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General Assembly
66th session

The role of Member States in mediation

Swiss Statement

presented by
Dr. Julian Hottinger,
Senior Mediator
Swiss Federal Department of Foreign Affairs

Permanent Mission of Switzerland
to the United Nations

New York, 23 May 2012

Mr. President,

I would like to thank you for convening this high-level meeting, which comes at a crucial time. It is one of the last opportunities for the Secretary-General to take into account the views of Member States on the nature of effective mediation shortly before the publication of his report on this issue. The topic that you have chosen – The role of Member States in mediation - acquires an additional relevance in this context.

Since the 1970s and 1980s a radical change has taken place in methods of obtaining peace agreements that tackle conflict situations and give communities, societies or nations a chance to peacefully resolve the divisions between them. In the past there was a strong focus above all on security measures, which remain indispensable. But today it is unusual for the parties to the conflict to be satisfied with a simple cessation of hostilities or a ceasefire.

We need to acknowledge the fact that as mediators we now need to tackle conflicts in a completely different way. In most cases the conflicting parties demand guarantees about their future and they are not willing to lay down their arms until they have a clear vision of what that future will be. In other words mediators, in agreement with the conflict parties, are frequently obliged to present a vision of society, a projection stating in detail how this society will be formed, how it will deal with its problems and what role everyone in it will play.

In other words mediators, while dealing with security issues, must also tackle political, social and often even economic questions. It is extremely important to identify mechanisms that make possible equitable sharing between all the groups, sharing that also satisfies their future ambitions. If anyone is left out, if attempts are made to marginalise any group or if the negotiations fail to cultivate an inclusive approach to the political process, this will almost inevitably lead to the emergence of spoilers.

Clearly, when the vision is being outlined, the participation of the conflicting parties is essential. However it would be illusory to imagine that civil society, religious leaders and traditional community leaders can be excluded. Peace will only be possible if civil society, in the widest sense of term, is able to express demands and recommendations through parallel mechanisms so that its voice is heard in the negotiations process, even if it does not directly participate in negotiations. Without the involvement of civil society there is no prospect of reconstructing society and of finding reconciliation mechanisms that identify those who have committed crimes in the past.

International law requires that we hold accountable those who committed the most serious crimes affecting the entire international community. These crimes must not be simply swept under the carpet but must be dealt with strictly and clearly to prevent any continuation of impunity. Therefore, mediators cannot support amnesties in cases of genocide, war crimes or crimes against humanity.

What we are trying to show here is that mediation processes and efforts to resolve conflicts have become extremely complex, demanding the involvement of teams in several areas, teams that are increasingly specialised. Mediation teams today consist

of men and women who have to coordinate their work, reach agreements, share their working methods and at the same time contribute their specialist knowledge. This means that the team needs to share a set of values and principles that enable it to carry out its work effectively.

It is becoming increasingly clear in mediations that, given the complexity of the questions being addressed, it is essential to build and to consolidate knowledge before the parties can start negotiating. Otherwise there is an imbalance and a potential risk that one party or another is at a disadvantage and therefore may be inclined to break off negotiations. In many processes today, capacity building is indispensable even before negotiations can start. We need only think of the processes in Northern Ireland, Burundi, between Sudan and South Sudan and in Somalia.

Mr. President,

Mediation is a team matter. As with all teams, guidance is needed for mediation to be effective. Such guidance is powerfully influenced by the way in which negotiations take place. Each case is unique and this is especially true with mediation. Nevertheless, there are principles which are valid for all mediations.

For Switzerland it is important to take account of the development of mediation techniques, of the lessons learned from experience in recent years and of the principles that apply to mediators. Mediation can only have a chance of succeeding if everyone can contribute their knowledge, their own experience and their way of doing things. It is necessary to work together, to coordinate activities and to share experience, knowledge and know-how with others. This is why Swiss mediators usually try to contribute to multinational processes under the auspices of the United Nations or of a regional organisation, without necessarily seeking to play a leading role. Sharing is crucial for us because we need to know what role we can play, where our strengths lie and how we can make a contribution.

In conclusion I would like to reiterate the importance of the *guidance for effective mediation*. The formulation of the guidance comes at an appropriate time. Mediation is a critically important tool for Switzerland but it can only be consolidated and strengthened if such guidance is in place.

Thank you.