Memorandum

To: United Nations Office for Human Rights

From: David Wage and Lois Haigh

Date: August 5, 2004

Subject: Procedure Design for the Mediation of Ethnic or Political Violence.

As requested by the United Nations Office for Human Rights, we have created a procedure design intended to address the mediation of political and ethnic violence. The United Nations Office for Human Rights has a responsibility to prevent and resolve conflicts throughout the world. Recent history has shown countless examples of situations where regional violence has spiraled out of control and resulted in murder and genocide. The following procedure design lays out a process for the mediation and resolution of violent conflicts.
Procedure Design for the Mediation of Ethnic or Political Violence

1. PURPOSE

The purpose of this procedure design is to establish mediation procedures to resolve ethnic or political conflict which has escalated into violence. The former Yugoslavia, Rwanda and the Sudan are all countries, which would have benefited from a system of conflict resolution and possibly saved the lives of hundreds of thousands of people. Each of these examples involves civil wars or internal violence where a dominant party or groups attempted to seize power through the elimination or subjugation of a co-existing group. The attempts at intervention and mediation in the examples mentioned have resulted in the death and displacement of millions of people. This procedure design offers a practical framework to address future ethnic or political conflicts.

2. DEFINITIONS

a) **Mediation** is a procedure in which a neutral party assists disputing parties in a negotiation process to explore their interests, develop and evaluate options and reach a mutually acceptable agreement without prescribing a resolution.

b) **Applicant** refers to the group or party who has submitted the application for task force review. Parties that may submit applications include: victims of ethnic or political violence, U.N. regional monitors, and NGO monitors.

c) **Other Participants** may include the government where the conflict is occurring, neighboring governments, regional organizations, traditional figures of authority (church leaders, chiefs, etc).
d) Observers may attend all mediation secessions.

3. INITIATION OF MEDIATION

a) **Initiation letter** – Applicants can petition to the United Nations Office for Human Rights for mediation. The letter should include a brief history of the dispute including the affected parties, reasons for mediation and parties that should be in attendance.

b) **Response letter** – This letter notifies all parties of the U.N.’s willingness to mediate

c) **Decision to Mediate** - If all affected parties can agree on the U.N. mediation team as a neutral mediator then the process may begin. If parties can’t agree to neutral mediation by the UN, a list of suggested mediators within each region will be provided.

d) **Public Notice** - The notice shall identify the project, participants and the time and place of the mediation secession. It should be placed in proper news outlets and town hall publications.

e) **Request to Participate** - Anyone may submit a written request to the U.N. to be included in the mediation. The mediation will include all affected parties.

4. MEDIATION

a) **Creation of Task Force** - Once a dispute has been selected for mediation by the United Nations Office for Human Rights, a trained task force will be created to set the proceedings in motion. The task force will try to get all the parties too corporate in the mediation process. If this is not possible, the task force will intervene militarily, to
ensure the safety of parties in danger. Sanctions will also be considered as an incentive to participation in the negotiation process.

b) Adoption of the Mediation Agreement—Mediation will take place once all parties have agreed to participate. Qualified conflict resolution staff members will oversee mediation. The task force may establish a time frame of one to twelve months to encourage parties to progress in mediations.

c) Ceasefire—The negotiation of a ceasefire must be included as a priority in the negotiating process. A final agreement cannot be concluded without an end to violence.

d) Outcomes—Outcomes of the conflict resolution will be upheld by the U.N. The task force may use a military intervention or sanctions if the decisions made in the conflict resolution are not adhered to.

f) Appeals—Appeals of the Task Force mediation decision can be made to United Nations Office for Human Rights. The Office for Human Rights will be responsible for reviewing the task force mediation.

5. COST

a) Funding—The U.N. will sponsor the negotiations. It is recommended that funding for monitoring and implementation be secured prior to the negotiation process.