

Integrative Mediation: A "Bottom-Up Approach" to Peacebuilding

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Abstract

This paper presents the method of "integrative mediation", a multidiscipline methodology for mediation at the local level among communities in post-crisis areas. It originates out of the work of Dr. Christian Schwarz-Schilling, the International Mediator in Bosnia and Herzegovina (1995–2004) and focuses on several mediation processes in South Eastern Europe between January 2005 and May 2008 developed by the CSSProject for Integrative Mediation, a registered non-profit organization based in Berlin, Germany. The paper provides an overview of the methodology, the outcomes of the project in Kosovo and the Former Yugoslav Republic of Macedonia (hereafter called Macedonia) where it was applied, and the lessons learned. The first section discusses existing literature on mediation and the lack of focus on inter-community mediation as its own field of study. It argues that inter-community mediation is not the same as intercultural mediation in established democracies where there are legal norms and accepted institutions. It requires its own field of study and practice-oriented literature. The second section presents the parameters of the project as they were conceptualized. The third section presents integrative mediation and its five elements (inter-community mediation, consultation, interactive professional training, research and analysis, and advocacy) as a holistic approach to conflict resolution at the local level. It argues that to be effective, mediation in inter-community conflicts must have a multi-discipline approach drawing on existing theory but tailor made to each conflict situation. Mediators in post-crisis areas must consider challenges to neutrality, their functions in the mediation process, the impact of emotions and perceptions, and the distrust and obstruction cycle. Furthermore, the paper presents the proactive and advocacy functions of mediators. The fourth section presents the results of integrative mediation in Kosovo and Macedonia and the lessons learned. The paper concludes that conflict resolution in post-crisis areas involves not only top-down processes but also bottom-up approaches such as integrative mediation.

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Introduction

As the former Yugoslavia collapsed in the early 1990s and the horror of the Balkan wars began to unravel, new policies of nationalism, ethnic cleansing and war emerged, consuming the attention of the international community for the last 18 years. Local communities were torn apart for political gains and new boundaries and relationships were created. In many places populations shifted and in some places the minority population became the majority. In other places majority leaders expelled minority communities to create mono-ethnic municipalities. Still today the international community is dealing with the aftermath of the break-up, and the future of the region remains tentative and insecure. The very existence of Bosnia and Herzegovina as a state is still questioned; Serbia and Kosovo are in

an intractable stalemate and may prove to be yet a major source of long-term instability; and the Albanians in southern Serbia continue to hold out the prospects of annexation with Kosovo if the question of borders is revisited. Additionally, the peace process in Macedonia is stalled and inter-community conflict continues to be the main source of domestic conflict. Ethnic conflict and political stalemate continue to be a part of daily life in most of the ethnically mixed municipalities in the former Yugoslavia.

Conflict resolution efforts in South Eastern Europe have been international and state driven, e.g. the Contact Group (Kosovo), the EU (Montenegro and Macedonia), NATO (Bosnia, Kosovo, and Macedonia), and the OSCE (all western Balkan states). In support of peace processes, international donors (e.g. the World Bank, USAID, the European Commission, etc.) have funded a plethora of projects to assist in the rebuilding of the region, mostly in the areas of housing, infrastructure, and economic development. Funding for reconciliation projects, mediation, dialogue, facilitation and other such methodologies has to some extent been limited relative to the amount spent on military, security, international bureaucracy and reconstruction. One example of long-term mediation work supported by the international community was the Office of the International Mediator in Bosnia and Herzegovina (1995–2004), Dr. Christian Schwarz-Schilling, financed by the German Foreign Ministry through funds for the Stability Pact for South Eastern Europe.

Schwarz-Schilling worked mainly at the local level using basic principles of mediation to address some of the most pressing local problems arising from the implementation of the Dayton Peace Accord. Over a period of 10 years he mediated in over 50 municipalities in Bosnia and Herzegovina, and he reached over 150 agreements in the areas of democratization, return of IDPs and human rights. His method was called the "bottom-up approach", based on the notion that only by creating a complementary peace process at the local level would peace be strengthened in Bosnia and Herzegovina. At the end of this mandate, a three-year lessons-learned project was established focusing on other areas of the former Yugoslavia. The project evolved into the CSSProject for Integrative Mediation (CSSP), a non-profit organization, in 2006. Integrative mediation is a combination of various methods and theories of addressing intra-state inter-community conflicts. This paper presents integrative mediation and insights gained from the project between January 2005 and May 2008.

The first section of the paper discusses existing literature on mediation and its deficiencies. It argues that inter-community mediation is not the same as intercultural mediation in established democracies where there are legal norms and accepted institutions. The second section presents the background and parameters of the project. The third section presents integrative mediation and its five elements (inter-community mediation, consultation, interactive professional training, research and analysis, and advocacy) as a holistic approach to conflict resolution at the local level. It argues that to be effective, mediation in ethnic conflicts must have a multi-discipline approach drawing on existing theory but tailor made to each conflict situation. Mediators in post-crisis areas must consider challenges to neutrality, their functions in the mediation process, the focus of emotions and perceptions, and the distrust and obstruction cycle. Furthermore, the paper presents the proactive and advocacy functions of mediators. The fourth section presents the results of integrative mediation in Kosovo and Macedonia and the lessons learned. The paper concludes that inter-community mediation is a field of its own that requires more research and that conflict resolution in post-crisis areas involves not only top-down processes but also bottom-up approaches such as integrative mediation.

