

**Committee:** Special Conference on Conflict Resolution in a Changing World

**Issue:** The role of negotiation and mediation in global conflict resolution

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## **INTRODUCTION**

The negotiation process requires give and take. Through this very important process, all those involved should focus on creating a courteous and constructive interaction that is beneficial for both parties. In simple terms, a successful and constructive negotiation is one where you will be in a position to make compromises that affect you the least but make a huge difference for the party on the other side of the table.

Mediation is another solid, and in some situations, necessary process wherein parties meet with a mutually selected, impartial/neutral person who assists them in the negotiation of their differences. Both these ways of coming to an agreement have played an important role throughout the history of nations. Wars and other serious conflicts have been avoided when both sides have sat down and deliberated upon solutions acceptable for all involved. Patience, goodwill and, above all, the search for truth and fairness are all components of these procedures.

To settle differences, arguments and disputes must be avoided. Both sides must deliberate having that in mind - only then global conflict resolutions are able to be achieved.

## **DEFINITION OF KEY TERMS**

### **Negotiation**

Negotiation is a discussion strategy that can solve an issue or a problem in a way that both sides find acceptable. In this strategy, both parties try to convince each other in order to agree with his/her point of view and compromise is an essential factor in this strategy.

## Mediation

Mediation is the procedure where two or more parties discuss their opinions in front of a third person who has to be objective, impartial and neutral. The setting of mediation can vary from an informal meeting to a formal conference between the parties.

## Conflict Resolution

With due regard to the question at hand, conflict resolution is a way for two or more parties to find a peaceful and, above all, fair solution to solve a disagreement that exists between them. This disagreement can be on conflicts concerning personal, political or financial issues to name a few, between member states or individuals in positions of power.

# BACKGROUND INFORMATION

## Origins

### Causes of conflict

In principle, there are eight main causes of a conflict/war. First of all, an economic gain (a financial reason) has the potential to start a conflict/war. As a historical example, we can refer back to the Winter War, which took place in 1939-1940<sup>1</sup>. Joseph Stalin and the Soviet army wanted to mine the nickel in Finland, but the Finnish refused. As a result, the Soviet Union waged war on the country.

Another reason that a conflict or war begins is territorial gain. An example to understand this would be the Six-Day War which started on June 5 of 1967 and ended on June 10 of 1967. In this conflict, the Israeli forces took the territories of the West Bank, including some very important places such as East Jerusalem, from Jordan.<sup>2</sup> This conflict highlighted the cruciality of religion. Many conflicts have started due to differences between religions. One example is the second Sudanese civil war that started in 1983 and ended in 2005.<sup>3</sup> This was both a long-

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<sup>1</sup> Andrews, Evan. "What Was the Winter War?" *History.com*, A&E Television Networks, 30 Nov. 2016, [www.history.com/news/what-was-the-winter-war](http://www.history.com/news/what-was-the-winter-war).

<sup>2</sup> The Editors of Encyclopaedia Britannica. "Six-Day War." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 29 May 2020, [www.britannica.com/event/Six-Day-War](http://www.britannica.com/event/Six-Day-War).

<sup>3</sup> Momodu, Samuel. "Second Sudanese Civil War (1983-2005) •." •, 30 May 2020, [www.blackpast.org/global-african-history/events-global-african-history/second-sudanese-civil-war-1983-2005/](http://www.blackpast.org/global-african-history/events-global-african-history/second-sudanese-civil-war-1983-2005/).

term and contemporary war that harmed both sides. This war started because the Muslim central government wanted to impose sharia law on non-Muslim southerners. One very important reason that conflicts start is nationalism. The most important and best known example is World War I. The war lasted for 4 years, from 1914 until 1918, and resulted in multiple losses. A lot of countries, due to extreme loyalty and patriotism, were involved in the First World War. Many European countries before the war believed in the cultural, economic, political and military powers of their country.

Revenge is also a main reason for a war to break out. This means that a country wants to seek revenge from another country. A historical example is World War II, which lasted for 6 years, from 1939 until 1945, resulted in multiple losses on all sides. The rise of the Nazi socialist party and Germany's eventual domination of the European continent were direct results of the Treaty of Versailles, which imposed strict punishments on Germany.

