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## CONFLICT MANAGEMENT, INTERNATIONAL MEDIATION AND THE EUROPEAN UNION

*Conflicts have become an integral part of and a common phenomenon in international relations over last two decades. The European continent has been no exception in this regard. The European Union, a supranational organization established to prevent further devastating wars between the continent's major powers, has been struggling since its very foundation to prevent the escalation of violent behavior of countries or to manage and mediate the already existing conflicts. Throughout this period, it has witnessed many brutal confrontations nearby its borders, including eruptions of fierce fighting after the collapse of Yugoslavia, bloody Kosovo war, the 2008 Georgia-Russia war, and the Russian occupation of parts of Ukraine. These tensions left five of the six Eastern Partnership countries with territorial conflicts, where the EU has been involved with varying degree.*

*Taking into consideration that the conflicts have been an pressing issue for so many societies and one of the main hindering factors of the countries' development, it is interesting to academically investigate what is conflict management, what is international mediation, and what is the EU doing in these fields, what is the EU experience in conflict management and mediation processes?*

*Being a complex bureaucracy, it is usually difficult for practitioners and representatives of governmental, non-governmental and international organizations to identify those EU bodies, structures and instruments that were developed to address the conflicts effectively. In this regard, the information demonstrated in this paper will be productive and contribute to the societal relevance of the research.*

*For these purposes, first section of the paper will review the academic scholarship on the aspects of conflict management. Second section will consider mediation, its characteristics as well as factors affecting the mediation. Third part will be dedicated to the discussion of the EU involvement in conflict management and mediation processes, relevant EU bodies and instruments.*

**Keywords:** conflict management, international mediation, EU bodies and instruments.

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Conflict management is believed to be "an attempt by actors involved in conflict to reduce the level of hostility and generate some order in their relations" [1, p. 3]. Managing a conflict is no easy task, especially when political and ideological differences are entangled to its very roots. An effective manager needs a wide range of activities, creativity, proper instruments and some luck in order to push the counterparts of a deadlock to a successful compromise [2; 3; 4].

The EU conflict management typically is a "long-term engagement with a particular country or region, an engagement that, over time, will necessitate different conflict management policies, including military crisis management, development and humanitarian aid efforts, and mediation between conflict parties" [5, p. 5].

Conflict management activities

There are various actions that a manager can use to make the stalemates sit around a table, discuss their differences and agree on mutually acceptable compromise, ranging from the most passive verbal statement to the most active direct military-related intervention, from minimum to maximum in terms of engagement and commitment, in terms of financial costs, relevant personnel and logistical support. In their seminal work, Frazier & Dixon [6] identify five core forms of conflict management efforts: verbal actions, diplomatic approaches, judicial processes, administrative assistance and militaristic responses.

First, *verbal statement* is the least active form of conflict management. Thousands of such statements are issued every year from third parties, urging the belligerents to cease fighting, to get involved into negotiations, to support conflict resolution process or just to avoid actions that may distort conflict management efforts of the process participants. Second, in occasions when verbal actions are not effective enough, third parties may use *diplomatic efforts* that in turn may encompass everything, including mediation, confidence-building measures, etc. Third, *judicial processes* consist of arbitration, tribunals, fact-finding missions and other forms of actions aiming at identifying individuals who committed relevant crimes and bringing them to justice, thus, shedding more light on the conflict's dark realities and increasing legitimacy of the process. Fourth, conflict manager may go even further and offer election supervision/monitoring, humanitarian aid, thus provide *administrative assistance* where and when needed and if accepted by the conflict parties. And finally, it may also be the case that direct military-related intervention is necessary for a third party to effectively manage a conflict. Militaristic responses may include peacekeeping operation, military observation/monitoring mission, demobilization monitoring, monitoring of implementation of ceasefire agreement, etc. As some scholars demonstrate, all these forms are in most cases interrelated and complement each other [7; 8; 9; 10, pp. 15-28].

Meanwhile, the United Nations Codebook and Operational Definitions can be a useful document in better understanding the issue by identifying and defining several key concepts. If adapted from the UN for the EU, according to this code, the involvement of the European Union in conflict resolution processes can generally be understood as an EU action aiming at ending hostilities and other violent behavior, or addressing the roots of conflict and this way resolving the problem. This may include the following activities: "fact-finding, offering of good offices, condemnation, call for action by adversaries (includes call for cease-fire, withdrawal, negotiation, member action to facilitate termination), mediation (includes proposing a solution, offering advice, and conciliation of differences), [humanitarian efforts,] arbitration (formal binding settlement by arbitral body), sanctions, observer group, emergency military forces", etc. Any decision taken by the EU institutions, its bodies and representatives attempting to end the conflict can be considered as an involvement in conflict management and mediation.

