Absent or Invisible? Women mediators and the United Nations

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Introduction

In his December 2016 inauguration speech, the newly elected Secretary-General of the United Nations (UN), former Portuguese Prime Minister Antonio Gutterres, indicated that one of the priorities of his term in office would be conflict prevention.[i] He emphasised the need to take more creative approaches to prevent the escalation of conflict, including notably a much stronger emphasis on the use of mediation and creative diplomacy. Prevention, it is said, is better than cure, particularly when conflicts such as Syria, Yemen, South Sudan and Israel/Palestine are proving so difficult to 'cure'. The emphasis on mediation marks the culmination of a longer process of review within the UN of the ways it responds to violent conflict. A series of reports evaluating the UN's peacebuilding architecture led to the 2016 adoption of the 'Sustaining Peace Agenda', marking a commitment to increased coherence across the organisation in co-ordinating peacebuilding activities (United Nations, 2015b; United Nations, 2015a; UN Women, 2015; United Nations, 2012; World Summit Outcome Document, 2005). Security Council Resolution 2282 (2016) emphasises 'the importance of a comprehensive approach to sustaining peace, particularly through the prevention of conflict and addressing its root causes, […] and promoting […] inclusive dialogue and mediation...' (Preamble). This priority is also accompanied by a commitment by the new Secretary General to address a persistent problem within the UN – the need to ensure gender parity (UN Women, 2012a). Resolution 2242 reaffirms the importance of women's participation in peace and security, as well as stressing the importance of increasing women's leadership and decision-making in relation to conflict prevention (para 2). The bringing together of these two priorities, namely an increased role for mediation in international peace and security and a commitment to increasing the participation of women in leadership roles within the UN, presents a good opportunity to consider the role of women in conflict mediation.

Since the adoption in 2000 of the landmark Security Council Resolution 1325, in which the Security Council recognised for the first time the need to include women in its peace and security work, a significant body of research has emerged analysing the importance of women's participation in peace negotiations. This work has highlighted the benefits of including women and emphasised the different roles that women play within peacebuilding (UN, 2010; Paffenholz, 2015; Anderlini and Tinman, 2010). However it has largely overlooked the specific category of women in the role of mediator. This is despite clear policy commitments throughout WPS resolutions adopted by the Security Council that call for greater representation of women within high-level UN mediation teams (SCR 1325 (2000); SCR 1889 (2009); SCR 2122 (2013); UN Strategic Framework (2011)). This article seeks to address this gap by

focusing specifically on the role of mediator, and the relative invisibility of women in that particular role within UN mediation efforts.[ii] It does not seek to evaluate the merits of competing claims as to why women should be included. Nor does it focus on the complementary goal of mainstreaming gender sensitivity in mediation processes. Rather the article takes as its starting point existing legal and policy frameworks that call for the inclusion of greater number of women in mediation roles, and seeks to understand why these goals are not being achieved. The article presents a policy analysis of key policy in this field. It is supplemented in places by interviews with key respondents in relevant organisations. These interviews have helped to clarify understanding of the operation of publicly available policy in the field. Section one begins with an outline of the definition of mediation and the role of the United Nations in providing conflict mediation, locating mediation within the broader peace and security function of the UN. Section two then provides an overview of the appointments process by which mediators are identified. Section three locates the research within the Women Peace and Security Agenda, with a specific focus on the place of women mediators within this Agenda. It highlights the consistent calls to increase the number of women in UN led mediation teams and explores the difficulties encountered so far in implementing a joined up strategy to achieve this goal. Finally section four identifies a number of challenges faced in promoting women as mediators within the UN. It considers how the definitions of mediation adopted by different UN entities impedes progress on this issue, as well as substantive issues including the gap between the local and the global when it comes to mediation, the persistent belief that women do not have sufficient 'political' expertise to engage in high level mediation. Ultimately the article raises more questions than it answers. What it aims to do, therefore, it to highlight key areas of research and policy where further research is needed to better understand the role of women mediators.

