

**“Experiences of Conflict Resolution in Europe and Africa”
Izmir, 16 January 2009
Speech by President Martti Ahtisaari, Chairman of Crisis Management
Initiative, former President of the Republic of Finland**

Dear Excellencies, Ladies and Gentlemen,

I am delighted of having had an opportunity to travel to the beautiful city of Izmir and to be here with you today. I wish to thank the Izmir Chamber of Commerce for inviting me.

Ladies and Gentlemen,

I am seriously concerned about the large number of conflicts that the international community has not been able to solve. We should never accept that some conflicts remain frozen for ever. Each conflict has to be seen as a vital challenge requiring immediate attention from the international community. Conflicts in the Middle East, Cyprus, Sri Lanka, Kashmir, Burma / Myanmar, Somalia and Darfur are affecting the credibility of the international community. These conflicts have led to widespread devastation and regional instability, as well as large numbers of refugees. The international community remains unable to prevent the outbreak of war and the scope of action of many organizations is confined to limiting the negative effects of violence. We all know that solving these conflicts is central. The credibility of the West is badly eroded because we have allowed these conflicts to become frozen and not tried seriously enough to solve them.

It is my firm believe that there does not exist such a conflict in this world that cannot be solved. The current trend in indicating lowering of the number of conflicts is in large part due to the increased number of peacekeeping and conflict resolution efforts around the world. Mediation is increasingly used in conflict resolution: in 58% of today's conflicts. However despite of successful efforts made, half of all countries emerging from civil war fall back into it within 5 years while their peace agreements are often the cause for conflict intensification. Most mediation efforts are unsuccessful and over half of them fail. In my view this is due to a lack of multi-track cooperation in conflict resolution as well as an inability to really tackle the root causes of conflicts.

Conflict resolution is hardly successful unless linked to peacebuilding and conflict prevention activities. In order for any conflict resolution to be effective in breaking the cycle of violence, it needs to address the root causes of conflict and both to enable and to support local groups to find their own long-term solutions. The core challenge of conflict resolution is to generate trust and facilitate new relationships among local peoples, groups and institutions.

Conflict resolution does not only need to be linked to national peacebuilding efforts, but it also requires a multidimensional approach. As we all know, a huge majority of conflicts in the current world are internal conflicts with ethnic, religious, economic and many other dimensions. This fact has also had dramatic consequences on the approaches and practices for conflict resolving and peacebuilding. When talking about peace mediation of internal

conflicts, it is evident that the very principle of sovereignty is at stake. Governments of war-torn societies are often reluctant to “internationalize” their internal disputes and conflicts. This means, for example, that involvement of the United Nations in conflict resolution in the case of these internal conflicts is being considered cautiously and critically by the governments. This was also the case in Aceh.

States and inter-governmental organisations have traditionally been major engines on conflict resolution. This is gradually changing, mainly due to the changing nature of disputes and conflicts. States are pivotal actors in peacebuilding, but in order to respond to the changing challenges of the conflict resolution, we need to go beyond firmly governmental approaches. Traditional diplomatic instruments for negotiation have not always proved to be successful. The informal negotiators and mediators, or so-called Track II diplomacy actors, have the benefit of being independent and impartial. They can successfully complement or replace governments and international organizations when these, because of restrictive mandates or bureaucracy, are prevented from taking an active part in conflict resolution. Sometimes parties in need of mediation are more inclined to trust a private diplomacy rather than a state actor, especially when flexible and rapid intervention is needed.

Ladies and Gentlemen,

I have often been asked how to pursue effective conflict resolution. I’m not able to give a fully satisfactory answer to that question. In the following, I wish to illustrate the complexity of conflict resolution by first shortly describing two unique processes from Aceh and Kosovo. Based on these two efforts, I highlight some issues I consider to be prerequisites for a successful conflict resolution.