Creativity and creative thinking are often fundamental in effective conflict management, especially in cases of large-scale, complex and international conflicts [11]. Arai clarifies, "conflict resolution creativity is a social and epistemological process, whereby actors involved in a given social conflict learn to formulate an unconventional resolution option or procedure, and a growing number of others gradually come to recognize it as acceptable and workable" [12, p. 3]. He further argues that creativity is often the only chance for "transcending seemingly intractable inter-communal conflicts" [12, p. 3]. Indeed, when interests are tangled and contradictory, when feelings are spoiled, when temperature is high and the conflict counterparts use physical violence from time to time, relevant decision-makers need to think out of box and approach the conflict with creative strategies and initiatives.

Once involved in the mediation process, conflict managers typically use different strategies and leverages/instruments in order to facilitate the outcome and its implementation [13]. Bercovitch defines strategy as "a broad plan of action designed to indicate which measures may be taken to achieve desired objectives in conflicts" [14, p. 113], while Vuković clarifies behavior as "actual tactics, techniques or instruments at a mediator's disposal" [15, p. 25].

Broadly speaking, "[mediation] is a method of conflict management in which conflicting parties gather to seek solutions to their problems, accompanied by a mediator who facilitates discussion and the flow of information, aiding in the processes of reaching agreement" [16, p. 290]. In other words, it can be labeled as a kind of "assisted negotiation", in which an external actor enters the peacemaking process in order to influence and alter the character of previous relations between the conflicting sides" [15, pp. 10-11]. Bercovitch & Fretter further simplify the definition arguing that mediation is "a conflict-management method in which an outside party helps adversaries to solve their differences peacefully" [17, p. 16], whereas Bercovitch believes that it is "a process of conflict management, related to, but distinct from the parties' own negotiations, where those in conflict seek the assistance of, or accept an offer of help from, an outsider (whether an individual, an organization, a group, or a state) to change their perceptions or behavior, and to do so without resorting to physical force or invoking the authority of law" [16, p. 290].

Mediation is usually "non-coercive in nature, voluntary in structure and performance and ad hoc in orientation", and has no "legal basis or institutionalized authority". The participants usually maintain autonomy throughout the

mediation (decision-making) process and are not obliged to accept the ideas offered or pressed by the mediation [9, p. 19; 6; 7; 18, p. 427]. Mediation is often labeled as the most efficient method of conflict management as well as a low-cost alternative comparing to other peaceful approaches. Arguably for this reason, no wonder that most of the international actors prefer international mediation over other kind of communication [19; 17, p. 29].

A mediator can be anything and anybody from a state to an international/regional organization to a non-governmental/civil society organization to a respectable and trustworthy individual [17, pp. 16-17]. Mediator's role is important because amidst the political and military deadlock, mediators can discharge the situation and facilitate the resolution by "[bringing] with them consciously or otherwise, ideas, knowledge, resources and interests, of their own or of the group they represent" [20, p. 35].

Early phases of conflict is relatively easier for mediators to manage as the parties have not opted to violence yet. This period is usually characterized by high levels of uncertainty and suspicion. For this reason, initial steps of escalation spiral can be effectively stopped and reversed even by non-official actors or in other words, by low-key mediators, as scholars refer them, such as non-governmental organizations [21; 22; 23]. They can provide informal environment for communication and problem discussion without losing face publicly before constituencies of the conflicting parties [24, p. 72].

"Real, heavy-weight" mediators can already enter the process once low-key mediators established and developed initial communication channels. They are referred as "real, heavy-weight" because they are the ones with "coercive and reward power that can be used in a formal setting" to "induce conflicting sides to change their preconceived options and convince them to turn away from violence" [23, p. 62; 15, p. 42].

Post-conflict phases are usually characterized by violence-prone activities, conflictual policies and higher levels of mistrust between the stalemates. Thus, role of mediators is of greater importance on this stage as their leverages such as sticks and carrots have to be implemented [13]. Mediators' success often depends on how well they build trust and credibility as "it becomes crucial to avoid defection of the parties who can produce and put into effect various security guarantees, economic assistance and capacity building provisions that were used to incentivize the parties in reaching a negotiated solution" [15, p. 42; 25]. Credibility arguably is the key notion at this stage and can be understood as the "extent to which disputants think that (1) the mediator's offer is believable (i.e. the mediator is not bluffing and/or is not being deceived by the opponent), and (2) the mediator can deliver the offer (i.e. mediator can make the offer stick)" [26, p. 69; 25]. For the sake of obtaining credibility, any successful mediator "(1) must have a specific self-interest in upholding a promise; (2) it must be willing to use force if necessary (and capable of punishing whoever violates the agreement); and to be able to signal resolve" [15, p. 14]. In other words, more interest for a mediator in the resolution of conflict, more chances of a committed and dedicated involvement/engagement of a third party in a mediation process, and thus, more chances of success of implementation of mediation commitments from the conflicting sides [27].