1. What is mediation?

In its 'Guidance for Effective Mediation' the United Nations defines mediation as 'a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements.'(United Nations, 2012). It includes, for the purposes of UN support, mediation, facilitation and dialogue (United Nations, 2017 para 17). It is one of the peaceful mechanisms for the resolution of disputes envisaged in Chapter VI of the UN Charter, and one which the United Nations has a long history of facilitating (Mani, 2008). Mediation as a form of dispute resolution is distinct from negotiation and adjudication (Bercovitch & Jackson, 2001). It is a 'flexible but structured undertaking' in which conflict parties seek their own solution to the conflict, assisted by an impartial intermediary (Bercovitch and Jackson, 2001, 4). Mediation is always offered on the basis of consent (United Nations 2017 para 18). The aim is, where possible, to reach a solution that is acceptable to both parties rather than one which is imposed. The process should be *owned* by the parties to the conflict, with the role of

the mediator being to facilitate communication and agreement where possible. Ultimately responsibility for reaching a solution rests with the parties. Mediation can also be distinguished from judicial (or quasi judicial) forms of dispute settlement in that the outcome is not binding on the parties, but relies on their consent for its implementation. It is no longer restricted to the traditional model of a sole mediator engaging parties in intensive talks to reach an outcome (Bercovitch & Jackson, 2009), but can be much more informal and flexible. It can occur at any stage of a conflict, from an early stage before conflict escalates in to violence, during a conflict as a means of negotiating a ceasefire or cessation or hostilities, or to ensure the effective implementation of a peace agreement. It can also take many forms. It may include informal talks and shuttle diplomacy where the mediator conveys messages between parties who do not meet face to face.

In addition to occurring at different times in the life cycle of a conflict, mediation can also occur at different political levels. There is a well-established distinction between what is known as Track I mediation, and the parallel Track II and Track III processes (Kraft, 2002). A Track I process is a formal process that occurs at the state level. It engages high-level representatives on both sides, and will often be conducted with the support of international intermediaries such as the UN or other regional organisations (Taulbee & Creekmore, 2003). Track 1 processes are the most high profile processes, often those convened by international bodies such as the UN. Women mediators at this level are rare. Track II processes are conducted in parallel with and often complementary to official Track I processes. They are not official processes, in that the parties are not participating as representatives of a state or an official opposition. Participants are non-state actors, acting in their private capacity. They are often civic leaders, or those with the power and influence within society to change attitudes or deliver change. The benefit of Track II talks is that it allows for more flexibility than is often possible at Track I. Participants in Track II processes are freer to cultivate relationships and engage in creative thinking about the conflict and possible means of resolution. Such talks also engage a broader range of civil society participants in the peacebuilding process. Track II diplomacy often helps to prepare the ground for Track I talks by asking parties to engage with new ideas ahead of negotiation, bridging the gap between the two in a process of what is known as Track 1.5 diplomacy.

The idea of Track III diplomacy is more recent in its origin. This refers to grass roots initiatives to bring people and groups together to address conflict. It is an unofficial process and occurs remotely from Track I processes. Track III initiatives are not considered to be 'mediation' in the sense of diplomacy, but rather are conceptualised as local peacebuilding initiatives. Women are much more heavily represented at Track III than at the Track I.

 As the body with primary responsibility for international peace and security, the UN enjoys a privileged position as a meditator in international affairs. Offering mediation is one of the range of options available to the Secretary General when offering 'Good

Offices' to assist with the resolution of conflict. (O'Donoghue, 2014). This role is assigned to the Secretary General individually by the Charter and is not constrained by either the Security Council or the General Assembly. Mediation when it is offered is conducted either by the Secretary General himself, or by a designated Envoy or Special Representative authorised to act on his behalf. Examples of this type of role can currently be seen in Syria, where Stefan de Mistura has been the Secretary General's envoy to high level negotiations, and in Cyprus, where Espen Barthe Eide conducted talks with leaders with a view to convening a high level summit to discuss re-unification. Research published in 2012 showed that between 1991 and 2011, of 31 mediation processes only 3 were led by women as the chief mediator. This translates in to a figure of only 2.7 % of all chief mediators (UN Women, 2012b). Slightly more women have held senior positions in which they have fulfilled mediation roles, for example as a Special Representative of the Secretary-General (SRSG) (United Nations, 2009),[iii] but the definition of 'mediator' adopted in high level processes obscures the roles played by these women. Even when women in senior roles with a mediation function are included the numbers of women achieving high-level discretionary appointments remain extremely low.