Section 1: Mediation Literature

There is general agreement that mediation is a process in which conflict parties use the assistance of a third party to regulate or resolve their conflicts. Central to mediation are notions of neutrality/impartiality, the role of the mediator, process design, power, credibility and options generation based on the win-win concept. Available literature can be subdivided into four categories: (1) mediation in the domestic arena, (2) non-violent international mediation, (3) international mediation by states and institutions in violent conflicts, and (4) mediation efforts by NGOs. In the domestic arena much of the literature has focused on professional standards, process facilitation, and mediators' skills. In this field, mediation is done by recognized/certified professionals with some form of legal

framework. The profession has developed over the last 40 years with different approaches and rules. Non-violent international mediation has mostly focused on international business, multilateral processes and international disputes between states. In this field mediation has focused mostly on top-down approaches at state level with insights into the use of power, the role of the mediators, structural issues, and incentives for mediation.

The rest of the mediation literature focuses on international conflicts and the role of states or NGOs in assisting in international peace processes. However, since the end of the Cold War the greatest threats to international peace and security have been: 1) failed states, 2) the rise of intra-state ethnic or religious-based wars, and 3) terrorism. Governments and NGOs have focused their efforts in various approaches such as formal mediation processes, facilitation, marathon mediation sessions, conferences and international problem-solving workshops.

Specifically lacking in the literature is a focus on mediation in post-crisis areas among local ethnic communities. Inter-community conflict is here understood as a conflict arising from perceived or real differences in power, social, economic or political structures based on ethnic or cultural (language, religion, race, color) background in which a group feels disadvantaged and wishes redress and is willing to consider using violence against perceived other ethnic groups to achieve its goals. Existing literature does not address adequately the issues of (1) inter-community mediation in "post-crisis" areas, (2) impartiality/neutrality, (3) process sustainability, and (4) systemic connection to the wider peace processes.

In many western democracies intercultural mediation has become established as a school of study (communication, negotiation and mediation in an intercultural setting). However, this paper begins from the premise that inter-community conflicts in intra-state conflicts are distinct from intercultural conflicts within established functioning democracies. In intra-state conflicts, groups within the state resort to violence over scarce resources, power and control of territory. As a result human security conditions are precarious at best. There is a breakdown in the "rule of law", rejection of governance and security structures, and traditional decision-making mechanisms are dysfunctional. Given the violence, there is mistrust in state-sponsored conflict resolution mechanisms. There are few specialized capacities and local community mediators. The level of mistrust is high and on a mass scale. Groups working with communities must deal with the mass pain of ethnic cleansing, torture, prolonged exposure to war conditions, and the feelings of community-based hatred. In established democracies, while there may be tensions in communities, there are still norms, institutions and structures of governance that seek to ensure local inter-community conflicts are contained. In intra-state inter-community conflicts violence is used to exclude other groups from the division of resources and power; whereas in intercultural conflicts within established democracies violence results out of the desire to be included.

In established democracies there are several tools and methodologies available to mediators, such as community mediation, inter-cultural mediation, and inter-cultural dialogue. Most methodologies focus on understanding cultural differences and perceptions. In recent years these methods have been used as starting points for more intractable conflicts. There are many overlaps and synergies which can be explored; however, given the different starting points, they need separate consideration. This paper contributes to the existing literature on mediation by providing a practice-oriented approach to intra-state inter-community conflict resolution in post-crisis areas, such as Kosovo and Macedonia. Inter-community mediation is here understood as a process in which an accepted third party (person, state, organization, NGO) external to the conflict assists representatives/parties involved in an inter-community conflict with the potential to escalate violently to develop a transformative process leading to long-term peaceful coexistence.

Section 2: Project Background

In January 2005, the German Foreign Ministry granted the CSSProject for Integrative Mediation (CSSP) a three-year lessons-learned project. The organization was to draw lessons from the work in Bosnia and Herzegovina, which could be useful for other parts of the Western Balkans, e.g. Kosovo and Macedonia. The bottom-up approach, often called the Bosnia model, developed by Schwarz-Schilling, could not be exactly reproduced because it was based on the eminent mediator / elder statesperson model which is unique to place and person. However, drawing

on that model, CSSP used the reputation of Schwarz-Schilling in Bosnia and Herzegovina to establish an entry point into the other areas. The project was well accepted by international representatives and government leaders in Pristina, Belgrade and Skopje and by all local stakeholders.

After an initial assessment period of six months, in which the mediation team met with local leaders of many municipalities, it was agreed to develop integrative mediation processes in four municipalities: Rahovec / Orahovac (Kosovo), Ferizaj / Uroševac (Kosovo), Strpce / Shtërpçë (Kosovo), and Struga (Macedonia). Over a period of three years, CSSP developed integrative mediation funded by the German Foreign Ministry and the Austrian Development Agency and supported by two local NGOs (Forum and Partners Kosova). In addition the team had a core translation team and local coordinators in Kosovo and Macedonia which attended all activities.

The populations of the four municipalities range in size between 16,000 in Strpce / Shtërpçë and 150,000 in Ferizaj / Uroševac. All four have varying inter-community problems involving identity, language, political power, economic development and, specifically in Kosovo, "freedom of movement". The four municipalities met the initial three criteria: a) a functioning local government, b) more than one community and c) goodwill to engage in mediation. The following is a short summary of the municipalities. Maps of Kosovo and Macedonia are provided for orientation in the appendix.