Mediator has a critical role in ripening the conflict for ultimate resolution, i.e. in persuading the conflicting parties that there is no alternative to peaceful resolution negotiated on the table as well as in establishing a perception in the minds of the conflicting parties that "negotiations generate

'mutually enticing opportunities' that would be unavailable outside of the process" [28]. Moreover, mediator is important in overseeing and enforcing the implementation of the negotiated agreement and providing technical, financial and other kinds of expertise and assistance in this post-agreement stage. Indeed, while tangible and intangible resources/incentives of the mediator "might prove useful in terminating violence and reaching a peaceful agreement, if the third party does not maintain its commitment in the long-run, these incentives might prove to be highly artificial and, as such, will foster re-escalation of violence" [15, p. 18; 29; 30].

Mediation process can be both advantageous and disadvantageous for a mediator. Depending on many issues, including, the results of the mediation process, a mediator can be praised by its energetic and successful efforts and can be awarded with increasing international reputation and role (benefits) as well as faced by reputational/political challenges and severe criticism (non-material costs). In both situations, any mediator also has to be ready to contribute financial, technical, logistical, human and other types of resources (material costs) to the mediation process [31]. For this reason, mediator's motivation to be involved or be more (pro)active in the mediation process is one of the most decisive factors in achieving the success. Since the level of motivation is usually determined by cost-benefit calculations, several assumptions can be developed [32; 9]: (a) more the expected benefits of a successful mediation, more the mediator's motivation to be engaged in the process; (b) more the potential costs of a mediation, less the mediator's motivation to be engaged in the process; (c) bigger the difference between the expected benefits and potential costs, more the mediator's motivation; (d) smaller the difference between the expected benefits and potential costs, less the mediator's motivation.

Mediation can be advantageous for the conflicting parties in many dimensions as well. Firstly, they can avoid popular dissatisfaction for unpopular decisions by putting blame to the mediator rather than to themselves. Second, a mediator can create a value in the negotiations through creating or widening the zone of possible agreement by providing the conflicting parties the information about the opponent's positions, interests, needs, preferences and capabilities, 'reservation points' [33; 34]. As Vuković argues, "mediator's presence fosters the expectation that the utility of the agreement attainable through mediation exceeds the utility of an agreement that the parties could reach if they negotiated directly" [15, p. 18].

#### *Comparative advantage of a mediator*

Mediators carry various interests and resources that become a comparative advantage once incorporated into a coherent mediating strategy. Scholars argue that mediation is more effective when this mediator can "play heavy" [15, p. 60]. Sisk further clarifies that "this implies the provision of strongly structured incentives and sanctions against the parties, promotion of diplomatic consistency through maintenance of communication and by sharing relevant information and, if needed, acting as a guarantor in the implementation phase" [35, p. 53].

None of these characteristics are obviously evident to the EU in its Eastern neighborhood conflicts, probably apart from weak attempts to promote diplomatic consistency. Indeed, usage of incentives and sanctions by the EU is often chaotic, irrelevant and inappropriate (sometimes even misused). Moreover, the EU has never played a role of guarantor in the implementation phase. Recent developments in Ukraine is more promising in this direction but this role is heavily shared by the Organization

for Security and Cooperation in Europe and has been only partially successful.

Comparative advantage of a powerful mediator can be used both for positive and negative purposes. The Russian-led "mediation" in Moldova, Georgia and Ukraine can be exemplary for demonstrating how mediation efforts led by powerful states can be unsuccessful and ineffective in producing a mutually acceptable solution [36, p. 15].

#### *Multiparty mediation*

Practice of international mediation is closely familiar with the situation when more than one third party is involved in the process. Scholars usually call it *multiparty mediation* [37] and describe it as a process with "sequential, simultaneous and composite involvement of more than one external actor in mediating a dispute" [15, p. 39].