2. Identifying a Mediator

It is the personal function of offering 'Good Offices' that gives rise to the position of envoy, or Special Representative of the Secretary General. These are political appointments, and the Secretary General enjoys significant independence in the appointment process. There is a distinction to be drawn between the Special Representative and the Envoy. A Special Representative is usually tasked with leading a field mission. One function of this role may be to engage in mediation to ensure compliance with agreements and manage new sources of conflict (United Nations, 2012 para 20). In this capacity a Special Representative will have achieved the rank of Under-Secretary General (USG) or Assistant Under-Secretary General within the UN staffing structure. However while mediation is often a function of these senior appointments, those appointed are not usually considered to be lead 'mediators' (United Nations, 2009). The role of 'mediator' is a distinct one. The title is reserved for the role of special envoy – a person appointed by the Secretary General to engage in mediation on his behalf. Appointments to these positions are at the discretion of the Secretary General. This discretion arises from Art 101 of the Charter which charges the Secretary General with such appointments, which sit outside the formal appointments and promotions regulations of the UN (A/51/226, s II para 5). Envoys are usually appointed from the ranks of former senior diplomats or heads of state. They are powerful and influential people. They may or may not have operational experience as a mediator but can use their personal authority and that of the international community to broker a deal between warring parties S/2009/189 para 13). Potter terms this group of people 'leader-mediators' (2005). Their qualification derives from their leadership experience rather than from mediation experience. Team led mediation is rare (Potter, 2005). As a result, UN 'mediators' remain a 'small group

of influential individuals' operating at the Track 1 level (O'Reilly & Ó Suilleabhain, 2013). The definition is crucial - only the envoy is defined as a 'mediator'.

Institutionally the mediation work of the UN is supported by a number of different bodies, each of which play different co-ordinating roles. These include the Peacebuilding Commission, the Peacebuilding Fund, the Department of Political Affairs, UNDP and UN Women. Of most interest to the current discussion is the role of the Department of Political Affairs (DPA), and that of UN Women.[iv] Both these bodies provide direct operational and training support for mediation activities across all three Tracks. The work of the DPA will be discussed in this section, with more detailed discussion of the role of UN Women in Section 3.

Operationally, a UN mediator is supported in his or her work by a mediation support team. These people carry out support functions such as the preparation of 'background briefings and proposals; identify[ing] experts on key substantive issues; offer[ing] advice on legal matters; draft[ing] agreements; talk[ing] with parties (at the mediator's request); prepar[ing] logistics; and assist[ing] with a communication strategy and media relations' (United Nations, 2009 para 17). They also advise on process design. Within DPA, the Mediation Support Unit (MSU) provides support to envoys as requested (United Nations 2012 para 30). This support can be provided in house by MSU staff or by external advisors and experts. Since 2008 the MSU has maintained a Standby Team of Senior Mediation Advisors that can be deployed to support mediation initiatives internationally (UN DPA Annual Report, 2016). The role of the Standby Team is to provide specialist expertise to UN officials or others, such as regional organisations or non-governmental partners engaged in mediation efforts at the invitation of warring parties (DPA Gender Factsheet, 2016). Through the MSU, DPA therefore helps to support Track 1, official processes, through the provision of operational and technical mediation support to the mediator (United Nations 2012 para 30). Under this model, while the Standby Team of Experts offers significant technical expertise in mediation, the role of 'mediator' remains distinct- as the personal envoy of the Secretary General. In addition to the mediation support team, a mediator may also be supported by thematic mediation experts. These experts can be called on an *ad hoc* basis to provide thematic advice on substantive issues such as human rights, security arrangements or constitution drafting. The DPA maintains a roster of pre-vetted 'thematic, operational and senior mediation experts' who can be called upon to provide thematic advice within their area of expertise where required by a mediator. However while thematic mediation experts are selected on the basis of expertise, they are not expected to have the experience or expertise to conduct the mediation process.

Within the DPA therefore there are three distinct roles within a mediation process, that of the *mediator* (the high level envoy or Special Representative of the Secretary General), that of *mediation advisor* (who has technical mediation skills and assist with the design and running of the mediation process and is contracted as a member of the

Standby team) and that of *mediation expert* (those with thematic expertise who can be called upon to advise the mediator and his or her team as necessary).

3. Defining a role for women in mediation

Since 2000 the issue of women's participation in mediation has existed as a distinct and normative aspect of international law. UNSCR 1325 required that gender be mainstreamed within UN activities in the field of international peace and security. This was necessary to redress the persistent exclusion of women, and of gendered analysis, from peace and security programming (Cohn, 2008). It is this framework that provides the basis for initiatives to increase the representation of women among the ranks of UN mediators.