There has been many analysis and explanations on the success of Aceh peace process. One of the most common explanations has been that the tsunami that hit Aceh with its tragic consequences was the key factor behind the peace. Of course the effects of this traumatic incident cannot be underestimated. But at the same time, it is good to acknowledge the fact that the contact between the parties and myself was actually established already before the tsunami. A Finnish businessman who had a vision and inspiration about peace in Aceh had started his personal shuttle diplomacy discussion between the parties already earlier. The issue was introduced to me in late 2004.

It is also important to notice that the process led by Crisis Management Initiative (CMI) was not the first contact between the parties, the Government of Indonesia and Free Aceh Movement, GAM. Between 1999-2003, a cessation of hostilities agreement was negotiated under the aegis of the Center for Humanitarian Dialogue (Henri Dunant Centre). Even if the agreement failed after six months, the importance of that process should not be underestimated. And naturally the role and fresh attitude of the new government in Indonesia was crucial for the constructive negotiation process.

In January 2005, the Government of Indonesia and the Free Aceh Movement, GAM, met in Helsinki to talk about the conflict that had lasted for almost 30 years. The tsunami had devastated Aceh just a month earlier. From the beginning of the talks I had a feeling that I was surrounded by people who realised that they had in their hands the power to stop further suffering of the Acehnese people.

During the negotiations trust and confidence were gained gradually. The starting point of the negotiations was “A peaceful solution with dignity for all.”

From the point of view of successful outcome a key element was the principle that “nothing is agreed before everything is agreed”. This meant that neither party could claim any victories during the process and use media to communicate their constituencies how successful they had been in the negotiations. All the agreements were included in the Memorandum of Understanding and published only in the end. This gave peace for the negotiators to work. I admired the discipline of both parties in this regard.

It is essential to understand that trust can only be created if one party sees the other keeping its promises and to do as was agreed. I made it clear to both parties that if genuine peace is the goal, both sides have to be prepared to make concessions. Looking back at the situation, it is evident that both sides actually gained much more than they had to give up.

The negotiation process lasted 7 months altogether and included five rounds of talks. All meetings took place in Helsinki, Finland mostly during a very cold winter time. The first round of talks took place in January and a common understanding on the content of the agreement was reached at the end of the fifth round in July 2005. After that we were able to proceed relatively rapidly and the final agreement, Memorandum of Understanding, as it's been called, was signed 15 August 2005 in Helsinki.

CMI's efforts would not have been possible without a solid backing from the international community. The Aceh peace agreement would not have been possible without the combined efforts of many different actors: the European Union and ASEAN, several supporting governments, local civil society, research organisations and international NGOs whose expertise CMI used in several occasions. The official, Track One diplomacy, while not in the forefront in the negotiation process, provided invaluable support during the negotiations, and emerged as the leading track during the peace implementation phase.

The EU and the five participating ASEAN countries (Thailand, Malaysia, Brunei, Philippines and Singapore) along with Norway and Switzerland put their full political weight behind the implementation of the peace agreement. Once a peace agreement was reached it was crucial to be able to deploy quickly. The Aceh Monitoring Mission (AMM) filled a potentially harmful vacuum through its one-month Initial Monitoring Presence phase. The mission gained the confidence of both parties and civil society and acted in a neutral and transparent manner.

After the trust building negotiations, the Aceh Monitoring Mission in place and the international media focusing on post-tsunami Aceh, the parties felt confident that each one of them will hold on to their commitments. The progress has been remarkable, and the will for peace remains very strong also today, nearly three years after the agreement made in Helsinki.

Ladies and Gentlemen,

let us now turn to Kosovo. As many of you know, by this date the independence of Kosovo has been recognized by 53 countries, including the US, Japan and the majority of EU countries (22 out of 27). Given the history of Kosovo and Serbia, I see Kosovo's

independence as the only solution that can lead to stability in the Balkans and signal the end of the era that witness one of the worst atrocities committed on European soil in recent times.

In November 2005, the UN Secretary-General acting on the basis of the conclusions of the Security Council that situation in Kosovo is no longer sustainable asked me to lead the political process to determine Kosovo's future status. In the terms of reference that Secretary-General Kofi Annan gave to me on 14 November 2005, I was told that the Special Envoy will report directly to the Secretary-General. As the Special Envoy I was given maximum leeway in order to undertake my task, and I was expected to revert to the Secretary-General at all stages of the process.