Integrative Mediation in Rahovec / Orahovac

Rahovec / Orahovac is predominantly Kosovo Albanian with two small Kosovo Serb enclaves (Upper Rahovec / Upper Orahovac and Velika Ho■a / Hoçë e Madhe). In 2005 Kosovo Serb and Kosovo Albanian political leaders in the municipality had little contact with each other. Kosovo Serbs employed by the municipality did not attend work due to a perceived lack of freedom of movement as they feared being attacked. Therefore, the municipal government operated de facto with little or no Kosovo Serb input. Initial mediation efforts took the form of shuttle consultations as there was little understanding on either side. However, a common dialect, the proximity of the two groups, a tradition of tolerance and the fact that some elected Kosovo Serb leaders were willing to engage in the process made this municipality ideal for integrative mediation. The process focused on the integration of Kosovo Serbs into municipal structures, relationship-building and trust-building between the communities.

Integrative Mediation between Ferizaj / Uroševac and Strpce / Shtërpçë

These two municipalities are approximately 30 km apart. Ferizaj / Uroševac lies in the south of Kosovo close to the Macedonian border and during the war all Kosovo Serbs fled to Serbia proper or to the municipality of Strpce / Shtërpçë. Kosovo Serbs live in a collective center in Strpce / Shtërpçë as internally displaced persons (IDPs) and demand their right to return. The municipality is a predominantly Kosovo Serb town at the foot of the only ski resort in Kosovo, used mainly by Kosovo Albanians. While circa 40% of the population is Kosovo Albanian, Strpce / Shtërpçë is considered an enclave. Serbian is the lingua franca and Serbian dinars are widely used alongside the Euro. All efforts are made to keep ties to Mitrovicë / Mitrovica, the Serbian-majority capital in the north of Kosovo, and to Serbia proper. Even the mobile telephone system is Serbian. There are conflicting reports as to whether the electricity is provided by Serbia or Kosovo. However, officially the municipality has been reduced to a so-called category C for non-payment of electricity. This is a major issue for Kosovo Serbs who do not want to recognize the Kosovo Electric Company and would prefer electricity from Serbia. As a category C municipality they are entitled only to leftover electricity on humanitarian grounds after categories A and B have been served. This usually means getting one hour of electric supply for every five hours without. The municipality operates with parallel governing structures: the official Kosovo institutions and the unofficial Serbian institutions. Kosovo Serbs often work in both and until 2006 received two salaries for the same job, a point of contention with their Kosovo Albanian counterparts.

Ferizaj / Uroševac is a larger, more urban town and financially more secure. During the 1999 conflict, Kosovo Albanians in Strpce / Shtërpçë fled to Ferizaj / Uroševac but have started to return. Despite having one Kosovo Serb member in the Municipal Assembly until November 2007, Serbian culture is not visible in the municipality, with the exception of the abandoned Orthodox Church in the city center. It is said that less than a handful of Kosovo Serbs

live in the city center and usually only part-time. There are three return villages where small groups of returnees seek out an existence dependent on international and local assistance. However, most returnees do not seek political integration. The majority of the Kosovo Serb IDPs living in Strpce / Shtërpçë are from the town center of Ferizaj / Uroševac. In general urban return is more difficult than return to the rural villages. CSSP agreed to work with these two municipalities as a result of a request by the IDPs. The mediation process focused on inter-municipal returns and the integration of IDP representatives in the Ferizaj / Uroševac municipal return structures, confidence-building, and relationship-building.

Integrative Mediation in Struga

Struga lies in the south western corner of Macedonia on Lake Ohrid, bordering Albania. In 2001 the European Union and the United States mediated the Ohrid Agreement which established peace by granting specific rights to an ethnic community that constituted more than 20% of the local population. This municipality was until 2001 a small ethnic Macedonian majority town with ethnic Albanian surrounding villages. However, as a result of the peace process, the town was fused with five other municipalities to create an ethnic Albanian majority municipality.

The Ohrid peace process included a mechanism for deciding ethnic-related issues. It was agreed that these issues must be approved based on the "Badinter principle" which requires a double majority, i.e. the majority and the majority of the minority communities. This double majority system was later applied at the municipal level. Inter-community problems are generally confined to the political arena regarding issues of language, cultural identity, and education. As a result this mechanism gives a veto right to the minority. In the last three years the municipality has experienced boycotts by ethnic Macedonian parties blocking progress on inter-community issues. There have been tensions in Struga over Albanian attempts to adopt Albanian as an official language, to create Albanian street names, and to adapt the municipal symbols to include aspects of Albanian culture. The mediation process focused on improving municipal assembly coordination, clarifying issues, confidence-building, and problem-solving.

Section 3: Integrative Mediation

The results of the Schwarz-Schilling Bosnia model can be summarized into three main lessons. First, lasting peace is implemented at the local level because it is the citizens who have to live with each other and they listen to local politicians. Therefore a "bottom-up" approach is essential to complement the top-down process. Secondly, conflict resolution works more efficiently and has a better probability of success if it is embedded into a network of support and complementary activities to ensure sustainability. Credit for success does not belong to one person (e.g. a mediator or facilitator) or institution but to the elected leaders who have to make difficult decisions and implement policies that often seem unfair to average citizens. Thirdly, mediation alone is not enough. If local leaders do not learn to solve their problems without the assistance of a mediator, the cycle of conflict cannot be broken and the potential for conflict re-emergence remains.

