

The Effect of Mediation on Mass Atrocities and Closely-Related Outcomes

Tools for Atrocity Prevention: Evidence Brief

The 1979 Report of the President's Commission on the Holocaust, which led to the creation of the US Holocaust Memorial Museum, stated, "Only a conscious, concerted attempt to learn from past errors can prevent recurrence to any racial, religious, ethnic, or national group."

The "lessons learned" project of the Museum's Simon-Skjodt Center for the Prevention of Genocide is one way the institution seeks to carry out the charge to identify lessons from history that can potentially contribute to saving lives by preventing future genocides and related crimes against humanity.

To identify these insights, we reviewed academic articles and think tank reports, and interviewed experts. We then distilled this body of policy-relevant knowledge into an accessible, practical resource.

Read more about our approach at: www.ushmm.org/genocide-prevention/simon-skjodt-center/work/research/lessons-learned

Definition

Mediation is “a process of conflict management where disputants seek the assistance of, or accept an offer of help from, an individual, group, state or organization to settle their conflict or resolve their differences without resorting to physical force or invoking the authority of law” (Bercovitch et al. 1991, p. 8).

Connection between mediation and atrocity prevention strategies

If mediation helps prevent or end an armed conflict, it would reduce the likelihood of mass atrocities because armed conflict is the strongest risk factor for mass atrocities (Bellamy 2011; Straus 2016).

This tool supports the following strategies:

- Dissuading potential perpetrators from committing mass atrocities
- Facilitating leadership or political transition

Overview

Our research review includes 59 reports: 2 that address the effects of mediation on mass atrocities and 58 that address the effects of mediation on closely related outcomes, such as civilian killings, human rights violations, and conflict recurrence. It found the following:

- A mix of findings as to whether mediation was effective in helping prevent mass atrocities or closely-related outcomes, and
- Relatively strong evidence on the association of the following two design factors with greater effectiveness of mediation in helping prevent mass atrocities:
 - *International support or coordination*: There is a high degree of international support for the mediation and/or the implementer coordinates with other international actors.
 - *Implementer has strong leverage*: The mediation implementer (1) has a significant degree of relative power in the international system, (2) is a permanent member of the UN Security Council, or (3) has significant leverage over the conflict parties.

Success factors

We list below only those factors on which we found relatively strong or moderate evidence that the factor is associated with mediation being more effective at decreasing mass atrocities or closely-related outcomes. These include contextual factors, which describe the circumstances in which the tool is used but which are beyond the control of policymakers, and design factors, which describe the manner in which policymakers use the tool.

Contextual factors

CONTEXTUAL FACTOR	DESCRIPTION	STRENGTH OF RESEARCH EVIDENCE	OUTCOMES STUDIED
Low intensity conflict	The country is experiencing a conflict characterized by low-intensity fighting or a low death toll.	Moderate	Conflict
Local support for tool	Most of the local population and/or local civil society supports the use of the tool and perceives its use as legitimate.	Moderate	Conflict

Design factors

DESIGN FACTOR	DESCRIPTION	STRENGTH OF RESEARCH EVIDENCE	OUTCOMES STUDIED
International support or coordination	There is a high degree of international support for the use of the tool, or the tool implementer coordinates with other international actors on the use of the tool.	Stronger	Conflict
Implementer has strong leverage	The tool implementer (1) has a significant degree of relative power in the international system, (2) is a member of the <U+201C>Permanent Five" (P5) countries on the UN Security Council, or (3) has significant leverage over the conflict parties.	Stronger	Conflict, Mass atrocities
Skilled implementer	The tool implementer is highly competent in the use of the tool.	Moderate	Conflict
Well-informed implementer	The tool implementer is well-versed in the political and social context in which the conflict is occurring, or has credible information about the intentions or capabilities of the target.	Moderate	Conflict, Mass atrocities
Mediation excludes spoilers	Spoiler groups are excluded from the mediation coalition.	Moderate	Conflict
Early implementation	The tool is implemented early in the conflict or rapidly after the appearance of early warning signs or occurrence of mass atrocities.	Moderate	Conflict
Experienced implementer	The tool implementer was previously involved in efforts to use the tool in the conflict in which mass atrocities are occurring.	Moderate	Conflict
Concurrent use of multiple tools	The tool implementer or other actors are simultaneously implementing other tools that are consistent with the goals of the tool.	Moderate	Conflict

Case Illustrations

Mediation was used in both Bosnia-Herzegovina and Kenya to help prevent or respond to mass atrocities. Read the brief illustrations below to learn how this tool was used in these cases.