The work of my team was carried out in close consultations with the Contact Group that includes France, Germany, Italy, the Russian Federation, the United Kingdom, and the United States. In November 2005, the US Under Secretary of State Nicolas Burns expressed the hope on behalf of the Contact Group that the guiding principles would provide a political framework for parties as they enter the status talks. This document was called a "Guiding Principle for a Settlement of Kosovo's Status" and included ten principles. I wish to share with you especially the sixth principle, which says: *"The Settlement of Kosovo's status should strengthen regional security and stability. Thus, it will ensure that Kosovo does not return to pre-March 1999 situation. Any solution that is unilateral or results from the use of force would be unacceptable. There will be no changes in the current territory of Kosovo, i.e. no partition of Kosovo and no union of Kosovo with any country or part of any country. The territorial integrity and internal stability of regional neighbors will be fully respected."*

I made my first trip to the region at the end of November 2005 and told the leadership in Belgrade that I interpreted the just mentioned guiding principle so that Kosovo will not return to pre-1999 situation, meaning that Kosovo will not return back to Serbia. My hosts, particularly the Prime Minister, did not share this interpretation. Furthermore, during these initial visits to Belgrade and Pristina, it became apparent that the positions and perceptions on the status were entrenched and so widely contradictory, that any immediate attempt to narrow these differences would lead nowhere.

On 31st January 2006 the Contact Group had a meeting in London. In this meeting it was suggested that the Contact Group members would individually deliver following private messages to the Kosovo Status Process parties:

- *The unconstitutional abolition of Kosovo's autonomy in 1989 and the ensuing tragic events resulting in the international administration of Kosovo have led to a situation in which a return of Kosovo to Belgrade's rule is not a viable option.*
- *While today's democratic leadership of Serbia cannot be held accountable for the policies of the Milosevic regime, leaders in Belgrade and Pristina must come to terms with its legacy and have important responsibilities.*
- *The leaders of Serbia and Kosovo have a responsibility to participate constructively in the status negotiations and prepare their publics for the inevitable and necessary compromises. The status process must result in a secure, multi-ethnic Kosovo that meets the highest standards of human rights, democracy, and rule of law, it should result in better living conditions for all citizens and communities in Kosovo.*
- *The leadership of Serbia's priority must be to help secure the ethnic Serb community's future in Kosovo. It must focus on sustainable multi-ethnicity in*

Kosovo, with effective constitutional guarantees and appropriate mechanisms to protect the human rights of all citizens of Kosovo. The Kosovo Serb community has an essential role to play in shaping Kosovo's future and should participate actively in the status process and in the Kosovo Government, Assembly, and working groups.

- *The leadership of Kosovo's priority must be to accelerate standards implementation and focus on conforming with democratic values and meeting European standards, In this context, we attaché particular importance to the issues of decentralization; minority rights; establishment of conditions facilitating the return of refugees and displaced persons; mechanisms to allow the participation of all Kosovo communities in government, both on the central and local level; and specific safeguards fro the protection of the cultural and religious heritage of Kosovo.*
- *The international community will establish an post-settlement international civilian and military presence that will exercise appropriate supervision and control of compliance of the provisions of the settlement.*
- *In this context, the international community reiterates its commitment to the people of Serbia and Kosovo to support their goal of living in prosperity, freedom and security and of realizing their Euro-Atlantic aspirations. We reiterate the importance of full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), in particular bringing to justice all those indicted by the tribunal.*
- *We look forward to concluding the final status process in the course of 2006.*

All but the Russian Federation delivered these private messages in the course of February and March 2006 to Belgrade, Pristina and Kosovo Serbs. All members of the Contract Group, including the Russian Federation, agreed in the Ministerial Statement of 31 January 2006 that the settlement needs to be acceptable to the people of Kosovo.

