

**OPEN DEBATE OF THE
SECURITY COUNCIL:
MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: MEDIATION AND
SETTLEMENT OF DISPUTES**

STATEMENT

BY

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TO THE UNITED NATIONS**

NEW YORK, 21 APRIL 2009

CHECK AGAINST DELIVERY

Mr. President,

Given the purposes of this organization, mediation should naturally play a central role in its activities. For an outside observer, it must therefore come as a surprise how little attention and limited resources have been invested in this area so far and that it is only now that we are talking about the need to professionalize these efforts. It appears that the inherent strengths of mediation are ironically a weakness for the context of intergovernmental discussions: It is essentially preventive in nature, done in sometimes very discreet ways, potentially very cost-effective and ideally carried out at a time when a conflict may not be visible. Our neglect of mediation so far is thus an expression of our continued reluctance to invest in preventive diplomacy. While we have talked about the need for such diplomacy for many years now, we yet have to make the transition in practice.

Mr. President

We must consider one central statement in the report in this context: “Early mediation in a preventive context can ... obviate the need for some peacekeeping missions” (para. 59). At a time when the costs for peacekeeping continue to skyrocket and the relevant parts of the Secretariat are clearly overstretched, we hope that this will make mediation indeed the core activity that it always should have been in the first place. The establishment of a Mediation Support Unit was an important step – made after a number of years of consultations – and is showing first positive results. We must carry this momentum forward, on the basis of the recommendations contained in the report – which we support in their entirety. We welcome the Presidential Statement to be adopted later today, as we understand. But more importantly, we hope that there will be concrete and early follow-up on the recommendations by all those whose contribution is needed: The Council, the Secretariat and the General Assembly.

Mr. President

Allow me brief remarks on three specific areas of the report:

1. We welcome the concise and thoughtful paragraphs on **peace and justice**, in particular the reaffirmation that there can be no UN-endorsed peace agreements that offer amnesties for the most serious crimes under international law. The relationship between peace and justice can be complex, and mediators can find themselves in the midst of relevant discussions. It must indeed be clear that mediators cannot negotiate justice issues if they are dealt with by independent judicial bodies such as the ICC and that the situation under international law in this respect must be clear to all parties involved. Chief among the causes that keep conflict cycles alive are spoilers of mediation efforts who benefit from war economies and often operate in a climate of impunity. Negotiated settlements of disputes are particularly prone to relapse into violence, and addressing impunity for serious crimes is an essential element to prevent such violence and thus helps consolidate achievements reached through mediations.

2. The selection process of SRSGs and Special Envoys of the Secretary General. PRST as well as the efforts to build operational support for these envoys must take into account the important role **women play in mediation** and the settlement of disputes. This has been said many times in the past, including in PRST 2008/39, among others, but the reality is of course different: Since 2000 not a single woman has been appointed as a mediator in negotiations of comprehensive peace agreements, and only one woman is currently serving as Special Representative of the Secretary General. The involvement of women is not a matter of political correctness, it is a question of making mediation efforts more effective.

3. We must address the issue of **resources**. The very sensible measures mentioned in the report such as training programs and developing capacities for operational support of mediation efforts of course cost money. But more importantly they are an investment that is likely to lead to a significant reduction of the overall costs for the organization. We wish to state our view that mediation is a core activity of the

United Nations and as such should in principle be funded from the regular budget. At the same we are aware that this will not be possible in the near future, and we will continue our support for the MSU. But we hope that this area will find particular attention in the discussions on the regular budget.

I thank you.