Bosnia-Herzegovina (1992–95)

Mass atrocities, including genocide, were committed and as many as 100,000 were killed during the interstate war between Bosnia, Croatia, and Serbia, marking the dissolution of Yugoslavia (1993-1995) (ICTY). Multiple third-party mediators, including the UN and the European Community, attempted to assist the conflicting parties in negotiating a ceasefire and a political settlement. These efforts at mediation—including the Lisbon Agreement (1992), the Vance-Owen Plan (1992-1993), and the Owen-Stoltenberg Plan (1993)—failed, in part due to an asymmetry of power favoring the Serbs and the inability of mediators to create incentives for the parties to negotiate (Greenberg and McGuinness 2000). In August 1995, the Clinton administration appointed then-Assistant Secretary of State for European and Eurasian Affairs Richard Holbrooke to head a shuttle diplomacy team, tasked with bringing the leaders of each party together to negotiate a power-sharing agreement and the territorial boundaries of Bosnia and Herzegovina. Holbrooke took an assertive diplomatic approach to mediation, supported by a NATO military intervention and sanctions, which forced the Bosnian Serbs to the negotiating table (Curran et al. 2004). The Dayton Peace Accords (DPA) were signed in November 1995, due in part to the timing of negotiations during a mutually hurting stalemate on the ground and US leadership exercising “mediation with muscle” with broad international support (Goodby 1996). The DPA succeeded at ending hostilities and mass atrocities, but created a federal state susceptible to continued ethnic fragmentation, as it was divided along ethnic lines between Serbs in Republika Srpska, and Croats and Bosniaks in the Federation of Bosnia and Herzegovina (Greenberg and McGuinness 2000; Guzina 2007).

Kenya (2007–08)

Following a contentious election in December 2007, widespread post-election violence erupted in Kenya between ethnic Kikuyu government supporters and Luo and Kalenjin opposition groups amid disputes regarding electoral integrity (Gettleman 2007). Following the release of election results, there were premeditated attacks on civilians including massacres, sexual violence, and extra-judicial killings of demonstrators by police leading to more than 1,000 civilian fatalities and 350,000 displaced persons (CIPEV 2008). On January 22, 2008, an African Union-commissioned panel of eminent African personalities began a mediation process, with support from the UN and the Centre for Humanitarian Dialogue, as well as from the United States “which stepped in at pivotal moments to put pressure on the parties” (Lindenmayer and Kaye 2009). The United States gave strong support to the mediation effort, sending Secretary of State Condoleezza Rice and Assistant Secretary of State for African Affairs Jendayi Frazer to participate in the talks, which were led by former UN Secretary-General Kofi Annan (CSIS 2009). Although the brief conflagration threatened far worse violence, mediation led by highly legitimate and experienced mediators with regional and international support, together with other efforts, resulted in a cessation of violence and a power-sharing agreement with a coalition government, as well as an outline for future institutional reforms designed to prevent future unrest and instability (African Union 2014).

Selected informational resources on US government use of mediation

Appointment of special envoys or representatives to serve as mediators:

- Congressional Research Service [report](#) (2017) on US State Department special envoy, representative, and coordinator positions
- Examples of recent special envoys or representatives with mediation mandates:
 - [Special Envoy for the Colombian Peace Process](#)
 - [Special Envoy to Sudan and South Sudan](#)

UN Security Council-mandated mediation efforts:

- See a [UN website](#) summarizing the role of the Security Council in mediation
- Example of a Security Council resolution calling on the UN to mediate a conflict:
 - [Resolution 2254](#) (2015) on Syria (see operative paragraph 2)

US financial or in-kind support to mediation efforts - examples:

- US government support to a regional organization’s mediation efforts:
 - [US support to the Intergovernmental Authority on Development in South Sudan](#)
- US government support to a non-governmental organization’s mediation support efforts:
 - [US support to the Centre for Humanitarian Dialogue in Darfur](#)

The Simon-Skjodt Center for the Prevention of Genocide of the United States Holocaust Memorial Museum works to prevent genocide and related crimes against humanity. The Simon-Skjodt Center is dedicated to stimulating timely global action to prevent genocide and to catalyze an international response when it occurs. Our goal is to make the prevention of genocide a core foreign policy priority for leaders around the world through a multi-pronged program of research, education, and public outreach. We work to equip decision makers, starting with officials in the United States but also extending to other governments, with the knowledge, tools, and institutional support required to prevent—or, if necessary, halt—genocide and related crimes against humanity.



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