Some more reasons are a civil war, a revolutionary war, and, last but not least, a defensive war. All those reasons are very serious and we should know that it is very easy for a war/conflict to break out.

### **Strategies for conflict resolution**

Conflict resolution is a way for two or more parties to find a good and peaceful solution to a very serious issue or even a disagreement. There are five conflict resolution strategies which are very different from one another, but, at the same time, very important.

First of all, we have the strategy of avoiding. This very common strategy involves a person trying either to ignore and avoid a conflict hoping that it will solve itself or even be resolved by someone else. One more strategy is the strategy of accommodating. This strategy is the strategy that is used to resolve a specific conflict that involves taking steps to satisfy the other party's concerns or demands at the expense of your own party's needs or even your personal needs. After this strategy is the strategy of compromise, which is the strategy that involves finding an acceptable resolution in order to solve the problem. This strategy cannot satisfy the concerns of all parties involved in the negotiation.

The last two strategies are the most important ones. First, we have the strategy of competing which is when someone tries to satisfy their own needs and desires against the other parties involved. This is also the most common strategy that some people and countries use. Last but

not least, the strategy of collaborating involves finding a solution that everyone in all parties is satisfied with.

### **Five stages of negotiation:**

For negotiations to go well, there has to be not even one shortcut in the negotiation preparation. Those who are preparing for negotiation should be very careful so that there are no problems in the programme and in how things will pan out. Attendees should still respect the process and not make it even more difficult. The most important thing about the procedure of negotiation is to build trust. This action is the key to the negotiation to function well. Last but not least, both sides and, more importantly, the leaders of both sides should be well-versed in the basics and even more so in the communication skills which are critical during 'bargaining'.

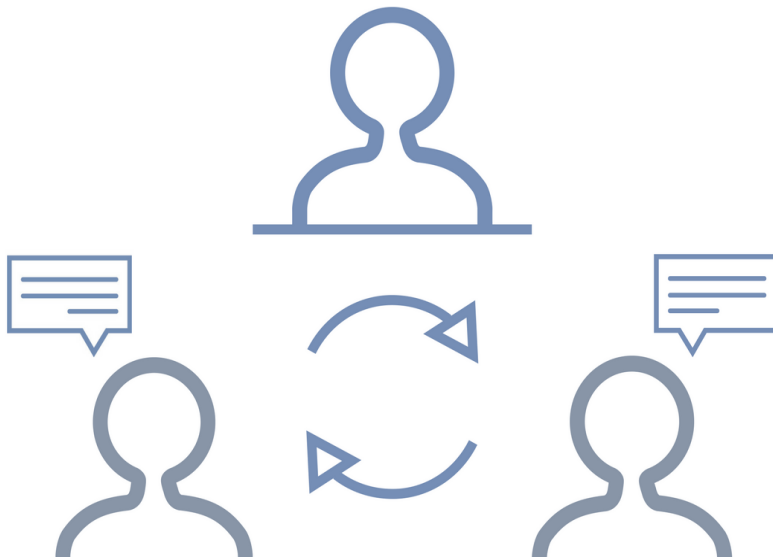
There are five collaborative stages of the negotiation process:

1. **Prepare:** in order to enter into negotiations with someone, you should be prepared for every question or statement that your rival might pose or make
2. **Information exchange:** the information on the discussed topic that the negotiation is about is very important and crucial so that both sides understand what is at stake.
3. **Bargain:** is just a form of distributive negotiation process that is both competitive and positional.
4. **Conclude:** this is the final result of the negotiation when both sides decide on the negotiable issue.
5. **Execute:** is the condition after the negotiation and the final steps that both sides take.

### **Negotiation vs Mediation: The differences between them**

The difference between the two means is very important for this particular topic. We know that negotiation is the procedure through which discussion solves problems (financial, political and personal). On the other hand, mediation is the procedure in which the parties discuss their issues in front of a third person who should remain objective throughout the process. The major difference between them is that in negotiation, parties agree to work with one another to reach a resolution. This means relying on the other individual wishing to

achieve a result. Sometimes, talking directly with someone is not the best solution. In mediation, parties agree to work together, but under the guidance of a trained mediator. Informal dialogue creates space for candid dialogue between countries which is not always possible through formal dialogue. Successes associated with negotiation and mediation in the past can be found during the Cold War, for example during the Cuban Missile Crisis. Nevertheless, it should be highlighted that all mediators are negotiators, while it does not always work the other way around.