Multiparty mediation has many advantages over single party mediation. In case of single party mediation, a mediator may not have enough resources or willingness to influence the conflict parties. In case of multiparty mediation, more mediators mean more resources, more ideas, more opportunities and more chances for conflict resolution. First, as Crocker *et al.* clarify, "[joining] a multiparty effort allows actors to pool in their resources and skills and, as a consequence, increase the overall leverage that can be applied in the mediation process" [23, p. 59]. Second, multiparty mediation is less costly for individual mediating coalition members as a collective and concerted effort "generates smaller shares of fiscal burden and political risk associated with mediation" [38, p. 702; 39, p. 108; 40]. Third, legitimacy increases with the increase in number of mediating coalition members and more importantly, of their collective actions [15, p. 40]. Fourth, some researchers argue that mediating coalition with democratic states as its members are more likely to have success in the mediation process because these members have "high levels of communication, coordination, collaboration and integration" [39, p. 113]. In other words, more democratic coalitions perform more effective mediation. And last but not the least, chances for achieving a mediated/negotiated solution increase when powerful and respectable actors are involved in the mediation coalition by "'restructuring' both domestic and regional relationships" [15, p. 40].

Nevertheless, multiparty mediation can have potential disadvantages too, if not addressed properly. One of such important dimensions is a political competition between mediators. Indeed, having their own (sometimes contradicting) interests, powerful states can and do have political competition on the international arena. Therefore, the mediation process can be effective only if these mediators first mediate between themselves and as a result, agree with the distribution of priorities and relative responsibilities in the mediation and implementation phases [41] [For a success in management and mediation in general, please, see 42, 43, 44, 45, 46, 47, 48].

#### *Cooperation and coordination during mediation*

Cooperation is another important issue in the process of international mediation. Zartman & Touval define it as "a situation where parties agree to work together to produce new gains for each of the participants that would be unavailable to them by unilateral action, at some cost" [49, p. 1]. Based on earlier studies, Vuković explains that "[by] exchanging the necessary information about their interests and needs, parties redefine their incompatibilities and seek to create joint gains. Establishing joint gains requires parties to abandon their maximalist goals and formulate a solution on the basis of compromise that benefits all of them" [15, p. 47].

In theory, it is anticipated that during the cooperation process the parties not only acknowledge each other's

interests as legitimate, but also they "emphasize with each other and recognize that each other's well-being is mutually reinforcing and that they are codependent" [15, p. 47]. Once the parties admit that cooperation is mutually beneficial, effectiveness of coordination among the mediating parties can increase significantly [50].

Another important notion in the process of mediation is coordination. Vuković calls it "a method of synchronized usage of the different leverage and resources each mediator has at its disposal in the process in order to create the necessary incentives that would have been unavailable from a single mediator alone" [15, p. 59]. This can be anything from mere information sharing to "collaborative analysis and strategizing, resource sharing, formal partnerships and other means of synchronizing and/or integrating activities" [51, p. 2]. The EU itself also acknowledges that the success of its civilian and military crisis management tools highly depends on effective "coordination and communication between all relevant EU actors [including High Representative, Presidency, European Commission, EU Special Representatives, ESDP missions, European Commission delegations] [as well as its international partners such as UN, OSCE and other individual countries] to ensure that the EU can respond quickly to rapidly evolving situation" [52, p. 4].

In short, any successful solution lies in the ability of mediators "to realize the inadequacy of unilateral action and recognize the utility of cooperation" [15, p. 54]. But a mediation success is similarly strongly influenced by other developments in international arena, be it a situational factor, personal/role factor, motivational factor, interactional factor or something else. Bercovitch explains that they usually "exert influence on the way mediation is undertaken, performed and terminated... and affect the success or failure of any mediation event" [16, p. 299]. These developments can be grouped in several sets: first, "[significant] developments on the systemic level caused by pivotal political, social, economic and/or natural events might strongly affect an actor's strategic priorities and encourage them to re-evaluate the guiding principles of their foreign policies" [15, p. 54].

Second, tragic developments of natural or man-made origin can have similar effects and may push the mediators to change their strategies in the conflict management. Indeed, arguably it was not until the fall of airplane MH17 that the European society (and many politicians alike) fully realized the tragic side of and the necessity to more actively react to the Russian military intervention in Ukraine. And third, a change in political leadership may also create a room of opportunity for conflict management as a new leader or elite can be more willing to compromise, believing that this will yield more benefits than previous more destructive strategies.

The rationale behind these new potential developments is that "as confrontational strategies have resulted in higher costs than expected benefits, the non-cooperative third party might find that it is in its interest to re-evaluate its approach and seek the attainment of greater benefits via cooperation" [15, p. 56].

