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# ROLE OF MEDIATION IN INTERNATIONAL WAR AND CRIMES

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## ABSTRACT

The impact of War and Crimes on our society is indispensable right from the ancient days. The countries face severe hurdles in providing an amicable solution in a speedy manner to international conflicts due to the existence of jurisdictional tussles between nations. The reason for such an issue is because of the dissimilarities between the legislations of different countries. The traditional method of initiating the case before the judiciary fails to satisfy the basic requirements of providing a speedy and effective solution to cases involving international war and crimes. The suggestive answer to this issue is considering the means of alternate dispute resolution as a pathway. Out of the various methods of Alternate Dispute Resolution, mediation is considered to be the flexible non-rigid procedure based on the mindset of the parties as this does not involve any set of complex rules of procedures and evidence. Reliance can be placed on mediation than relying on the time-consuming and expensive court proceedings as the only gate for seeking justice. The process of mediation has its origin in the ancient days because right from the cold war period till the Rwandan genocide, mediation was not explicitly implemented but it was carried impliedly in the form of bringing bilateral negotiations. Conventions like the Hague Convention, 1899, and the League of Nations Covenant, 1907 have tried to initiate the process of mediation. At the international level, various centers' have been enacted that deal with mediation and its application. However, the execution of such a mediation process did not happen all of a sudden as it was recognized only in recent years and it is because mediation was seen as an option and not a necessity. This article focuses on the importance of the mediation process in establishing peaceful relations between nations that are in conflict with each other due to war and crimes.

**Exordium:**

Mediation has become an increasingly important tool in resolving international conflicts and addressing crimes against humanity. Mediation involves the use of a neutral third party to facilitate communication and negotiation between conflicting parties with the goal of reaching a mutually agreeable solution. In the context of international war, mediation can help to prevent the escalation of violence and create a pathway towards peaceful resolution. Mediators can work to identify the underlying causes of the conflict, address grievances, and find common ground between the parties involved. By fostering dialogue and promoting understanding, mediation can help to build trust and create a foundation for sustainable peace. Similarly, in cases of international crimes, mediation can play a critical role in promoting accountability, justice, and reconciliation. People rely on this form of out-of-court settlement majorly because this process facilitates dialogue between victims and perpetrators, creates a safe space for open communication, and helps to identify the root causes of the crime. By promoting understanding and empathy, mediation can create opportunities for reparations, forgiveness, and healing. Overall, the role of mediation in international war and crimes is essential for promoting peace, justice, and reconciliation. Through the use of neutral third parties and effective communication, mediation can help to prevent violence, promote understanding, and create a path towards a more peaceful and just world.

**Mediation – Historical Catalyst for Conflict Resolution:**

As an alternative form of court settlement, Mediation has served as a common platform for both individuals and communities to resolve their disputes. Most of the wars were avoided only because of resorting to mediation when there was a conflict between the cities and states in ancient Greece. The respected members of the community alone who were regarded as neutral and fair would mediate disputes. These mediators were generally the elder members of the community with a solid reputation for fairness and knowledge. Mediation as a process evolved in a comprehensible and informal way as it does not require any complex procedural formalities to be followed. Paris, the Trojan prince, suggested mediation as a means of resolving the Greek-Trojan dispute during the Trojan War. Although mediation between the Greeks and the Trojans failed to end the war, it was a significant attempt to do so through peaceful means. The Trojan War and the failed attempt at negotiation between Paris and Menelaus have been told numerous times throughout history as examples of the value of