A. The Normative Framework

While the WPS Agenda extends beyond women's participation in peacebuilding, it is this particular 'pillar' that is of current interest. The adoption of UNSCR 1325 provided a normative framework within which efforts to increase women's representation in conflict resolution could be evaluated. The 'participation' pillar has given rise to a number of different strategies designed to increase women's representation in mediation, as well as generating a series of commitments to greater gender equality in senior UN mediation appointments (Tryggestad, 2009; Shepherd, 2011; Bell & O'Rourke, 2010). Within this pillar a concern with women mediators has been evident from the outset. Resolution 1325 specifically urged the Secretary-General to appoint more women as Envoys and Special Representatives to pursue good offices on his behalf (S/2000/1325). This initial call was followed in Resolution 1889 (2009) in which the Security Council expressed deep concern about the under-representation of women in mediation. Specifically highlighted was the 'very low numbers of women in formal roles in mediation processes'. The Security Council stressed the need to 'ensure that women are appropriately appointed… as high level mediators and within the composition of the mediator's teams.'(S/2009/1889, preamble). The resolution further called upon the Secretary-General to develop a strategy to increase the number of women appointed to pursue good offices on his behalf. What this demonstrates is not just a commitment to consult women as part of the mediation process, but to make women central to mediation efforts. Yet despite over 10 years work on the WPS agenda the number of women actively included in peace talks in a mediator capacity remained persistently low.

The tenth anniversary of UNSCR 1325 provided an opportunity to review progress on the WPS agenda. This process gave rise to twenty-six agreed 'global indicators' to monitor the progress of implementation of UNSCR 1325 (United Nations, 2010a). Of these indicators, seven were directly applicable to the mediation mandate of the DPA. Most notably DPA adopted, as part of a seven point Action Plan on Women's

Participation in Peacebuilding a commitment to assisting with the appointment of women envoys (United Nations, 2010b). This commitment was further strengthened in 2011 with the adoption of the UN Strategic Framework on Women Peace and Security 2011-2020. This framework set quantitative targets in relation to WPS, including the appointment of UN Chief Mediators. The target set for achievement by 2020 is that 'at least one in each three new appointments of chief mediators/special envoys to United Nations-led peace processes is a woman' (United Nations, 2011). Finally, in 2013 the Security Council passed resolution 2122 further requesting the Secretary-General to support the appointments of women at senior levels as UN mediators and within the composition of UN mediation teams (2013, para 7c). In 2012 the Secretary-General reported that he had placed the issue of women's representation 'front and centre' of his action plan on women and peacebuilding (United Nations, 2012 para 66). The action plan included a firm commitment to appoint a woman as a United Nations chief mediator.

In 2015 UN Women, in its Global Study on the implementation of UNSC 1325 found that women were included in senior positions in in 75 per cent of processes led or co-led by the UN (UN Women, 2015 45). These figures do not distinguish those participating as mediators from those participating as negotiators or signatories and no specific recommendation was made on increasing the number of women envoys. The figure does, nevertheless, suggest that women's participation at senior levels is being taken more seriously. The ongoing problem of women's under-representation in senior mediation roles was recognised by the Secretary General mot recently in June 2017 when he undertook to 'expand the pool of high-level envoys and senior mediators, with a focus on women mediators…' (United Nations 2017 para 14).

What emerges from this history is the relative absence of women within UN mediation, particularly in the high profile roles. When the term 'mediator' is understood to refer *only* to a UN appointed envoy, and only mediation that happens at the level of Track 1 diplomacy, the impression is created that women are simply absent as mediators.

B. Institutional Arrangements

i. Department of Political Affairs

Each of the initiatives outlined represents a strategy to redress gaps in the implementation in the WPS agenda. In line with these strategies, further initiatives have been taken by UN departments to increase the representation of women in mediation. Within the DPA the first of these has been to increase the number of women included in the roster of thematic *mediation experts* maintained by DPA (United Nations 2012 para 68). While the composition of mediation teams is not static, making it difficult to provide hard statistics as to gender equality, the DPA's roster of mediation experts is now approaching 41% women (DPA Gender Factsheet,

2016). While one of the core strategies for mainstreaming gender in mediation has been the provision of gender expertise, it should be noted that women are not necessary type cast or restricted to the role of gender advisor. Indeed while women account for 41 % of mediation experts, only 11% of those experts are gender experts (DPA Gender Factsheet), demonstrating that for women the roles are not synonymous. While many gender advisors are women, women are also well represented in other areas of expertise, particularly constitutional design and transitional justice. In addition to thematic mediation experts, senior women are also identified from within the UN system as having mediation experience in addition to their thematic expertise. This category of women bridges the gap between operational mediation experience and thematic expertise, and as a result can be selected by DPA to become senior members of mediation support teams. While there are no published criteria as to how women reach this stage, they are usually women who have reached either the 'P5' or 'D' level within the UN staffing structure, and so at a relatively senior level of their career, and who have been part of UN field missions where they have come to the attention of the DPA (Senior gender advisor, UN DPA, March 2015). In this context they are not usually women who have experience of mediation in their own home countries, but those who have experience within the UN thereby giving them exposure to the necessary skills and experience to take on high-level roles. They can be selected for additional training and appointment to high-level positions such as Chief of Staff or Senior Advisor within mediation support teams (United Nations 2012 para 39). There are therefore opportunities available for women already within the UN to advance careers in mediation through a combination of subject matter expertise and exposure to practice. However to date this initiative has not significantly increased the number of high profile women mediators, largely because the high-level positions are recruited through a separate process of nomination which remains discretionary and subject to significant political negotiation.