#### *Contextual factors affecting mediation*

Mediation is not a strictly internal and closed process. Several researchers have attempted to analyze those contextual factors that influence this process. Firstly, geopolitical conditions (i.e. distribution and balance of power, national interests, strategic alliances, etc.) "create the operational framework within which conflict management activities are conducted" [15, p. 31] and thus determine the mediation success with high extent. 'Perception of a hurting stalemate' can be changed by the

external support (from patron, ally, otherwise interested third-party), thus making the uncompromised behavior more acceptable, increasing the attractiveness of the BATNA (the best alternative to a negotiated agreement), continuing the conflict and decreasing the chances of mediation success [28, pp. 8-9; 14, p. 108].

And secondly, researchers also indicate that "the nature of the conflict at hand" is an important factor that complicate a mediation process, especially in the high-intensity conflicts. As Vuković explains, "protracted and destructive nature [of such conflicts]... contributes to the psychological manifestation of animosity, profound sentiments of fear and distrust, exaggerated stereotypes and misgiving among the parties involved... Positions and promoted solutions are conditioned by the parties' zero-sum perceptions and competitive attitudes... With the passing of the time, conflict becomes engrained in peoples' daily routine and such behavior even becomes institutionalized" [15, p. 32].

Due to this, conflicting parties sometimes are reluctant to change the status quo, particularly if, apart from the above-mentioned factor, the conflict is also a source of additional financial or political benefits or can be used by politicians to obtain/maintain power [53]. It is for this reason that a mediator has more chances of success in early phase of conflict, before such behavior becomes institutionalized, "identities become polarized and new grievances emerge" [54; 14]. That is why researchers believe that in such cases conflict settlement can be a more pragmatic approach than conflict resolution. However, after some time (in real life that can be years or tens of years) the conflicting parties may realize that their initial goals are not feasible, start redefining their objectives and become more tolerant to a compromise. Mediation can facilitate this transformation by encouraging the parties to a negotiated solution.

Most of the conflicts in the EU's Eastern neighborhood are already polarized with at least one conflict side having institutionalized behavior and being persistent (i.e. unwilling or obliged by a third party not) to change the status quo. Thus, it should be expected from the European Union to be engaged in conflict settlement rather than conflict resolution, and to have more success in the former rather than in the latter.

#### *Choice of Mediation*

So far, we have discussed an ideal situation or condition when a mediation is a choice of the conflicting parties truly searching for a negotiated solution. However, accepting a mediation does not necessarily and automatically mean that the conflicting parties are keen to a peaceful resolution. Indeed, in practice, due to many reasons [see 55 for more detail], the stalemates may use a mediation process as an instrument to "[buy time] to regroup and reorganize on the ground" or as Vuković formulates, "by buying time [the conflicting parties] may postpone making costly concessions; they may also see mediation as a platform through which their goals may gain international traction; mediation can serve as a mechanism through which they could gain more international allies; and the process could confer a higher degree of legitimacy for their claims and bargaining positions" [15, p. 17].

Bercovitch further argues that mediation is "an extension of negotiations where the parties to a dispute seek the assistance of, or accept an offer of help, from a party not directly involved in the conflict, to resolve their differences without invoking the authority of the law. The key differences between the two methods relate to the additional resources and expanded relationships and

communication possibilities that a mediator brings to the conflict management" [56, p. 154].

Just like negotiation, mediation may "encompass a wide spectrum of behaviors that range from formal discussions in a multilateral forum like the United Nations, to informal conversations at an embassy cocktail party" and "can be conducted formally or informally, in secret or in the open, by heads of state or by low-level officials, with closed or open-ended agendas" [24, p. 60].

However, mediation can't be taken as granted. Apart from a third-party intervention, conflict parties have other alternatives as well, including unilateral or bilateral actions. Unilateralism can be expressed in actions aimed at violently taking over the opponent or simply withdrawing, while bilateralism can be revealed in a two-sided negotiation [57, p. 19].

The belligerents usually choose to use third parties (which is a neutral/objective actor not involved in the conflict) and to opt for an external mediation if certain conditions are met and expected results are acceptable for them [29]. Several scholars argue that the following pre-conditions are necessary for both negotiation and mediation to occur:

- "a low or decreasing probability of attaining conflict goals through violent struggle, withdrawal, or avoidance.
- a decreasing value of the conflict goals, relative to the direct costs of pursuing those goals and relative to other goals.
- a set of common or compatible interests between the parties, or at least the possibility of a settlement offering mutual advantages over continued conflict.
- the flexibility by each leadership to consider negotiation" [58, p. 57; 24, p. 60; 56, p. 155].