Integrative mediation is a merger of power mediation, problem-solving mediation and humanist mediation. It starts from the premise that responsibility for implementing peace processes remains in the hands of local leaders and promotes mediation as a credible alternative to internationally imposed solutions. Integration and mediation are combined in a variety of elements to create a process in which relationships are (re-)established, professional communication improves, and parties begin to cooperate. The process brings stakeholders together in various formats addressing problems in their communities, seeking to build a coalition for peaceful progress and exploring possibilities. The role of the mediator is to provide an outsider professional perspective, structure dialogue, support local initiatives, and focus on the needs of the local conflict parties. In doing so, self-initiative, creative thinking, and problem-solving are strengthened.

The most common method of achieving peace has been, and continues to be, agreements reached at international levels that are accepted by national/central level politicians and implemented through legislation that filters down to the local level. Integrative mediation takes top-down policies and addresses their deficiencies at the local level by

highlighting problems and offering equally valid options and alternatives that meet the interests of all local stakeholders. Such an approach is based on the understanding that while peace is made at a macro-level, it is successful implementation at the micro/local level which will determine lasting peace. Elected leaders, appointed representatives, and representatives of the minorities (asymmetrical power) at the municipal level are brought together to discuss the impact and implementation of agreements. In addition, representatives at higher levels, e.g. ministerial level, are integrated into the process. By bringing the responsibility and the process closer to the local level, integrative mediation increases the probability of strengthening peace through sustainability, credibility and results.

Integrative mediation is based on five elements: (1) Inter-community Mediation, (2) Consultation, (3) Interactive Professional Training, (4) Research and Analysis, and (5) Advocacy. The elements provide a variety of conflict resolution services, forming a "one-stop-shop" for the local ethnic communities. Each element addresses different needs and problems. The methodology does not assume that conflict resolution is necessarily achieved by bringing people together in income-generating projects. Instead it assumes that conflict resolution may be achieved by addressing problems and developing creative options to solve the obstacles to developing their ideas for joint projects. Once conflict parties see that there are benefits to gain (professionally, personally and socially) from mediation, they engage in the process and use it to identify issues, clarify problems, raise concerns, and negotiate mutually acceptable solutions. At the center of the mediation are communication, debate and step-by-step problem-solving determined by the conflict parties, thereby reducing international intervention in daily decision-making. Processes are tailor-made to serve the needs of the local communities and the elements are combined depending on those needs.

Inter-community Mediation

Inter-community mediation is the central element of integrative mediation. It brings people together to discuss, brainstorm, and negotiate with each other to resolve problems at the community/municipal level. It is a process by which all stakeholders from the various ethnic communities at the local level are brought together with the assistance of an external third party to work on unresolved municipal conflicts. It is very similar to community mediation, but the mediators are international and external to the communities. The other four elements of the integrative mediation process are linked to inter-community mediation. The process includes various phases such as introduction and information collection, assessment, mediation, implementation, follow-up, and closure.

Inter-community mediation is inclusive by nature as problems affect the entire community and everyone feels the need to be heard. The process is open to anyone wishing to attend but at its core it involves the main elected, appointed and respected community leaders. Mediators seek to ensure that the interests of unrepresented parties are considered. In addition, the resolution of many issues is usually dependent on the participation of representatives of higher levels of government. The goal of the mediators is to build a winning coalition that supports peace and wants to make progress on the issues.

Inter-community mediation assumes that each ethnic group has its own collective perceptions and experiences with other groups that coexist with them. It is the gap in perceptions and understanding among these groups that underpins the conflict. As the gap widens there is a relative increase in the conflict over resources and power.

Therefore, integrative mediation works at three levels, here called 1) People, 2) Problem and 3) Process. Each level works on different aspects of the conflict. At the people level, mediators seek to improve relationships and trust among conflict parties. At the problem level, mediators work with conflict parties on problem-solving through mediation and direct negotiations. At the process level, mediators assist in developing a future-oriented process with various components and expertise and seek to build the capacities of the conflict parties at the individual and community level to deal with conflicts. Usually stalemates result because the three levels do not interact with each other. The mediators work within and across the three levels and usually work in teams of two or three.

Inter-community mediation focuses on what can be achieved at that level in that moment and through the identification of the appropriate levels of responsibility. Identifying "responsibility" in conflict areas is difficult

because the system of "rule of law" and justice is dysfunctional and there are plenty of opportunities for corruption and "blame shifting". Everyone complains about the situation, but responsibility for solving the problem is more difficult. It is often passed to other levels of governance or institutions in a form of avoidance and resignation. In mediation it is difficult to establish which level of government is responsible and who specifically is responsible, even when legal experts and international representatives are present in the sessions. Through inter-community mediation, concrete commitments by specific persons who have the authority to make those commitments are identified. Consequently, by focusing on inclusiveness, responsibility and results, inter-community mediation builds stakeholder buy-in and increases the chances of success.

Omni-partiality

Inter-community mediation departs from the traditional understanding of mediation in which mediators are neutral. In general the concept of neutrality has been defined differently to include no affiliation with each side, no interest in the conflict and no interference. The concept is further complicated by references to impartiality which implies equidistance and having no preferences. In a situation in which all law and order has broken down, war crimes were committed, and people were used as instruments of war, the concept of neutrality becomes difficult to defend. First, mediators are not strictly neutral because they are committed to peace, and respect internationally accepted standards of democracy, human rights, and governance. In addition, mediators bring with them their culture, thoughts and history which have an impact on the process. Moreover, conflict parties expect mediators will address the ethnic tensions, asymmetries, and unfair treatment that exist; otherwise, mediators are not added value. It is important for mediators to ensure they are not imposing their view on the conflict stakeholders. When conflict parties refer to neutrality what they usually want is fairness (both in the process and in outcomes).