peaceful conflict resolution. Mediation during the Middle Ages was carried on by the notable religious figures of that community who are known for their impartiality. The Churches played an indispensable role as they are responsible for establishing a system of the ecclesiastical court to deal with the disputes. Since mediation was carried on by people of high religious calibre, certain forms of religious ceremonies were used to be carried on. During the Middle Ages, mediation was the first step taken in order to resolve any dispute failing which court settlements were considered by the parties. The notion of chivalry had an impact on mediation in the Middle Ages. Knights were expected to resolve conflicts amicably and to follow the principles of justice and honour. The chivalric code emphasised the value of using mediation to settle disputes amicably rather than using force. Overall, mediation was a crucial instrument for resolving disputes and upholding social order during the Middle Ages. The fundamental values of objectivity, fairness, and respect for the people involved haven't changed, despite the fact that mediation techniques and procedures have. Matters which came for mediation during such period were mainly on land ownership, inheritance and personal injury. The Industrial Revolution saw a decline in the formal use of mediation, and disagreements were more frequently settled through negotiation or litigation. There were, nevertheless, several noteworthy instances of mediation use at this time. The British Board of Trade, which was founded in 1786 to encourage trade and settle disputes between merchants, is one illustration. The Board of Trade had the authority to resolve conflicts, and its judgments were enforceable in court. Another illustration is the usage of conciliation boards, which were created in the coal mining sector to settle disputes between employers and employees. The Industrial Revolution saw a decline in the formal use of mediation, and disagreements were more frequently settled through negotiation or litigation. There were, nevertheless, several noteworthy instances of mediation use at this time. The British Board of Trade, which was founded in 1786 to encourage trade and settle disputes between merchants, is one illustration. The Board of Trade had the authority to resolve conflicts, and its judgements were enforceable in court. Another illustration is the usage of conciliation boards, which were created in the coal mining sector to settle disputes between employers and employees. As a method of settling conflicts in the contemporary day, mediation has continued to develop and gain popularity. In many nations today, mediation is a respected and widely used profession that is frequently used in both civil and criminal cases. Nowadays, mediation is frequently used in place of traditional litigation. It is regarded as a more economical and effective method of settling conflicts, and it gives the parties more choice over how their case will turn out. Today's mediators are often qualified professionals with experience assisting disputing parties in reaching productive agreements

through communication. From divorce and child custody battles to business issues, mediation can be employed in a variety of circumstances.

### **Indispensable Role of International Organizations:**

International organizations can play a crucial role in resolving international conflicts and crimes through mediation. International organizations such as the United Nations, the European Union, and the African Union have established mediation units or mechanisms to help resolve conflicts and crimes. These organizations have expertise in conflict resolution and have the ability to bring together conflicting parties to negotiate and reach an agreement. International organizations can also play a role in preventing conflicts and crimes before they occur, by promoting dialogue and cooperation between countries and regions. One such fundamental international organization, the United Nations (UN) plays a critical role in resolving international disputes through mediation. As an intergovernmental organization, the UN has been established to promote international peace, security, and cooperation. Mediation is a central tool of the UN to achieve this objective, and the UN has set up several bodies and mechanisms to facilitate mediation.

The UN Secretary-General has the mandate to use his good offices to prevent, mitigate, and resolve conflicts through mediation. The Secretary-General can appoint special envoys or representatives to mediate disputes and foster dialogue between conflicting parties. The Secretary-General also has the authority to refer disputes to the UN Security Council, which can authorize the use of mediation to resolve conflicts. The UN also has several specialized bodies to facilitate mediation. The UN Department of Political Affairs has a Mediation Support Unit, which provides technical and logistical support to UN mediators. The UN also has several special envoys for mediation in specific regions, such as the UN Special Envoy for Syria or the UN Special Envoy for Yemen. The UN's Peacebuilding Commission also works to prevent conflicts and promote peaceful and inclusive societies. It supports countries in conflict-affected situations in developing strategies for sustainable peace and helps to mobilize resources to implement these strategies. Furthermore, the UN has a range of other bodies and agencies, such as the International Court of Justice, the International Criminal Court, and the Office of the High Commissioner for Human Rights, which contribute to the peaceful resolution of disputes and the promotion of human rights. Various other significant International Organizations like the African Union's Peace and Security Council work to prevent conflicts and promote peace

on the African continent. In conclusion, mediation by international organizations can be a valuable tool in resolving international conflicts and crimes. By providing neutral and impartial mediators, promoting direct dialogue between parties, and preventing conflicts before they occur, international organizations can help to build a more peaceful and stable world. On the other hand, The European Union (EU) has been actively involved in resolving international disputes through mediation. The EU has established a range of instruments and mechanisms to support mediation efforts and resolve conflicts, both within and outside its borders. One of the key ways in which the EU promotes mediation is through its Common Foreign and Security Policy (CFSP). The EU has developed a comprehensive approach to conflict prevention, which involves early warning, conflict analysis, and crisis management. The EU also supports regional and national mediation efforts, such as the African Union's mediation efforts in Sudan and South Sudan. The EU also has several specialized bodies to support mediation efforts. The European External Action Service (EEAS) has a Mediation Support Team that provides technical and operational support to mediation efforts. The EU also has a Special Representative for Human Rights, who works to prevent and resolve conflicts related to human rights violations. The Instrument contributing to Stability and Peace (IcSP) provides funding for conflict prevention and resolution initiatives, including mediation efforts. The EU also provides funding to support the capacity building of mediators and conflict prevention institutions. By providing neutral and impartial mediators, promoting direct dialogue between parties, and preventing conflicts before they occur, international organizations can help to build a more peaceful and stable world.