“Difference Between Negotiation and Mediation.” *Dispute Resolution in Finland* by Emmi E. Lehtinen, 20 Aug. 2018, [www.riidanratkaisu.com/difference-negotiation-mediation/?lang=en](http://www.riidanratkaisu.com/difference-negotiation-mediation/?lang=en).

### **Why is negotiation an asset to resolve global conflicts?**

The safest and most appropriate way to resolve global conflicts is negotiation. It is a process by which compromise is reached while avoiding argument and dispute. Negotiation skills such as communication, persuasion, planning, strategizing and cooperating can be of great benefit in resolving any differences between the sides.

### **Advantages of negotiation:**

There are multiple advantages of negotiation which are very important and crucial and, consequently, have to be mentioned. Negotiation can be regarded as a way of resolving disputes in a flexible manner. The two different parties can shape the negotiations according to their different needs, including, but not limited to, determining their agenda, agreeing on either a private or public way of settling the dispute and determining the ones participating in

the process. The consultation of all interested participants and the expression of their willingness in participating in the said process are of the utmost importance so that a satisfactory agreement can be reached. Additionally, it is necessary that all safeguards possible need to be brought together in order to eliminate a lack of equities in the bargaining process, such as power imbalances that may occur between the different participants. This, of course, does not mean that the resolution will bring success to one of the parties. However, an interest-based approach increases the chances of an outcome that is favourable instead of a positional-based approach that limits the possibilities for the desired outcome. This happens as the focus is on the different interests and needs presented as well as the use of standard practices such as the objective standard method, tools that cater to the participants. This is sometimes referred to as a "win-win" approach. The fact that negotiation is characterized by its process should not be forgotten. It is a voluntary process. This means that no one is required to participate in negotiations if they do not want and wish to do so. This in turn eliminates the need to have a neutral third party aiding the parties in the direction of discretion, especially when the issue at hand can contain sensitive information that is not to be disclosed to the public. Finally, it is important to keep in mind that negotiation not only has financial benefits and is much quicker than litigation in cases when speed is of the essence, but it can also maintain a positive relationship among the parties involved.



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**Disadvantages of negotiation:**

Following the previous outline of the advantages of negotiation, it is of the utmost importance to also mention its disadvantages. First of all, the parties may not negotiate in good faith,

which more often than not does not provide the parties with an agreement that is in accordance with their interests. When not negotiating in good faith, parties may disclose sensitive information in their attempt to harm the other party. Finally, a win-win approach may not always be the case as in many cases both parties gain something but lose something as well which may hinder their interests. Litigation can be more clear cut in cases in which one party is very protective of their rights.

#### **Advantages of mediation:**

There are numerous, but, at the same time, very important advantages to mediation. Throughout mediation, you are automatically involved but during negotiation, you are directly involved in your agreement. This is very important because you can stand up for and be in favor of your ideas and beliefs. As an extension of this, in mediation, nothing can be forced upon you (as happens in litigation or arbitration). Furthermore, the most critical and crucial thing at this point is that each and every party is capable to control their own needs and beliefs and above all wants. As mediation is a means of resolving a dispute early on in the process, a final agreement can occur more rapidly than if the parties opted for litigation. Generally, the cost is greatly limited, which is very important nowadays as the world we live in is enduring a financial crisis. The mediator may be able to explore alternative solutions that may not have been considered by the parties of both sides or are not achievable or accessible through the courts. Once the dispute is resolved, it is sometimes possible to re-establish a positive relationship between the two or more parties

#### **Disadvantages of mediation:**

The disadvantages of mediation are as important as the advantages of mediation. In mediation, the parties cannot be compelled to participate. Furthermore, one of the parties with the authority to settle is unavailable or unwilling to negotiate.

## **MAJOR COUNTRIES AND ORGANISATIONS INVOLVED**

### **United States of America**

The United States of America strongly supports negotiation. The US negotiator shares a distinctive style. This style is forceful, explicit and legalistic. Although these traits

inevitably vary according to personalities and circumstances, they are recognizably pragmatic. The American style is shaped by powerful and enduring structural and cultural factors which are very important nowadays.