Despite the difficulties in defending neutrality, this paper does not argue that a mediator should show preference to any one side. Instead, inter-community mediation proposes that a mediator must be omni-partial and be able to understand the reality of all sides and work within those realities without taking a specific side. Mediators strive for fairness in which all sides can agree. The ambiguity is well noted but reflects the reality on the ground. Experience shows that as long as mediators are transparent and have built trust with the conflict parties, the concept of fairness is more important than neutrality.

Pro-active Mediator

In inter-community mediation, mediators (usually a mediation team) are pro-active in the process and especially in the search for joint solutions, offering ideas and assisting in the process (see box for mediator functions).

MEDIATOR'S HAT

- Problem-solver (brainstorming on issues)
- Advocate (for good ideas)
- Communicator (bridge among parties)
- Educator (potential consequences and the wider peace process)
- Provider (new resources, expertise, and ideas)
- Networker (identify potential supporters of the process)
- Clarifier (misperceptions and misunderstanding)
- Representative (the unheard voices in the community, e.g. women, disabled, elderly)

Local parties expect the mediators to play such a role, especially in the early stages. For example, mediators work to ensure transparency, gender balance (where possible), support for democratic principles and structures, and respect for human rights. As the process moves forward, and with accompanying training, this proactive role recedes to allow local parties to use their problem-solving skills. The local leaders themselves have substantial input on how much intervention is desired/needed and how often mediation follow-up takes place.

In conflict areas where war and destruction have taken place, local leaders are overwhelmed with the task of rebuilding their local communities. In addition, local leaders must deal with a series of reforms, development, and

financial constraints in addition to the overall inter-community or inter-group divide. Therefore, they have neither the time nor the experience to reflect on how to work on the most difficult ethnic-related issues. If they trust the mediator, there is much space for him/her to assist them in designing a process that is useful. In addition, conflict parties need more than just a process manager. The ravages of war exhaust the capacity of people to be creative problem-solvers and most of the time conflict parties cannot think beyond the most obvious solutions which are usually based on a win-lose mentality. Any idea that is proposed by one side will be immediately rejected by the other side. They expect the mediator to add value to the process in terms of new ideas and perspectives; to help evaluate proposals; and to advocate for good ideas. This active role includes advocating at various levels of government and the international community.

Process of Confidence-building

A specific feature of this form of inter-community mediation is its focus on mediation as a process that is more than short-term but less than permanent, which builds confidence with the mediation team and among the parties. In many cases the totality of the process is more important than one mediation session. Given the breakdown in law and order, the lack of trust and the existential insecurity of daily life, signing a mediation agreement does not have the same weight as in developed democratic states. Conflict parties do not trust in their implementation, doubt the mediators will return or believe someone else will impose something different. Therefore, the process builds its credibility by keeping deadlines, recurring behavior, consistency and reliability. Within trust-building there are two levels: trust between the parties and the mediator, and trust-building among the parties.

Confidence-building measures (CBMs) have been a permanent tool in peace work for many years and have become part of the tools available to international organizations. They are meant to reduce fear of the other side through routine, transparent verification mechanisms. CBMs and the literature regarding them have been confined mainly to the military sector and the state level. Literature surveys of their impact and scope are not yet extensive. The Conference on Security and Cooperation in Europe, today the Organization for Security and Cooperation in Europe (OSCE), is the most famous example. However, CBMs have become commonplace in the NGO sector and in international organizations working in intra-state conflicts. In the last couple of decades there was the belief that if people were brought together they would, through association, get to know each other and that relationships would grow. To some extent this is true but it has not proven to translate into substantial gains in civil society other than people having a better feeling. The experiences of the project demonstrate that CBMs have a higher probability of success if 1) they are jointly developed and 2) jointly executed; 3) if they produce joint benefits; and 4) if the conflict parties jointly sustain the results. The key is that all four components need to be present to be effective.

Consultation

Consultation is used at all levels of governance to seek information, integrate other levels into the process and inform other stakeholders not in the immediate local community of progress made or obstacles to cooperation. For example, if a particular political party is boycotting or obstructing mediation, the team visits the leaders of the political party to seek support for the mediation process. In other cases, ministers were approached to support certain projects or mediation efforts at the local level. In some cases, the mediation team traveled to neighboring countries to meet with possible supporters or spoilers about the mediation and to consult them on their perspectives. For example, in the case of Kosovo, mediators traveled several times to Belgrade to meet with Serbian leaders on the issue of return and integration.

At the personal level, individuals representing their communities also need individual personal advice/coaching to build their personal skills. Often in a conflict cycle the parties communicate past each other. They hear what their counterparts are saying but they do not listen. Other times, local leaders are frustrated with the lack of progress and conflict can quickly escalate. The result of such escalations is usually some new idea, policy or demand that the frustrated side seems to think meets its interest. However, in calmer moments and with a degree of thoughtfulness, one realizes that the demands are probably, given the local reality, unreasonable. The problem is that once these demands are made, the process has begun to escalate.