ii. UN Women

While the DPA is the body charged with directly supporting the Secretary-General and his representatives in mediation, UN Women takes the lead on gender mainstreaming across the UN system. It plays a different role in the enhancement of women's roles in such processes (United Nations, 2012 para 39). Established in 2010 to consolidate existing gender provision within the United Nations, UN Women is tasked with providing

'through its normative support functions and operational activities, guidance and technical support to all Member States, across all levels of development and in all regions, at their request, on gender equality, the empowerment and rights of women and gender mainstreaming.' (A/64/289 (2010) para 51(b)).

In contrast to the DPA, UN Women adopts a broader definition of what mediation is and where it occurs. Whereas DPA operates at both the inter-state and intra-state levels in the delivery of mediation, UN Women works primarily with Member States, providing assistance at their request (A/64/289 (2010), para 51(c)). This includes capacity building and training to strengthen women's mediation roles at the local or national level (United Nations, 2012 para 53). They also provide a platform to promote the work of women mediators and to facilitate access to mediation teams and decision makers (United Nations, 2012 para 35). The position of UN Women recognises that while the language of increasing the number of women mediators is present throughout the WPS framework, the narrow definition of mediation espoused by the DPA inevitably creates a perception of only a small pool of women mediators. In practice, however, this is not the case. What is evident from UN Women's experience is that women are active as mediators across the globe. However their work tends to be concentrated in the Track II and Track III processes (Yousef, 2013). For example a network of women mediators was created to help implement the peace deal in Colombia, and in Burundi networks of women mediators help to resolve conflict within communities. At that level women are regarded as bringing significant skills to mediation not only while Track I processes are happening, but before and after those processes, in some cases enabling the process to take place. Through their roles as intermediaries women can create the conditions whereby talks are possible, for example by negotiating the cessation of hostilities to allow humanitarian access or opening channels for dialogue (Yousef, 2013; UN Women, 2015). In many cultures women are seen as less threatening, as less political, and therefore able to secure access to warring parties (De Langis, 2013). This perceived neutrality can be used strategically by women. They can help to dispel rumours, to counter false information and to facilitate community conversations. For these reasons women mediators can be instrumental in 'ripening the ground' for peace (De Langis, 2013), creating the conditions in which parties are enabled to take part in talks. Further, because women's mediation often arises from grass roots mobilisation their local experience makes them much more attuned to local context and culture than international experts. Finally, in addition to creating the conditions in which talks can occur, it often falls to women to 'sell' the outcome of talks at the grassroots level. In this context women are relied upon to ensure that agreements reached at the peace table are accepted in local communities (Nderitu & O'Neill, 2016). While this work may not fit the high level definition of a structured process with a powerful mediator brokering a deal, it nevertheless fulfils important mediation functions. The different mandates of DPA and UN Women are intended to be complementary, and in 2011 a joint strategy was launched to support women's participation in peace mediation. However there remain significant gaps in understanding and sometimes conflicting views about the aims of the joint strategy that prevent a fully joined up strategy from emerging. These include the definition of who is considered to be a 'mediator', the gap between local and global initiatives (Turner, 2017), and the tension between women's representation and women's advocacy that tends to confuse debate in this area (O'Rourke, 2014).

4. Challenges to increasing women's visibility as mediators

From the foregoing discussion, a number of challenges emerge for increasing women's visibility. If the numbers and visibility of women mediators are to be increased then it will be necessary to address each of these.

A. The narrow definition of 'mediator'

Understanding the limited definition of who is a 'mediator' is the first step towards understanding the relative invisibility of women as mediators. Where the term 'mediation' is understood as only Track 1 (or track 1.5) diplomacy, and the term 'mediator' is understood to refer only to an envoy of the Secretary General, the impression is created that women are simply absent as mediators. Women are simply not succeeding in securing nominations for envoy posts in equal numbers to men. This invisibility is exacerbated by a lack of transparency in the selection criteria for envoy roles. Selection of envoys and other high-level appointments is discretionary. Candidates are selected from lists put forward by member states or other UN bodies, but these lists are not published making it difficult to know whether women are being included in the lists of nominations, and if so why they are ultimately not being selected. In the absence of any published job specification for 'lead mediator' it is difficult to identify the key skills or attributes necessary for selection or why men are considered to possess them while women do not.