### **United Kingdom**

The United Kingdom is currently making use of negotiation in its Brexit talks with the European Commission. The United Kingdom employs negotiation in order to improve relationships with the European Union.

### **India**

The Indian government supports negotiation. In India, Indian culture is relationship-focused. Indian negotiators may well use attitudinal bargaining to encourage you to change your approach. Using emotional tactics attempts to make someone change their opinion on a topic through guilt or even by highlighting the relationship.

### **France**

In French negotiations, the style is formal and polite. Logic is the only thing that can characterize the French negotiation style. Logic will prevail in their argument and lead them to a widespread analysis.

### **Australia**

In the Australian government, negotiations often mean engaging in a friendly debate aimed at reaching a fair agreement for everyone. In business deals, the buyer and the seller are equal partners who both have to reach an agreement which is fair for both parties.

### **China**

The Chinese government's forms of negotiation ranges from informal, friendly discussions with a long-term partner to formal bilateral talks. Chinese-style



negotiation is the process of building and fostering relationships to produce benefits for both sides.

## TIMELINE OF EVENTS

Date	Description of Event
February 4, 1945 – February 11, 1945	<b>The Yalta conference</b> takes place in the Soviet Union where the leaders of the United States, the United Kingdom and the Soviet Union discuss issues relating to Germany's rise in power during World War II
July 17, 1945 – August 2, 1945	<b>The Potsdam Conference</b> takes place in Germany. The participants are the USA, the UK and the Soviet Union. After the Yalta conference, all the leaders had agree to meet to determine the border of Europe after Germany's surrender.
November 28, 1943 - December 1, 1943	<b>The Tehran conference</b> takes place at the Soviet Union's embassy in Iran. The leaders arrive at the conference with differing objectives; however, all of them agree on the same thing. This is the commitment of the Western allies to open a second front against the Nazis.
October 18, 1943 – November 11, 1943	<b>The Moscow conference</b> takes place at the Kremlin and Spiridonovka Palace in Moscow. The main reason this conference takes place is that the leaders want to discuss cooperation in the war effort.
January 14, 1943 – January 24, 1943	<b>The Casablanca Conference</b> takes place in Casablanca, Morocco. The conference is held for one main reason. This reason is to plan the Allied European strategy or the next phase of World War II.
November 22, 1943 - November 26, 1943	<b>The Cairo Conference</b> takes place in Cairo, Egypt. The main reason for that is to take some serious decisions about post-war Asia.
August 19, 1943 – August 24, 1943	<b>The First Quebec Conference</b> takes place in Quebec City, Canada. This conference is held to discuss the plans for the upcoming allied invasions of both Italy and France.



The Editors of Encyclopaedia Britannica. "Tehrān Conference." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 23 Jan. 2020, [www.britannica.com/event/Tehran-Conference](http://www.britannica.com/event/Tehran-Conference).

## **UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS**

The Singapore Convention on Mediation:

The Singapore Convention on Mediation, or, in other words, and more formally, the United Nations Convention on International Settlement Agreements Resulting from Mediation commenced on December 20, 2018; however, it had opened earlier for signature on August 7, 2019. This Singapore convention is an international agreement with signatories from 52 different member states. This convention deals with the recognition of mediated settlements. Following the United Nations General Assembly, the convention was opened for signature by all states as of August 7, 2019 and it was initially signed by 46 member states. The Convention will enter into force on 12 September 2020, which is six months after the deposit of the third ratification instrument.



**SINGAPORE  
CONVENTION  
ON MEDIATION**

*Singapore Convention On Mediation*, [www.singaporeconvention.org/](http://www.singaporeconvention.org/).

**UNITED NATIONS CONVENTION ON INTERNATIONAL SETTLEMENT  
AGREEMENTS RESULTING FROM MEDIATION**

## POSSIBLE SOLUTIONS

Solutions to the problem should be tackled from multiple aspects. All governments should provide all citizens with specific education which would aid them in understanding the fact that they have the same rights in both the negotiation and the mediation processes in order for them to start using both in their lives. Moreover, through education, citizens will learn about the need to use negotiation and mediation in order to stand up for their needs and desires. The education sector can perfectly fit the need for some mock debates for young citizens to make them understand negotiation and mediation and, most importantly, how to use them and also how to develop some special and crucial skills.

