

Peace, War and the World in European Security Challenges



Module 4 “Regional and national security: stability and potential conflicts”

The third party in the conflict. The role of the third party and its possibilities

Voronezh State University
Prof. Irina Foret

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What is a third party: its main objectives and means of influence



Medieval Ages

- From ancient times third party was involved to resolve conflicts order to find a peaceful solution. Usually, a third party were the most respected people in the society. They judge who is right and who is wrong, and to make decisions about how, under what conditions should be peace. In medieval Europe, before they were established nation-states, the most important role as a third party in resolving conflicts played ...?

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... Pope. Acting as a judge rather than a mediator, he decided how to end a dispute. However, later, the role of the pope in the resolution of conflicts has decreased significantly. Sovereign states have sought to prevent interference in the affairs of the church.





Formation of nation-state

- National states since its formation to the present time very actively supported and acted as a third party in resolving conflicts, as conflicts, especially armed, always had the direct impact on them.



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Today

the activities of a third party can not be reduced to the role of states

a third party can be

- a group of states, united **ad hoc** to resolve a particular conflict,
- international universal and regional organizations,
- the church ,
- informal (non-governmental) institutions and organizations,
- individuals in their efforts to resolve the conflict peacefully.

Moreover, it should be noted that their role is increasing.

- It is important to emphasize that the third party tries to make a peaceful settlement, and not to help one of the participants. In the latter case, depending on the nature of a third party intervention becomes the **direct or indirect participant**.
- A third party may intervene in the conflict itself, and can - at the request of the conflicting parties.



Among the means there are:

- 1. persuasion and assistance in finding a peaceful solution - are the main means of influencing a third party using the negotiation approach
- 2. coercion to stop or limit a conflict



persuasion and assistance in finding a peaceful solution

when people talk about the orientation of a third party in the negotiation approach, that usually distinguish the following concepts:

- "mediation",
- "providing good offices ",
- "observation of negotiations."
- under **mediation**, generally regarded as the involvement of a third party in order to optimize the process of finding a mutually acceptable solution.
- **providing good offices** - closest to the mediation concept.



three main criteria of possible division of these concepts:

- • consent of one or both parties to the conflict;
- • the practical application;
- • the goals and objectives.



- implementation of **mediation** requires the consent of all parties of the conflict.
- "**good offices**" - the consent of only one party to the conflict is usually sufficient. Here the third party is acting on his behalf when dealing with the opposite side.

mediation \ good offices

- coincide on its ultimate goal - to promote a peaceful settlement of the conflict,
- differ in the immediate term - on what and how things are done in this direction.

mediation \ good offices

how active role the third party play in the conflict

- **“good offices”** - provide the conflicting parties with the conditions for peaceful conflict resolution (to provide its territory for meetings between the conflicting parties, delivering messages from one participant to another)
- **mediation** - not only to organize talks, but also to participate in them, helping to find mutually acceptable solutions.

In practice

- mediation is more common, but
- in some cases the conflicting parties prefer the "good offices" –it implies less intervention, for example, in a dispute with Sweden in 1742, Russia agreed only to "good offices" of France.
- parties of the conflict may reject the proposed mediation. For example, the settlement of the border conflict between Morocco and Algeria in 1963, mediation offered many African countries, as well as the Arab League, but talks between the two countries took place only after mutual agreement to mediate Mali and Ethiopia

observing the negotiations

- Observer of the negotiations is even less involved in the settlement process
- However, the mere presence of an observer in the negotiations creates conditions for the reduction of tensions between the parties, as its presence inhibits parties from showing hostility towards each other, or from the violation of previous agreements, which contributes to a more efficient search for a negotiated solution

- In general, the differences between the concepts of "mediation", "providing" good offices ", " exercise "to follow the negotiations" pretty conventional.
- Sometimes for one reason or another third party or parties to the conflict agree to provide "good offices" in resolving the conflict or by a third party to monitor the progress of the negotiations, but in fact it is on full mediation.

For example

- conflict between India and Pakistan over Kashmir, the Soviet Union has identified the activity as "providing good offices "
- In fact, it was a full mediation. The Soviet Union used then different mediation interventions in order to reduce the differences in positions and find a mutually acceptable solution.
- Cyprus problem. UN Secretary-General was playing a very active role, although its activity is also called the "good offices."
- the activity of the USSR and the United States to resolve the Namibian problem in the late 80's, it was about granting independence to Namibia. Formally, the two countries were just as observers, but actually performs mediation.

arbitration

From the concepts of "mediation", "providing" good offices "", "observation of the negotiating process" should distinguish the term "arbitration"

- 1) binding legal effect of its decisions to the parties
- 2) the choice of an arbitrator or arbitrators by the disputing parties

The parties themselves determine to whom they apply. However, the decision is binding - it is the condition for arbitration.



Спасибо за внимание😊
Thank you!!!

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