The existence of different and at times conflicting views on how mediation is defined and who should be considered to be a mediator makes it difficult to articulate a clear strategy for increasing the number of women in international mediation roles. If the mediation skills demonstrated by women at the Track II and Track III are not understood to be mediation it seems that the first barrier to women's visibility is definitional. If mediation is regarded as a power game whereby the mediator is someone who can 'leverage' agreement then mediation will remain a power game and the role of the mediator will likely continue to be viewed as a masculine one. It will remain the case that men are given responsibility for high level power brokering in Track I processes while women remain confined to mid-level and grassroots activities. This perpetuates the dominance of individuals and organisations deemed to be 'powerful' (Lichtenstein, 2000). In this context women are much less likely, fairly or not, to be seen to possess the skills and characteristics necessary to fulfil the role. Moreover, a problematic link is created between the ideas of power and mediation. This creates a clear distinction between the 'hard' business of peacemaking conducted by men at the State level, and the 'soft work' of peacebuilding conducted by women at the grassroots and community level. If, on the other hand, mediation is understood as a 'process of sustaining and developing a dialogue' (Kleiboer, 1996, 381) this opens up significant possibilities to look beyond the traditional model of Track I processes and draw on a much wider range of mediation skills and expertise. This

approach resonates both with the spirit of the UN's own Guidance on Effective Mediation, and broader trends towards 'human security' analysis while retaining a concern with mediation as a response to international peace and security (Kleiboer, 1996, 380). One conclusion to be drawn from this is that while the role of envoy will always be a leadership role, and open to a very limited number of people, adopting a different normative or conceptual approach to what we understand mediation to mean and what it aims to achieve could open up new spaces for thinking about how best to promote women's visibility as mediators.

b. Lack of translation between local and international

The second challenge follows from the identification of a gap in understanding about what mediation actually is. The fact that mediation for DPA is a high-level activity, undertaken by a high-level, high-profile mediator with the support of a team of mediation experts means that strategies for including women have focused predominantly on ensuring that women have access to the mediator and opportunities to bring their perspectives to his attention (UN DPA Annual Report 2016). This is a logical consequence of a narrow definition of what mediation is. However the narrow definition of mediation does not mean that women are not present in these processes. Rather their contribution is not easily translated in to international terms. What is evident from the literature is that women are active as mediators across the globe (UN Women, 2015). However the language that is used to describe their contributions does not capture the mediation aspects of that work. Women are most commonly described as 'peacebuilders' and engaging in community work. This is a clear illustration in practice of the difference between Track 1 and Track III mediation. One of the points to emerge from the *Global Study* was the need to expand the dominant understanding of what mediation is to encompass this work in Track II and Track III processes and to ensure that it is also captured within the definition of mediation (UN Women 2015, 54). This need to connect local and global work was acknowledged by the Secretary General's 2017 report in which it was stated that it was 'imperative for the United Nations to connect with local initiatives' (United Nations, 2017 para 34). This follows from earlier acknowledgement that local mediators from the conflict country can usefully 'lead local mediation efforts or complement regional or international initiatives' (United Nations 2012 para 16).

Despite women's work in community mediation, it is clear that there is a certain point at which they drop out of peace processes as mediators. As conflict escalates and a Track I process is established women tend to become marginalised from the official process. Local mediators with domestic experience are replaced with international teams of *mediation experts* who advise the mediator. The efforts of local women are not considered to be 'political' enough to earn them a role in the Track I process. What this means is that it is assumed that women are not concerned with technical matters such as ceasefires, with the consequence that their inclusion is deferred until such matters have been agreed by the warring parties (Barsa et al, 2017; UN Women,

2015 54). The advantages that women are perceived to bring to mediation – those of inclusivity, empathy and finding common ground – become a double edged sword. While emphasising the different perspectives that women bring to peace processes is a crucial strand of advocacy for inclusion, if women are seen to emphasise 'softer' goals of peacebuilding then they are less likely to be viewed as interested in or capable of engaging in the 'hard' political business of brokering a deal with belligerent parties. The drop off point for women as mediators therefore occurs when mediation mandates are being negotiated and the mediator and his support team are being identified. There is only a very narrow window of opportunity to place women within the mediation team (Policy Specialist, Peace and Security Section, UN Women, New York, March 2015). If this opportunity is missed then women are likely to be absent within the mediation teams. The experience of local women mediators gets overlooked in the appointments process. When women return to the process they are no longer the mediators – no longer the agents of change- but rather they are the subjects of the process. They are a represented as a vulnerable group whose participation and access to the mediator has to be negotiated (UN Women, 2012b, 4). Their contribution to mediation initiatives is not being effectively translated from Track II and Track III 'peacebuilding' into the hard business of Track 1 'peacemaking' at the international level. To counter this marginalisation it is important that more women, and women with local mediation knowledge, are brought in in the *mediation advisor* roles from the outset, helping to shape the process design and not simply being consulted by mediation teams. This leads to a third challenge for increasing the visibility of women mediator, that of the reasons *why* women should be represented both as high-level envoys and as members of mediation teams.

