vietnam" (2012, 4). In fact the secret warning that the USSR delivered to Vietnam, in which they indicated their intention to stop supporting Vietnam's military presence in Cambodia and confrontation with China, resulted in Vietnam's announcement of troop withdrawal (which initially did not produce needed results to move the process toward an agreement) that on the long run contributed to Sino-Vietnamese rapprochement. In Namibia, the advent of Gorbachev to power also proved to be of crucial importance for the achievement of rapprochement between the USSR and the US, and their subsequent convergence of interests in managing the conflict through by linking together the issues pertinent to the conflicts in Angola and Namibia. Finally in Kosovo, changes on the systemic level also had an effect, however this time negative. When Russia started restoring its global relevance in the late 90s, its policies shifted from implicit compliance to implicit confrontation with the West, especially with the US. For Levitin this "deterioration has to be understood in the context of more general and long standing trends in Russian foreign policy" (Le-

vitin 2000, 138).

On the other hand, following the logic of 'ripeness' theory (Zartman 1989), *changes in the conflict dynamics* might induce those outside actors that are directly involved in the conflict - for example by providing logistical and/or military support - to consider using mediation as a 'way out' and a suitable alternative to end the conflict in a peaceful manner. Mediators are rarely just passive bystanders. Once involved in managing a conflict, mediators unequivocally become an important element that affects both the conflict dynamics and more importantly potential solution of the dispute. In case of Tajikistan, each time the parties failed to come to an agreement, they would resort to violence. This was especially problematic for Russia that had stationed troops. Aware that such violent dynamics produce unwanted costs in lives and military equipment, Russia would resort to more active strategies in order to push the government to accommodate the opposition and find a commonly acceptable solution. In the case of Namibia the achieved stalemate between Cuban and South African troops was an indication that a military victory in the conflict is unfeasible and that the present non cooperative strategy in the peace process was not producing any substantial results that would outweigh the military stalemate. In the case of Cambodia, the Soviet decision to stop financing the Vietnamese "tug of war" with China and change the strategies toward Beijing induced a more cooperative strategy for both between Soviet Union and China, and between China and Vietnam. Finally, in the case of Kosovo, the new reality on the ground created by UNMIK's presence, prompted Russia to agree with the rest of the Contact Group on independence as a viable solution to the problem. However this convergence did not last for long, and chances of acting in concert faded.

Finally, taking into account that defection is often a direct expression of a party's self-interested goals, another way of deterring a party from defecting is to engage it in a bargaining process, where an alternative to its current strategy can be found. Confrontation of self-interests between mediators in order to find common ground on an acceptable outcome to the conflict shifts the focus from negotiating with conflicting sides (mediating) to *negotiation between mediators*. As experience shows in these situations, the responsibility for encouraging a mediator to develop a common idea about a final solution and opt for cooperative strategy might rest with others in the mediating coalition. In the case

of Cambodia, the US managed to create momentum within the P5 and negotiate an acceptable solution for USSR and China which was crucial for the success of the peace process. Nonetheless, as noted by Solomon, “ultimately, the success came when the two major protagonists in the region’s conflicts of the 1980’s and 1990s – China and Vietnam made a secret, bilateral deal to reconcile their differences and support the United Nations peace plan for Cambodia” (Solomon 2000, 4). A similar dynamic was also tried in the case of Kosovo with the last attempt by Troika, when the EU not only tried to find a solution to the conflict but also to mediate a solution acceptable to other mediators (the US and Russia). However this effort eventually failed driving the process to a deadlock.

Although each of the three reasons to change policy objectives seem to work on their own, success is most guaranteed if combined. The case of Cambodia proves this point, as “the combined effects of a military stalemate among Cambodia’s political factions, diplomatic efforts to construct a settlement during the preceding decade by a number of interested parties, and the desire of the major powers to disengage from Indochina’s travails created a context for successful diplomacy” (Solomon 2000, 4).

To sum up, when the mediating coalition is faced with conflicting interests, if one mediator decides to defect from the group dynamic, this will have an important impact on the negotiation dynamics between the conflicting sides. If the mediators manage to achieve convergence of policy objectives among them, there are bigger chances that the peace process will be successful. In case mediators do not reach such convergence, the conflicting sides will be induced to defect from negotiations, making it more likely for the peace process to fail.

All five case studies also provided sufficient support for previously hypothesized dynamics regarding the coordination of multiple mediators. As expected, the stronger the mediators’ strategic interest in the conflict for a mediator the higher the chances of successful mediation through a coordinated effort by mediators in a coalition. Therefore, reflecting on what was previously stated for all case studies it could be concluded that a successfully coordinated multiparty mediation activity is directly dependent on the compatibility of interests between the party that coordinates and third-parties that have strong vested interests in the conflict and leverage to influence the behavior of at least one of

the conflicting sides. Consequently, while coordinator's legitimacy is a very important ingredient for a successfully coordinated effort, it can not be put into effect before the third-parties have reached the needed convergence of interest. This in other words supports the initial premise of this research, where the first step of a successful multiparty mediation effort is the achievement of third-parties' willingness to cooperate (convergence of interests), which opens the doors to the second stage of coordination where the parties split the task of leveraging the parties toward an agreement.

This research departed from the assumption that cooperation between mediators is not only beneficial to the multiparty mediation process but also to them as rational actors who are driven by self-interests. Even despite the inevitable costs of mediation coupled with costs of cooperating, cooperation still proves to be more beneficial than defecting strategies.

As the five case studies illustrate, cooperation between mediators is by no means exogenous to the process. First of all, cooperation changes in intensity according to the dynamics of the conflict and of the conflict management process. As all three examples show, when outside parties do not have converging interests on how the conflict should end they often resort to limited cooperation. Limited cooperation produces a limited result. When third parties are unwilling to use its full mediating potential – for instance, when a patron state is unwilling to use more directive strategies to move the partner party in conflict toward an agreement - this choice might send mixed signals to the conflicting parties which might produce lack of commitment to negotiate a settlement. In other words, lack of cooperation within the mediating coalition directly gets transposed into the lack of cooperation between the conflicting sides and third parties.

However when the situation on the ground changes and becomes unbearable to the outside actors they might decide to achieve full cooperation. Cooperating in these circumstances becomes more 'cost/benefit efficient' and 'effective' (Zartman 2009) than previous strategies. At the same time, if these changes do not induce all parties to engage in a cooperative manner, then one party that has been 'convinced' tries to encourage those ones that are still resorting to defecting strategies. As the case studies suggest, the party which has the strongest interest in resolving the conflict will most likely be the one that will try to encour-

rage the other side to establish a more cooperative mutual relationship. Ultimately, it is worth noting that coordination might also be related to a much bigger framework of relations and strategic choices an outside party has and makes. As most (self) interests are interrelated into a network of strategic interests, developments on the regional and global level which might endanger these strategic interests have the potential in inducing a third party of radically shifting its outlook on the actual conflict. Again in these circumstances cooperation again proves to be more 'cost/benefit efficient' and 'effective', which allows the third party to explore the option of cooperating in order to preserve its self-interests.

As parties manage to achieve convergence of interests and become able to work from a 'common script', this sends a strong signal to the parties in conflict that they should also be more inclined to cooperate and compromise both with mediators and the other conflicting side. Overall, this signaling helps the mediating effort to move conflicting sides more smoothly toward an agreement.