I wanted to give you this background in order for you to understand what were the basis of our recommendations and the reasons why we approached the issues as we did. My team and I therefore commenced work in early 2006 with an understanding that we should try to at least close the gap between Belgrade and Pristina on “technical aspects” of status: Rights of Communities and their members; Decentralization; Religious and Cultural Heritage; Economic provisions and Property. Technical agreements or at least rapprochements were thought to then serve as building blocks for the resolution of status.

As positions of Belgrade and Pristina on “technical aspects” became clearer, my office elaborated its own papers in an attempt to accommodate the concerns and aspirations of the two sides and offer possible compromise solutions. These draft elements of agreement were distributed to the parties before the negotiating rounds and formed the basis for discussion.

On 10 March 2007, I chaired in Vienna a High-level meeting concluding the negotiations on the future status process for Kosovo during which my team, with strong support from the international community, has engaged both parties in 17 rounds of direct talks and 26 expert missions to Belgrade and Pristina.

I regret to say that at the end of the day, there was no will from the parties to move away from their previously stated positions. While in the technical talks, an agreement was within reach in a number of areas – including protection of cultural heritage, community

rights, decentralization – parties remained intransigent on the status issue. Belgrade insisted that Kosovo should remain an autonomous province within Serbia, while Pristina insisted on independence. I had hoped, and very much preferred, that this process would lead to a negotiated agreement. But it has left me with no doubt that the parties' respective positions on Kosovo's status do not contain any common ground to achieve such an agreement. I felt that no amount of additional negotiation would change that. It was my firm conclusion that the potential of negotiations was exhausted.

Therefore, I sent my Settlement proposal, which is the best compromise as I see it to the UN Secretary-General in March 2007. I envisaged that the supervisory role of the international community will come to an end only once Kosovo has implemented the measures set forth in the proposal.

The UN Secretary-General endorsed my Settlement proposal and forwarded it to the UN Security Council. The suggested solution enjoyed wide international support, not least within the EU. But this was not enough to produce a resolution that could be adopted by the Security Council. As a compromise solution, an agreement was reached that a Troika, comprising representatives of the US, Russia and the EU, was established by the Contact Group to lead an additional attempt to negotiate a settlement, with my office in Vienna continuing to be involved in the process and providing support as necessary. While the Troika managed to facilitate high-level, intense and substantive discussions between Belgrade and Pristina on a wide range of options, the parties nevertheless were unable to reach an agreement on the final status of Kosovo. Neither party was willing to cede its position on the fundamental question of sovereignty over Kosovo, as I had expected.

Despite efforts of the Troika, the Security Council remained divided and Russia blocked the passing of a new resolution that would de-facto give Kosovo independence. I do find it regrettable that the Security Council could not reach agreement on this issue. In my view, if this body of the UN can not make decisions on important issues, then it is likely that these issues will be resolved somewhere else. If such tendency were to become dominant, the relevance of the Security Council would be diminished which in turn would change the system of international relations as we know it.

What happened with Kosovo proves this point. Almost a year after I initially submitted my proposal, it became clear that the Security Council would not pass a new resolution. Therefore, since everybody, even the Russian Federation, agreed that the status quo in Kosovo was not sustainable, a solution outside of the Security Council needed to be found. The result we all know – Kosovo declared independent on 17 February 2008 without a UN resolution on the status of Kosovo. The future of Kosovo lies now in the hands of the government on Kosovo and the first stages of independent Kosovo is supported by a biggest ever civilian crisis management mission of the European Union.

I do believe that some of the countries that are refusing to recognize Kosovo's independence have certain internal reasons for doing so but once they see that Kosovo would not trigger a chain reaction - and I argued from the very beginning that Kosovo is a *sui generis* case – they may reconsider their decision.

I feel proud that the international community ended this conflict by closing a chapter where history was manipulated and used to fuel violence and hatred. I firmly believe that Kosovo is primarily a European issue and the EU cannot afford Kosovo to become another "frozen conflict". Doing nothing was not an option and my Settlement proposal provides an

organized methodology for a UN exit and EU takeover. This requires a strong and consistent united European position in the coming months. I am encouraged by the reactions of the international community – as I mentioned already by this date several countries have recognized Kosovo's independence. Translated in economic terms this means more than 60% of the world's GNP.