Nevertheless, based on the very nature of mediation and particular differences between mediation and negotiation, mediation needs additional conditions to happen: First, a dispute is procrastinated for a long time, has a "complex issue structure" and the opposing sides are in a shortage of resources to opt for further unilateral actions [42, p. 17; 24, p. 73]. Second, the parties' unilateral or bilateral efforts are in a deadlock, unable to progress towards conflict resolution [59, p. 310] or "antagonism prevents conflict management from even getting under way" [58, p. 57]. Third, a third party is ready and willing to play a role of mediator [60]. Fourth, there should be a room of opportunity for a mediator to play its role. Otherwise, if the conflicting parties do not want a third party to intervene or if there are some other factors hindering the intervention, mediation will not occur or will be doomed to failure [60; 28, p. 8]. And fifth, expected results must be beneficial/acceptable for the opposing parties in order to opt for a third party intervention. In other words, mediation tends to occur if the belligerents believe that either "it will help them reach a better settlement than they can achieve on their own", or "the mediator will provide them with a face-saving way out of the conflict or a means of influencing their opponent, or when rejecting mediation will result in greater harm than accepting it" [61, p. 450; 24, p. 61].

EU involvement in conflict management. There has been an increasing volume of academic scholarship on the EU conflict management during recent years. The researches vary from EU's Europeanization approach to the conflicts in its immediate neighborhood [62] to the EU conflict prevention, peace-building and crisis management in policy and legal lens [63] as well as to the comparative case studies of conflicts in the EU's neighborhood and the repercussions of the EU contractual relations on them [64; 65]. More recent analyses focus on the motivational factors of the EU to be (or not to be) involved in the conflict

resolution processes [66; 67]. Others address the issue of success of the EU to manage the conflict effectively [68].

European Union usually has a wide range of military and civilian crisis management instruments. Ultimately, everything is regulated within the frames of umbrella documents establishing contractual relations with relevant third countries and group of countries. With these documents, the EU is capable of providing direct and indirect incentives for conflict resolution via enforcing reforms agenda, legislative approximation to the EU *acquis*, political dialogue, CFSP/CSDP missions, financial support, etc. In other words, the EU mostly contributes to the peace-building through increasing attractiveness of the conflict parties, "based on the assumption that the transformation of conflict requires the prior establishment of the rule of law and effective governance structure" [69, p. 25].

Apart from being mediator itself, the EU generally has a substantial power in promoting, leveraging, funding and otherwise supporting mediation efforts [52, pp. 9-10].

It is surprising that the EU, surrounded by so many conflicts in its neighborhood, does not have a clear-cut conflict resolution policy. The EU generally approach conflicts by a broader Common Security and Defense Policy (CSDP), the EU instrument to carry out humanitarian, crisis management, peacemaking or peacekeeping tasks. However, the EU rarely uses real peacekeeping, humanitarian or peace-enforcing missions and operations. Indeed, most of them have a peace-building nature [70, 71].

#### *EU crisis management and conflict resolution instruments*

EU has a wide range of crisis response and management instruments. Their coordination across a number of institutional and decision-making processes is as important as their implementation. Several regimes/structures are created for this reason [72; 73; 74].

- Instrument contributing to Stability and Peace (IcSP) (until March 2014, the Instrument for Stability – IfS) – is managed by the European Commission and the EEAS for the purposes of crisis response, crisis preparedness and conflict prevention. The IcSP supports mediation and confidence building through crisis response projects. Its main purpose is to provide urgent short-term actions in emerging crisis in concert with EU humanitarian assistance, and to provide longer-term capacity building of organizations working in the field of crisis response and peace-building. It is usually implemented under the supervision of the EU delegations.

- The Peace-building Partnership (part of IcSP) – is tailored for non-governmental organizations, think tanks, regional/sub-regional organizations, international organizations and EU member state agencies and its member states to increase civilian expertise for peace-building activities and to deepen dialogue between EU institutions and civil society.

#### *EU crisis management and conflict resolution structures and regimes*

Since its formal establishment, the EU has significantly extended its outreach in international relations. So have its structures responsible for crisis management, conflict management, conflict resolution, strategic planning, military planning, early warning, situation assessment, military training and education, military partnerships, etc. The European Security Strategy published in 2003 was one of the first significant steps of the EU acknowledging the importance of addressing the security challenges, underlying the EU role in these processes and stressing the necessity of "preventive engagement" through the EU conflict

prevention instruments, "including political, diplomatic, military and civilian, trade and development tools" [75].