Conferences are also a good way in order to communicate negotiation and mediation to society. Consequently, conferences could be organised in order for young people to participate and make them understand both strategies. The topics of these conferences could be on a wide range of issues, such as the financial problems of a country or even the political and social problems that a country faces. As a result of not good conciliation between countries, wars and conflicts between countries can break out.

Last but not least, in order to solve the issues faster and more easily, all member states should be focused when they negotiate and discuss matters. This can also help to avoid mistakes on the issues being made as their decisions could harm a lot of people.

## BIBLIOGRAPHY

6, Collins W. April, and Stacy M. April 11. "3 Negotiation Strategies for Conflict Resolution." *PON*, 9 Apr. 2020, [www.pon.harvard.edu/daily/dispute-resolution/3-negotiation-strategies-for-conflict-resolution/](http://www.pon.harvard.edu/daily/dispute-resolution/3-negotiation-strategies-for-conflict-resolution/).

"1943: Moscow and Teheran Conferences." *United Nations*, United Nations, [www.un.org/en/sections/history-united-nations-charter/1943-moscow-and-teheran-conferences/index.html](http://www.un.org/en/sections/history-united-nations-charter/1943-moscow-and-teheran-conferences/index.html).

“Alternative Dispute Resolution Series - Negotiation.” *Alternative Dispute Resolution Series - Negotiation* | Gibson Sheat,

[www.gibsonsheat.com/Articles/Litigation/Alternative+Dispute+Resolution+Series+-+Negotiation.html](http://www.gibsonsheat.com/Articles/Litigation/Alternative+Dispute+Resolution+Series+-+Negotiation.html).

Amaresan, Swetha. “5 Conflict Management Styles for Every Personality Type.” *HubSpot Blog*, [blog.hubspot.com/service/conflict-management-styles](http://blog.hubspot.com/service/conflict-management-styles).

“Brexit Negotiations.” *European Commission - European Commission*, 20 Feb. 2020, [ec.europa.eu/commission/brexit-negotiations\\_en](http://ec.europa.eu/commission/brexit-negotiations_en).

“Cold War.” *History.com*, A&E Television Networks, 21 Aug. 2018,

[www.history.com/topics/cold-war](http://www.history.com/topics/cold-war).

“Formal and Informal Dialogue.” *Prezi.com*, [prezi.com/u6tvls6a9dvk/formal-and-informal-dialogue/](http://prezi.com/u6tvls6a9dvk/formal-and-informal-dialogue/).

Goodman, Paul. “The 8 Main Reasons for War.” *Owlcation*, 3 Dec. 2019,

[owlcation.com/social-sciences/The-Main-Reasons-For-War](http://owlcation.com/social-sciences/The-Main-Reasons-For-War).

Government of Canada, Department of Justice. “Dispute Resolution Reference Guide.” *Negotiation - Dispute Prevention and Resolution Services*, 31 July 2017,

[www.justice.gc.ca/eng/rp-pr/csj-sjc/dprs-sprd/res/drrg-mrrc/03.html](http://www.justice.gc.ca/eng/rp-pr/csj-sjc/dprs-sprd/res/drrg-mrrc/03.html).

Hall, Michelle. “By the Numbers: End of World War II.” *CNN*, Cable News Network, 2 Sept. 2013, [edition.cnn.com/2013/09/02/world/btn-end-of-wwii/index.html](http://edition.cnn.com/2013/09/02/world/btn-end-of-wwii/index.html).

Harness, Jill. “What Are the Disadvantages of Negotiation?” *Bizfluent*, 8 Aug. 2019,

[bizfluent.com/info-8613387-disadvantages-negotiation.html](http://bizfluent.com/info-8613387-disadvantages-negotiation.html).

History.com Editors. “Yalta Conference.” *History.com*, A&E Television Networks, 29 Oct.

2009, [www.history.com/topics/world-war-ii/yalta-conference](http://www.history.com/topics/world-war-ii/yalta-conference).

Kenton, Will. “How Negotiations Work.” *Investopedia*, Investopedia, 5 Feb. 2020,

[www.investopedia.com/terms/n/negotiation.asp](http://www.investopedia.com/terms/n/negotiation.asp).

Learning, Lumen. "Organizational Behavior / Human Relations." *Lumen*,  
courses.lumenlearning.com/wm-organizationalbehavior/chapter/stages-of-  
negotiation/.