Before the situation reaches a crisis point, conflict parties could benefit from consultation on their interests and needs to ensure that they will achieve their goals. Through consultation, mediators can provide these services to the main stakeholders and to each ethnic community. International organizations are not able to perform these services because they have their own institutional interests and agenda. What seems like a good idea to a conflict party might, for other reasons, be unacceptable for international or state actors. For example, it is often the case that an international organization funds a project for confidence-building purposes and implementation of the project gets caught up in the inter-community struggle, causing a conflict spiral effect and increasing distrust instead of decreasing it. In most of these cases the international organization will seek to find a win-win situation but in the end will protect its own interest of ensuring successful mission implementation.

Consultation is a one-on-one service to all conflict parties and stakeholders. It can take the form of a bilateral confidential meeting, assessments of difficult issues or preparation for mediation. Ideas are exchanged, improved, thought through, and developed to ensure successful solutions. It is based on three assumptions. First, conflict parties have a right to trust that the mediation team will keep information confidential. Mediators must provide a safe environment so that honest opinions and ideas can be exchanged. Second, consultation is non-judgmental and focuses on the specific party's perceptions and needs. However, mediators are not neutral as they must ensure respect for internationally accepted standards of democracy, rule of law and human rights. In cases where the mediator's code of ethics is challenged, the issues must be addressed with the conflict parties in ways that serve the overall purpose of conflict resolution. Third, consulting is done in a transparent manner. Mediators inform all sides of scheduled meetings and general topics discussed. Moreover, if a topic is raised in consultation it is sensitively raised with all sides without breaking confidentiality.

Interactive Professional Training

Capacity-building is the counter-balance to mediation. War and ethnic segregation harden the willingness of conflict parties and communities to overcome ethnic divides. It is difficult to dialogue with the other side due to different realities. Parties may not be ready for negotiations, especially as they often do not believe in the value of negotiations. Although the parties are usually aware of their problems and possible joint gains, emotions and community unity stand in the way of serious negotiations. In most cases they continue to perceive the conflict through an ethnic prism and exclusively as a win-lose situation. A lack of problem-solving negotiation skills often prevents improved relations. Interactive Professional Trainings (IPT) bring the sides together in a non-threatening environment to discuss these issues and what they mean to inter-community relations.

The general methodology underpinning the workshops is based on the interactive problem-solving workshops developed by Herbert Kelman. However, some adaptations have been made to meet local needs and realities, especially as they involve elected local leaders. The interactive component involves using existing local problems instead of case studies and role plays. Workshops become a mediation process themselves through a less formal format which allows for brainstorming and options development. While no formal agreement is reached in the workshops, trainers/mediators seek to bring the parties as far as possible with the identification of next steps and follow-up measures. The IPTs are followed up by mediation sessions / joint meetings to incorporate the results of the training. Issues tend to be similar across local communities, including property rights, proportional representation, return of IDPs, project funds, infrastructure, decision-making, education, security, and economic development. Following the people, problem, process model, trainers/mediators help to build the conflict management, resolution and transformation skills of the conflict parties.

All training content is based on "integrative negotiation" skills which is a mixture of Harvard interest-based negotiation skills, organizational professional behavior, and relationship-building. They are based on three principles. First, problem-solving training is conducted with the participation of the community leaders. It is important to ensure that the leaders of different communities or groups influence the participation, content and results of the training program. Second, trainings are more successful when there is an ethnic and gender balance among participants and when other groups are included, such as representatives of the disabled community, NGOs, etc. Third, to be successful, trainings must include a combination of technical skills, dealing with emotions, and the

use of existing problems from the community.

It has become common practice for international representatives to expect local leaders to put their emotions aside and to focus on the problems. However, this is counterintuitive and not productive. Stakeholders are full of emotions which are part of the distrust and obstruction spiral which entraps political and civil leaders within an inter-community conflict.

The cycle repeats itself through every issue at the municipal level. The ethnic communities find it difficult to overcome it. As a result they attend official meetings with international representatives and often refrain from getting involved for fear of escalating the disagreement. The IPTs help participants to understand both the spiral and the theoretical and practical approaches (a way out) in an effort to create subjective ripeness for negotiations.

Research & Analysis

Stakeholders and conflict parties need feedback on the effects of their policies on local conflict resolution processes. Many policies often originate far from the place where the conflict is happening (e.g. Brussels or New York). In addition, state, regional and international policies are a result of political and bureaucratic / organizational negotiations where wider interests are considered. In conflict areas, the local level is often overlooked by policy makers. Because integrative mediation works "on the spot" with local leaders, the mediation team is better able to identify problems arising from the implementation of broader policies. If these problems are not resolved, they may lead to conflict (re-)escalation or disillusionment with the peace process. They affect the issues that divide the groups, such as local self-governance, decentralization, return, property issues, etc. Given that the mediation process is at the centre of the conflict, it is also in the position to inform the wider international community and other organizations working in the field.

The mediation team published reports on its findings based on local experiences, field visits, and observations. The reports give snapshots of current realities and problems. In this regard, integrative mediation connects research with the inter-community mediation and consultation elements. It also draws on general academic reflections and information available from other conflict regions and experiences and seeks to create bridges among them. Often conflict parties want mediators to bring in experiences and research from other conflicts that are similar. In this case the research and analysis element is used to identify networks useful to the conflict parties, similarities with other areas and problems that are beyond the scope of the local level. Discussion papers are published on a variety of issues such as conflict resolution processes, return, reintegration, anti-discrimination, local self-governance, education, etc. These papers highlight gaps in the peace process and offer ideas from the field.