Dear friends,

after these two examples from Aceh and Kosovo, I shall try to summarize some of the key elements in a mediation process whether mediated by an NGO, a government or an international organization.

- When we look at each peace process, the issue of legitimate representation is crucial. It is not possible to reach peace without involving groups or individuals who are considered as legitimate representatives of the parties. Naturally, participants at the peace table need to include those who have the power to settle and implement agreements. This is not however the whole picture. One important issue often passed unnoticed in the negotiating tables is the role of women in the peace process. I've been happy to follow the discussion around the UN resolution 1325, which explicitly calls on member states and all parties to include women and civil society groups in peace processes and conflict resolution. I sincerely hope that the good practices and models for strengthening the role of women in peace processes could be seriously created. I also think that research can play a strong role in advancing this.
- Justice is a necessary ingredient of a lasting peace. In this regard, there are two main concerns for a mediator: first to prevent the reoccurrence of the problem that caused the conflict in the first place and secondly to lay the foundations for reconciliation. Strong leadership of both parties to the conflict who have the authority and the will to publicly admit wrongdoings of their communities is also vital. The reconciliation process must be encouraged by someone other than the mediator and it might be best addressed through a criminal prosecution. However, recording past injustices and creating the conditions for national reconciliation is not always addressed through criminal law. Available evidence of even massive violations may not always reach the threshold of formal criminal accountability. Also, it needs to be asked whether a prosecution followed by incarceration genuinely serves the interest of reconciliation and accountability. I want to emphasize that this matter requires profound understanding of the complexities of the local context.
- The commitment shown by the parties at negotiations and beyond is the key to the success of any negotiation process. An outside mediator can help to conduct the negotiations but cannot help if the parties do not have enough willingness to find a peaceful solution and if they are not ready to compromise to achieve it.
- Internal political rivalries can seriously hamper the ability of the parties to compromise in which case no amount of mediator's efforts would lead to a solution acceptable to both parties. The only strategy that could bear fruit in this context would be the involvement of regional powers or the international

community to extending pressure on the parties. In that case it is essential that the international community speaks with one voice.

- Even when successful, mediation and peace agreements cannot solve all reasons of the conflict. They however offer institutional and political frameworks for parties to live peacefully and continue working together on the issues which they have agreed upon or they still have to agree.
- Building mutual confidence between the parties is a process that takes time. The process can be initiated in the negotiations, but will only fully start when both parties live up to their commitments and implementing them in a reliable manner. This creates trust.
- In the Aceh process, the starting point for the negotiations was “a peaceful solution with dignity for all”. It was pivotal.
- It is crucial that a peace agreement is followed by a credible international monitoring mission that ensures that parties implement their obligations. Monitoring of a peace treaty should not be about monitoring only, it should be about offering a hand, giving a concrete support to peace process and the parties of any respective peace process. I don't believe that NGO's necessarily are the best to engage in monitoring the implementation of peace agreements. States and regional organizations are more suited for these tasks.
- And finally, a peace agreement is not an end, it is a beginning. I cannot underline enough the importance of this notion. The implementation of a peace treaty and the democratic changes taking place in a society are the true test of the agreement, which only time can prove.

In conclusion I would like to make three points that I have often emphasized. First, a peace process should be as clear cut as possible and concentrate on the essential issues that need to be clarified. I'm not a technically gifted person and I have often said that a peace agreement must be more clearly written than the instructions for home appliances, of which I'm never able to make any sense. Second point is that mediator must know where he or she is taking the negotiations. It certainly helps if the mediator's future is not dependent on the mediation process and that the person has other alternatives in his or her life. Peace can never be achieved by one single person. It is part of the media culture that the mediator gets an unreasonable share of attention during the mediation process. Therefore it is important to emphasize the role of others, members of the mediation teams and the most important actors outside the direct negotiation process itself. In my work with the UN, the OSCE and the NGO's I have always been in a privileged position to build up my own team. It is vital that a mediator is given the opportunity to choose the people he or she is working with and this should be better taken into account particularly at the UN.

I thank you.