The Lisbon Treaty later recognized the conflict prevention, peace preservation and strengthening of international security as key goals of the Union's external action. Moreover, the Council of the European Union reiterated that "preventing conflicts and relapses into conflicts... is a primary objective of the EU's external action, in which it could take a leading role acting in conjunction with its global, regional, national and local partners" [76, p. 1]. As a part of the European Security Strategy implementation follow-up, the EU also developed the "Concept on Strengthening EU Mediation and Dialogue Capacities" in 2009 [52]. The document aimed at strengthening mediation capacities of mediators, and expressed its readiness to continue support of "local, regional, international partners, relevant non-governmental organizations and institutions for conflict prevention and resolution and the strengthening of peace efforts, as appropriate" [76, p. 1]. It can be reckoned as a policy basis for the EU mediation.

The European External Action Service, headed by the High Representative of the European Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, was intended to facilitate and increase effectiveness and efficiency of EU policies, bodies and instruments in the fields of the Common Foreign and Security Policy and the Common Security and Defense Policy. Indeed, all the CSDP bodies (some in the Council, others in the EEAS) are currently under a direct supervision or guided by a broader structure of the European External Action Service. The most important of these bodies/structures, tasked to facilitate crisis management activities of the Union, include the following [70; 77]:

- The Political and Security Committee (PSC) – meets at the ambassadorial level as a preparatory body for the Council of the EU, and provides strategic direction to CSDP Missions. To this end, its main functions are keeping track of the international situation, and helping to define policies within the Common Foreign and Security Policy (CFSP), including the CSDP. It prepares a coherent EU response to a crisis and exercises its political control and strategic direction.

- The *European Union Military Committee (EUMC)* is the highest military body set up within the Council. It is composed of the Chiefs of Defense of the Member States, who are regularly represented by their permanent military representatives. The EUMC provides the PSC with advice and recommendations on all military matters within the EU.

- The PSC is further advised by a *Committee for Civilian Aspects of Crisis Management (CIVCOM)*. The CIVCOM's activities are important elements of the EU Common Security and Defense Policy. This committee, comprised of professionals mostly with military background, provides information, drafts recommendations, discusses the reports of the CSDP missions and gives its opinion to the PSC on civilian aspects of crisis management.

- The *Politico-Military Group (PMG)* carries out preparatory work in the field of CSDP for the Political and Security Committee. It covers the political aspects of EU military and civil-military issues, including concepts, capabilities and operations and missions. It prepares Council Conclusions, provides Recommendations for PSC, and monitors their effective implementation. It contributes to the development of (horizontal) policy and facilitates exchanges of information. It has a particular responsibility regarding partnerships with third states and other organizations, including EU-NATO relations, as well as

exercises. The PMG is chaired by a representative of the High Representative.

- The Crisis Management and Planning Directorate (CMPD) – contributes to the objectives of the European External Action Service, the EU Common Security and Defense Policy and a more secure international environment by the political-strategic planning of CSDP civilian missions and military operations, ensuring coherence and effectiveness of those actions as part of the EU comprehensive approach to crisis management and developing CSDP partnerships, policies, concepts and capabilities.

- The European Union Military Staff (EUMS) – working under the direction of the EU Military Committee (EUMC) and under the authority of the High Representative/Vice President (HR/VP) – is the source of collective (multi-disciplinary) military expertise within the European External Action Service (EEAS). As an integral component of the EEAS's Comprehensive Approach, the EUMS coordinates the military instrument, with particular focus on operations/missions (both military and those requiring military support) and the creation of military capability. Enabling activity in support of this output includes: early warning (via the Single Intelligence Analysis Capacity – SIAC), situation assessment, strategic planning, Communications and Information Systems, concept development, training and education, and support of partnerships through military-military relationships. Concurrently, the EUMS is charged with sustaining the EU OPSCEN and providing its core staff when activated.

- The Civilian Planning and Conduct Capability (CPCC), which is part of the EEAS, is the permanent structure responsible for an autonomous operational conduct of civilian CSDP operations. Under the political control and strategic direction of the Political and Security Committee and the overall authority of the High Representative, the CPCC ensures the effective planning and conduct of civilian CSDP crisis management operations, as well as the proper implementation of all mission-related tasks.

- EU Special Representative – in general, EU Special Representatives play important role in the EU mediation efforts. Their mandates usually include "supporting stabilisation and conciliation processes, contributing to initiatives leading to settlement of conflicts and to negotiation and implementation of peace and cease fire agreements, facilitating and maintaining close contact with all the parties" (Council of the European Union, 2009, p. 5).