c. The tension between advocacy and mediation

Since the emergence of the WPS agenda there has been a particular focus on the need to increase women's participation in mediation. However this has largely been interpreted as requiring the increased participation of women as participants in mediated peace talks (United Nations 2010b). There has been significant research conducted into the reasons why women should be included, detailed discussion of which is beyond the scope of this article. Suffice to note, however, that a clear link has been drawn in research between the inclusion of women in mediation and the protection of women's rights and interests in peace agreements. However this focuses primarily on the role of women as members of negotiating teams, or as members of consultative fora that can advise mediators during peace talks (Paffenholz et al 2015). Often these are high profile women who emerge in to positions of leadership through their activism on behalf of women. They are the women most likely successfully to make the transition from grass roots activism to participation in official processes. They are also the pool of leaders from which the UN's 'leader mediators' (Potter, 2005) are drawn (Chang et al. 2016). Less attention has been paid to the role of women who engage in mediation but do not do so on a specific platform of women's issues. These women are what Potter terms 'mediator-mediators', those whose skills

derive from their experience of mediation in practice rather than from a position of influence or authority (2005). Indeed their success often rests on the very fact of their invisibility, and this poses a particular challenge for studying the role of women as mediators.

The UN Guidance for effective mediation emphasises the importance of confidentiality as an aspect of ensuring consent in mediation. For those operationally involved in a mediation process discretion is key. In contrast to thematic mediation experts, the role of the mediator-mediator is process focused. Their role is not normative, but to work pragmatically with the parties to design and deliver an effective mediation that results in a sustainable agreement (Astor, 2007). Mediation is an art. The mediator-mediator may not have any particular thematic expertise yet they also contribute to the peace building process through their skills as impartial intermediaries. Importantly their authority in this process does not derive from norms, but from practice. In short, mediation is not the same as advocacy, and the women who are most skilled mediators may not be the same women who are the most skilled or effective advocates. It is therefore important that the different roles that women can play within mediation should not be conflated. In particular attention should be paid to those women mediators who are not openly associated with gender activism.

The challenges of getting warring parties to accept women's participation are well documented, and demonstrate clearly the tension between norm focused and process focused approaches. The role of the (norm focused) gender advisor or negotiator is to ensure on the proper recognition of women and to ensure that their rights are not simply negotiated away, even where this conflicts with the positions of the parties. The advisor or negotiator is therefore an active participant in the mediation, advancing positions and ensuring that women's rights are guaranteed. On the other hand, for a (process focused) mediator cultivating the trust and the confidence of the parties is key. A strongly activist approach to women's participation can undermine the consensual nature of the process. The role of the mediator is to act as an impartial intermediary who seeks to bring the parties to the table. There is therefore a fundamental tension at the heart of increasing women's participation in mediation. On the one hand, arguments in favour of increasing women's representation often proceed on the basis that representation will advance women's interests in the process. On the other hand, too great an emphasis on these normative frameworks may undermine the willingness of some parties to engage (Wäehlisch, 2016). This is a common problem related to the overarching relationship between norms and mediation, not one that is unique to gender politics (Turner, 2016; Von Burg, 2015). However the conflation of women's representation with the advancement of gender equality does raise specific problems for women mediators. Women's 'descriptive representation' –namely their physical presence- in high-level mediation teams risks being overshadowed by an emphasis on women's 'substantive representation', namely gender sensitive process design (See O'Rourke, 2014). If mediators are impartial intermediaries, and therefore not centrally concerned with substantive

gender equality, why is it important to increase the representation of women mediators?