Lewis, Richard. "Here's The Trick To Negotiating With The French." *Business Insider*, Business  
Insider, 12 June 2014, [www.businessinsider.com/negotiating-with-the-french-2014-6](http://www.businessinsider.com/negotiating-with-the-french-2014-6).

McLean, John. "History of Western Civilization II." *The Tehran Conference | History of  
Western Civilization II*, courses.lumenlearning.com/suny-hccc-worldhistory2/chapter/the-  
tehran-conference/.

"Mediation." *The Academy of Experts*, 7 July 2020, [academyofexperts.org/alternative-  
dispute-resolution/mediation/](http://academyofexperts.org/alternative-dispute-resolution/mediation/).

Melinda. "Conflict Resolution Skills." *HelpGuide.org*,  
[www.helpguide.org/articles/relationships-communication/conflict-resolution-  
skills.htm](http://www.helpguide.org/articles/relationships-communication/conflict-resolution-skills.htm).

Neidel, Betsy. "Negotiations, Chinese Style." *China Business Review*, 4 Mar. 2016,  
[www.chinabusinessreview.com/negotiations-chinese-style/](http://www.chinabusinessreview.com/negotiations-chinese-style/).

Nolo. "Mediation Disadvantages." *Www.lawfirms.com*, Nolo, 20 May 2011,  
[www.lawfirms.com/resources/lawsuits-and-disputes/mediation/mediation-  
disadvantages.htm](http://www.lawfirms.com/resources/lawsuits-and-disputes/mediation/mediation-disadvantages.htm).

"Pros and Cons for Use of Mediation to Resolve Disputes." *Findlaw*,  
corporate.findlaw.com/business-operations/pros-and-cons-for-use-of-mediation-to-resolve-  
disputes.html.

"SECTION 3 Process Map for Consensual Negotiations." *Negotiation and Mediation  
Techniques for Natural Resource Management*,  
[www.fao.org/3/a0032e/a0032e06.htm](http://www.fao.org/3/a0032e/a0032e06.htm).

"Section 6. Training for Conflict Resolution." *Chapter 20. Providing Information and  
Enhancing Skills | Section 6. Training for Conflict Resolution | Main Section | Community Tool  
Box*, [ctb.ku.edu/en/table-of-contents/implement/provide-information-enhance-  
skills/conflict-resolution/main](http://ctb.ku.edu/en/table-of-contents/implement/provide-information-enhance-skills/conflict-resolution/main).

*Singapore Convention On Mediation*, [www.singaporeconvention.org/](http://www.singaporeconvention.org/).

*Study.com*, [study.com/academy/lesson/what-is-negotiation-the-five-steps-of-the-negotiation-process.html](http://study.com/academy/lesson/what-is-negotiation-the-five-steps-of-the-negotiation-process.html).

*Sutori*, [www.sutori.com/story/the-cold-war-timeline--uSqzCoHbKQZ8d6iPDP8SwbpL](http://www.sutori.com/story/the-cold-war-timeline--uSqzCoHbKQZ8d6iPDP8SwbpL).

Training, CLIMB Professional Development and. *What Are the Five Conflict Resolution Strategies?*, [climb.pcc.edu/blog/what-are-the-five-conflict-resolution-strategies](http://climb.pcc.edu/blog/what-are-the-five-conflict-resolution-strategies).

“UN, United Nations, UN Treaties, Treaties.” *United Nations*, United Nations, [treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXII-4&chapter=22&clang=\\_en](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXII-4&chapter=22&clang=_en).

“What Is Mediation And How Does It Work?” *Findlaw*, [corporate.findlaw.com/litigation-disputes/what-is-mediation-and-how-does-it-work.html](http://corporate.findlaw.com/litigation-disputes/what-is-mediation-and-how-does-it-work.html).

“What Is the Negotiation Style in India?” *Commisceo Global Consulting Ltd.*, [www.commisceo-global.com/blog/what-is-the-negotiation-style-in-india](http://www.commisceo-global.com/blog/what-is-the-negotiation-style-in-india).

“World War II.” *Ducksters Educational Site*, [www.ducksters.com/history/world\\_war\\_ii/ww2\\_timeline.php](http://www.ducksters.com/history/world_war_ii/ww2_timeline.php).