- Bodies of the European External Action Service:

- The Crisis Response and Operational Coordination Department (CRPCD) – is responsible for the activation of the EEAS Crisis Response System (Crisis Platform, EU Situation Room, Crisis Management Board), and therefore plays a central role in ensuring both swift and effective mobilisation of actors and instruments across the EU system as well as coherence of policies and actions throughout the various phases of the crisis life cycle. The CRPCD is comprised of 3 divisions: 1) the Crisis Response Planning and Operations (CRPO); 2) the EU Situation Room; 3) the Consular Crisis Management.

- In turn, the EEAS Crisis Response System (CRS) covers crises which may affect EU security and interests occurring outside the EU, including those affecting the EU delegations or any other EU asset or person in a third country. The CRS contributes to ensure coherence between various aspects of crisis response and management measures, in particular in the security, political, diplomatic, consular, humanitarian, developmental, space related, environmental and corporate fields.

➤ The Crisis Platform – chaired by the High Representative of the Union, the EEAS Executive Director or the EEAS Managing Director for Crisis Response, encompasses a number of services within the EU system. It provides the EEAS and Commission services with a clear political and strategic guidance for the management of a given crisis. Depending on the crisis, several crisis response/management structures mentioned above can meet within this format, the EEAS Crisis Response Department providing the secretariat support.

➤ The EU Situation Room – is a permanent stand-by body that provides worldwide monitoring and current situation awareness 24/7. It collects information from all relevant institutions as well as distributes the analysis and recommendations to the member states, EU delegations and other relevant teams.

#### Conclusion

Conflicts have become one of the main challenges of our societies in recent decades, resulted in an increasing necessity for international mediation. This is true to the European Union's Eastern Partnership where five out of the six countries continue to struggle from the devastating effects of the ongoing or sporadic eruptions of hostilities. The European Union has been engaged in the conflict management and international mediation activities to some extent. It has established particular bodies for this purpose that were demonstrated in the paper.

The study also examined important aspects and components of conflict management and international mediation to better understand the context of functioning of these EU bodies and instruments. Governmental officials as well as representatives of academia, non-governmental and international organizations will have to take this information into consideration in order to further improve their working practices and more effectively cope these challenges.

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**УПРАВЛІННЯ КОНФЛІКТАМИ, МІЖНАРОДНЕ ПОСЕРЕДНИЦТВО І ЄВРОПЕЙСЬКИЙ СОЮЗ**

Європейський Союз на різних рівнях працює над інструментами щодо запобігання ескаляції агресивних дій з боку держав, а також виступає посередником у вже існуючих конфліктах в п'яти країнах Східного партнерства з шести.

Беручи до уваги той факт, що конфлікти стають нагальною проблемою для багатьох суспільств і одним із стримуючих факторів у розвитку держав, актуальним буде аналіз наступних понять – управління конфліктом, міжнародне посередництво, діяльність ЄС в обох напрямках, а також досвід ЄС в управлінні конфліктами і посередництві.

У комплексній бюрократії фахівцям-практикам, представникам урядових, неурядових і міжнародних організацій досить важко ідентифікувати органи ЄС, структури та інструменти, які були розроблені для ефективного вирішення конфліктів. У зв'язку з цим інформація, що представлена в даній роботі, буде продуктивною і зможе посприяти суспільній значимості дослідження.

Ключові слова: управління конфліктом, міжнародне посередництво, органи і інструменти ЄС.

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**УПРАВЛЕНИЕ КОНФЛИКТАМИ, МЕЖДУНАРОДНОЕ ПОСРЕДНИЧЕСТВО И ЕВРОПЕЙСКИЙ СОЮЗ**

Европейский Союз на разных уровнях работает над инструментами по предотвращению эскалации агрессивных действий со стороны государств, а также выступает посредником в уже существующих конфликтах в пяти странах Восточного партнерства из шести.

Принимая во внимание тот факт, что конфликты становятся насущной проблемой для многих обществ и одним из сдерживающих факторов в развитии государств, актуальным будет анализ следующих понятий – управление конфликтом, международное посредничество, деятельность ЕС в обоих направлениях, а также опыт ЕС в управлении конфликтами и посредничестве.

В комплексной бюрократии специалистам-практикам, представителям правительственных, неправительственных и международных организаций трудно идентифицировать органы ЕС, структуры и инструменты, которые были разработаны для эффективного разрешения конфликтов. В связи с этим, информация, представленная в данной работе, будет продуктивной и сможет способствовать общественной значимости исследования.

Ключевые слова: управление конфликтом, международное посредничество, органы и инструменты ЕС.