As noted at the outset, the argument presented here is concerned simply with the number of women in high-level mediation positions. Too often women are asked to justify why they are qualified for these roles in a way that men are not. Therefore what is put forward is an argument based on representation and on diversity. From a representational perspective the visibility of women in high-level mediation roles sends a message that women can also be good mediators. This prevents parties from rejecting women as insufficiently qualified, or as having insufficient authority, for the job. It also sends a message to other women that mediation is not just a man's game but that women can also access those positions. From a diversity perspective, it is now widely accepted that diversity adds strength to professional teams. Women bring different skills, expertise and perceptions to the mediator role. This can only strengthen the insight needed to address complex conflict. Finally it could equally be argued that women's representation in high-level mediation roles is a matter of justice - that their exclusion from peace and security decision-making is 'manifestly unjust' (O'Rourke, 2014, 131). These reasons alone should be sufficient to justify demands for greater representation of women mediators. Further research is required to establish whether or not female mediators make a difference to substantive outcomes, or whether they are concerned with promoting an agenda of gender equality. But those arguments are not essential to the promotion of women mediators.

5. Women in Mediation: Time for definite action

Seventeen years after UNSCR 1325 mandated greater efforts to include women in mediation studies continue to show that women remain underrepresented in these processes. The commitment of the Secretary General to increase the number of women mediators is welcome. But realising this goal will take dedicated political will. Greater emphasis now needs to be placed on taking positive action to address the reasons why women mediators remain relatively invisible to the WPS agenda. While there is no short-term fix to the underrepresentation of women mediators at the Track 1 level, there are steps that can be taken to begin to redress the balance. Immediate action can be taken by States to include more women in their lists of nominees for envoy positions. Taking this first step addresses the relative absence of women in these positions to date, and makes a statement that women are equally qualified to play the role of mediator. However this alone will not be enough to address the political and cultural barriers that prevent women from making the transition from local to international mediation practice. To address this gap a more structural approach will need to be taken, one that addresses the different ways in which women's contributions to peacebuilding and peacemaking are assessed. The definitional gap in understanding over the definition of mediation is a central barrier to increased coherence in programming.

This gap means that there has been little success in connecting different institutional efforts at co-operation. Departments need to think strategically and collaboratively about how stronger links could be forged between the local, national and international. The lack of co-ordination between the different UN entities tasked with peacebuilding roles was highlighted in the 2015 Review of the United Nations Peacebuilding Architecture, which urged the lead departments responsible for peace to 'actively explore enhanced ways to work in partnership' (United Nations, 2015a 53). Moving away from a system whereby each body focuses on its own specific mandate towards a more collaborative approach is crucial. In the case of women as mediators, a more collaborative system would see UN Women helping the DPA to find the right experts and seek to promote those with real mediation experience at all tracks within their own countries. Including more women as mediators is not simply a case of increasing the number of women in the role of Envoy but increasing the visibility of women at all levels in international mediation teams. The existing system leans against the inclusion of women in Track I processes for a number of reasons, many of them practical (Potter, 2005). However conceptually, the definition of mediation plays a significant role. It has been suggested that while 'peace' may be brokered through official channels, that it is 'inextricably linked to and often shaped by, the role of civil society and community conflict resolution initiatives (Chang et al, 2016).' Activism on WPS often begins through grass roots mobilisation, eventually breaking through to high level and official processes. A commitment to helping women bridge this gap would be a good place to start.

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[i] Guterres, 'Secretary-General-designate António Guterres' remarks to the General Assembly on taking the oath of office' (United Nations, 12 December 2016). Available at https://www.un.org/sg/en/content/sg/speeches/2016-12-12/secretary-general-designate-ant%C3%B3nio-guterres-oath-office-speech

[ii] This is notwithstanding the fact that the UN is only one among a diverse range of bodies which are active in offering mediation and mediation support services. Mediation can also be conducted by regional or sub-regional organisations, such as the African Union, the Economic Community of West African States (ECOWAS), the Organisation for Security and Cooperation in Europe (OSCE) or the League of Arab States, by individual states perceived to be capable of acting as impartial intermediaries, such as Norway, Algeria or Switzerland, or by non-governmental organisations, such as the Carter Foundation. In some circumstances these organisations may also request UN assistance in support of their mediation efforts. See United Nations, 'Report of the Secretary General on Enhancing Mediation and its Support Activities' (2009) UN Doc. S/2009/189 paras 2-8

[iii] For example in 1998-1999 Ann Hercus was the SRSG for the Cyprus mission, UNFICYP and also became the Secretary-General's (SG) Special Advisor to the Cyprus peace process. In the case of Malawi, the SG in September 2011, following violent protests, designated the Director-General of UNON in Nairobi, Ms. Sahle-Work Zewde as a woman UN facilitator for the Malawi dialogue process, but due to political sensitivities no formal announcement could be made.

[iv] The United Nations Development Programme (UNDP) also manages a roster of experts in facilitation, dialogue and conflict analysis training and programming. A/66/811 para 35

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