Advocacy

Advocacy is based on the idea that local conflict resolution does not happen in a vacuum. Therefore all efforts must be integrated into the wider political, social, and economic environment. Very often the authority to reform dysfunctional mechanisms and policies lies at a higher level of government or in the international community. It can be the case that despite repeated complaints by local leaders, policies with negative effects continue to be implemented. With experience and research the mediation team is well placed to advocate at high levels of governance.

Throughout the process the mediation team continually meets with all stakeholders at the local, state, regional, and international level to consult them on issues important to the local level. Advocacy involves sharing information, informing others of results achieved, and motivating external actors to get involved. The goal is to generate positive influence and involvement of all stakeholders or actors who may have a direct or indirect effect on the local process. Advocacy is the tool which brings all of the elements together and integrates them into a systemic and holistic process.

Section 4: Summary and Lessons Learned

Between January 2005 and December 2007 CSSP used a combination of integrative mediation elements to assist local leaders in the four target municipalities. The results are generally positive and vary by municipality. The situation in Kosovo and the pending status negotiations have made mediation difficult at times and in some cases have hardened positions, especially in the Kosovo Serb enclaves.

Results of the Three-year Project

In summer 2006, the Serbian government demanded that all Kosovo Serbs resign from the Kosovo government's payroll, further complicating the situation. Most Kosovo Serbs are dependent on Serbia for their healthcare, education, pensions and, in most cases, employment. The Serbian government has spent the last three years obstructing progress in Kosovo in an attempt to keep Kosovo from becoming independent. Mediators generally had to factor in that all Kosovo Serbs need approval from Serbian leaders in Belgrade before they make an agreement, and that there is often a difference between what they want personally and what they are allowed to accept politically. In this case win-win situations are very difficult and possibly unattainable for fear of retribution.

Despite the difficult political situation and the pressure by the Serbian government, there was an improvement in the relationships between Kosovo Serb and Kosovo Albanian leaders in Rahovec / Orahovac. All sides agreed that freedom of movement had improved, communication was much better and that Kosovo Serbs were integrated into the decision-making structures of the municipality. CSSP contributed through inter-community mediation, consultation and professional trainings sponsored by the Austrian Development Agency. Progress included the resolution of the conflict over dual language use, cooperation in the Board of Directors, the participation of Kosovo Serbs in the Rahovec / Orahovac wine festival and the employment of Kosovo Serbs in the municipal government.

At the end of 2007 there was a change in leadership, which proved to be a challenge to the mediation work done over the previous years. However, the new leadership in 2008 was willing to take up the past process and to work with the CSSP team. After several consultations and meetings, the leadership and new Kosovo Serb representatives came together in an IPT. It was their second official encounter in such a setting. The first meeting, at the suggestion of CSSP, had been the night before Kosovo declared independence. It had taken place in a positive environment and had been the first step in confidence-building by both sides. The IPT served the purpose of creating a strategic vision and relationship-building. This was very important due to the independence of Kosovo only months before. A tentative agreement was reached on a joint vision and strategic plan for the municipality. It was later confirmed in the municipal assembly.

The inter-municipal return process between Ferizaj / Uroševac and Strpce / Shtërpçë did not achieve a major breakthrough in the return process. However, the two municipalities held consultations, set up a Taskforce on Return, and incorporated representatives of displaced people into the municipal decision-making mechanisms on return in Ferizaj / Uroševac. In addition, several go-and-see visits were held and all sides agreed that dialogue and the relationships were improving. These two municipalities were the most difficult. At the beginning there were no contacts in civil society, no dialogue structures, and no active efforts by leaders to meet. Several joint meetings/mediations were held which ended in confrontation. However, IDPs became more empowered to work on their issues and through the process they developed structures to better represent their interests. At the beginning of the project it was assumed that no return would take place before the final status of Kosovo is resolved because displaced Kosovo Serbs will not take a chance without knowing their future. The lack of financial and political support by the international community also played a major factor in the lack of results.

CSSP organized an IPT for leaders from both municipalities. While the IPT was successful in developing relationships, the environment was tense with some aggression breaking out during the sessions. Nevertheless, several ideas were developed jointly and followed up. Upon return, IDPs met in the municipality and the local partner followed up with several dialogue processes. However, a few months after the workshop, tension began to escalate in the municipality as elections neared and Kosovo moved slowly towards independence. The fact that Strpce / Shtërpçë was a Serbian enclave and was being discussed in the international negotiation process created external pressure to leave the situation as it was. Over time IDPs hardened their positions and the post-IPT dialogue process lost momentum.

As a result of the IPT, a follow-up IPT was organized with a focus on women in the return process. This new topic resulted out of the unique local situation in which all persons involved in the return process were women, yet most of the returnees were men. CSSP organized several gender experts and examples of women's NGOs working on the subject. Municipal leaders, returnee representatives, and IDPs were invited to participate. Despite many efforts to ensure that the IDPs would take part, the fear of retribution, apathy, and disappointment at the unilateral declaration of independence proved to be too difficult to overcome. Only one Kosovo Serb returnee attended the workshop. For the Kosovo Albanians, suspicions of the Kosovo Serbs were further confirmed, underscoring the entrapment model. While more awareness was created on the role of women, relationship-building was not possible due to the absence of core participation of the Kosovo Serbs.

The results of the municipality of Struga are mixed. The project began in 2007 with two professional trainings and one mediation session. The groups are working on adopting a municipal statute. They are using more problem-solving language and have made efforts to generate options. While they are objectively in a stalemate as nothing on culture can be adopted with the necessary double majority required by law, the ethnic Albanians continue to try and find ways to pressure or make a deal through other channels. They have been unsuccessful to date. Neither side suffers from the political stalemate as it is business as usual. There are no sanctions and therefore no mutually hurting stalemate. Both sides are hoping that the election in spring 2009 will have a decisive impact on the non-hurting stalemate by either giving the Macedonians the necessary political leverage or by creating a domination of the ethnic Albanian parties.

While the political mediation has been stalled by the non-hurting stalemate, CSSP trainers worked with the members of the Committee for Inter-community Relations (CICR). Until 2007, the CICR was non-functioning. With several consultations and two IPTs, the committee is fully functioning, with an agenda, regular meetings and structured dialogues. The CICR also agreed to intervene in spring 2009 when youths from the two ethnicities in a local high school clashed. The intervention was successful. The new positive activity of the CICR has been met with some resistance from local political leaders but has been overall positive.

It is foreseen that they will meet again in March 2009. However, all sides agreed that the political relationships have improved and there is more understanding for the difficulties of each side. One difficulty is that in Macedonia local leaders have very little political authority to make decisions independently. All decisions are made at the state level and passed to the lower level.

In general the three-year project gives some very important insights into political inter-community mediation at the local level. Most importantly, it demonstrates the complexity of inter-community mediation in post-crisis areas. There is a need to address various layers of responsibility, politics, breakdown of the rule of law, pervasive mistrust, and hidden power structures. In addition, success is measured on a different scale. What may seem like minor successes in stable democratic states are major steps for local communities. Most of the work in the three years was by default focused on confidence-building, communication and relationship-building. These three areas of conflict resolution are very difficult to translate into projects that can be financed by major donors and are difficult to measure in terms of success, especially as leaders change periodically. Factors such as election cycles and emigration played a role in terms of participation and sustainability.

Lessons Learned

In addition to the specific achievements in each municipality, there are general lessons that can be drawn from the last three years.

1. Mediation processes must reflect local realities. Quite often there is a gap between what is demanded by international representatives/organizations and what local political leaders can achieve. This often led to conflicts with international representatives. It was important not to try to resolve all issues at one time but to begin with small steps that satisfied the immediate and visible needs of the local population.
2. Responsibility for the process must be kept by the conflict parties. The credibility of the mediation process increased when local parties took responsibility for implementation without being forced by international

actors or the mediator.

3. Local mediation efforts and frameworks must be strengthened. Local mediation NGOs are few and those that exist have limited experience. International donor funding strategies, the credibility of local mediators and the lack of awareness of local mediation NGOs were all factors that further restrict local and international NGOs from working with local NGOs.

4. Not all NGO work in which community representatives participate serves confidence-building. In order to increase the probability of success, confidence-building measures need to have four components: jointly designed/developed, jointly implemented, joint benefits, and joint sustainability.

5. The process worked better as it became more inclusive. This was not an easy task because elite groups were very closed and certain target groups, such as women, the disabled, war veterans, IDPs, and business people, were not always visible or accessible. However, as they were incorporated, the quality of the trainings, options generation, and trust-building increased. Moreover, power relationships were defused to allow for relationship-building.

6. Mediation in post-crisis areas is complex and chaotic due to the very nature of the conflict but can be approached systemically. Even though obstacles to flexibility, creativity and options development are magnified, progress can be made at the local level with a process focused on relationship-building, professional communication, and interest-based negotiations.

7. Integrative mediation has been more successful in areas where there are international organizations present with legal mandates. In other areas where the international organizations were less responsible, outcomes were also less than optimal. The engagement of the international representatives varied from place to place and time to time. No generalization of their contribution can be made at this point.

Conclusion

Integrative mediation is a concept that derives from a combination of practical and personal field experiences, organizational lessons learned, and theoretical input. It combines different traditional elements of mediation with lessons learned from the work of the International Mediator in Bosnia and Herzegovina (1995–2004) to offer a practical and humanist approach for the empowerment and involvement of people at the local level in their peace process.

While integrative mediation works with the local level, it is distinct from community mediation as the mediators do not live in the community and are not from the country. A main emphasis is placed on the assumption that conflict resolution is a process to be led, implemented, and resolved by local key leaders in which the (external) mediators are more of a service provider and less of an authority. Through this conceptualization, integrative mediation developed a holistic approach that meets the interests of various sides: the local conflict parties, high levels of government, international actors and potential spoilers. The focus is on assisting and facilitating peace processes at the local level, not on imposing them. Most importantly, integrative mediation is a bottom-up approach that seeks to keep the focus at the local level and to prevent conflicts from re-escalating. As such, integrative mediation promotes reconciliation and peaceful coexistence.

While each of the five elements (advocacy, inter-community mediation, consultation, interactive professional training, and research & analysis) can stand on its own and be applicable individually to specific situations, integrative mediation elements were most successful when implemented interactively. The aggregated goal of the elements and applied principles is that integrative mediation keeps to its core belief that ownership of the process remains in local hands while providing assistance and complementing aspiring local initiatives. Finally, the practice of intra-state inter-community mediation needs further study. Existing literature is limited, especially in the area of addressing issues of neutrality, process design, advocacy as a tool and cultural communication in postwar settings where no victor was established. In addition, more work in the area of practice-oriented research would enhance the field.

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Map 1: Map of Kosovo

Map 2: Map of Macedonia