### **Ethical and Legal considerations involved in mediating international conflicts and crimes:**

Mediating international conflicts and crimes raises a range of ethical considerations. Here are some of the key ones to consider:

- **Impartiality:** Mediators must be impartial, meaning that they must not take sides in the conflict or crime. They should not have any personal interest in the outcome and should not be biased toward any particular group or individual involved in the dispute.
- **Confidentiality:** Mediators must maintain confidentiality and not disclose any information discussed during the mediation process unless explicitly authorized to do

so by the parties involved. This is particularly important in cases where sensitive information is discussed, such as in cases of national security.

- **Informed Consent:** Mediators must ensure that all parties involved in the conflict or crime are fully informed about the mediation process, including its goals, procedures, and possible outcomes. Informed consent ensures that all parties understand what is expected of them and what they can expect from the mediation process.
- **Neutrality:** Mediators must be neutral and not advocate for any particular outcome or solution. Their role is to facilitate communication and negotiation between the parties involved and help them arrive at a mutually acceptable agreement.
- **Respect for Human Rights:** Mediators must ensure that the mediation process upholds fundamental human rights, such as the right to a fair trial and the right to due process. They should also be aware of and respectful of cultural differences that may affect the negotiation process.
- **Safety and Security:** Mediators must ensure the safety and security of all parties involved in the mediation process, particularly in cases involving violence or criminal activity. They should also be aware of the potential risks and take appropriate measures to ensure the safety of everyone involved.
- **Professionalism:** Mediators must adhere to professional standards and conduct themselves in a manner that is ethical and respectful. They should avoid any conflicts of interest, maintain professional boundaries, and ensure that the mediation process is conducted in a fair and transparent manner. Overall, mediation of international conflicts and crimes requires careful consideration of ethical principles to ensure that the process is fair, impartial, and respectful to all parties involved.

Mediation of international crimes and conflicts is a complex process that involves various legal considerations. Here are some of the key legal considerations involved in mediation:

- **International Law:** Mediators should be familiar with international law, including human rights law, international humanitarian law, and international criminal law, which may be relevant to the conflict or crime being mediated. They should also understand

the legal frameworks and conventions that govern mediation processes. This includes the rules and principles of international law that govern the behavior of states and other actors in the international system, as well as the legal frameworks and conventions that govern the mediation process. International law can provide the legal basis for mediation mandates, which authorize mediators to act on behalf of the international community or other parties involved in the conflict. These mandates may be established by the United Nations Security Council or other international bodies, and may include specific instructions and guidelines for the mediation process. International law can provide the legal basis for mediation mandates, which authorize mediators to act on behalf of the international community or other parties involved in the conflict. These mandates may be established by the United Nations Security Council or other international bodies, and may include specific instructions and guidelines for the mediation process.

- **Jurisdiction:** Mediators must be aware of the jurisdictional issues involved in the conflict or crime being mediated, including the jurisdiction of national and international courts, tribunals, and other legal bodies. They should also understand the limits of their own jurisdiction and authority as mediators. In cases involving international crimes or violations of international law, mediators must be familiar with the relevant international legal frameworks and jurisdictions. This may include the jurisdiction of international criminal tribunals or other international legal bodies. Mediators must also be aware of potential conflicts of laws that may arise in the mediation process, particularly in cases involving cross-border disputes. They should be familiar with the rules and principles of conflict of laws, which govern how courts and legal systems handle disputes involving multiple jurisdictions.
- **Immunity:** Mediators may be granted immunity from legal action for actions taken in their role as mediators. However, this immunity may not extend to criminal conduct, such as aiding and abetting, and mediators should be aware of their potential liability in such cases. This immunity may be granted under national law or international law, and may protect mediators from civil or criminal liability for actions taken in good faith in the course of the mediation process. However, immunity may not extend to criminal conduct or gross negligence, such as aiding and abetting international crimes or intentionally causing harm to parties involved in the mediation process. Mediators must

be aware of the limits of their immunity and the potential consequences of their actions. Parties involved in the mediation process may also be granted immunity from legal action for actions taken in the course of the dispute. This immunity may be granted under national or international law, and may protect parties from civil or criminal liability for actions taken in good faith in the course of the dispute. Immunity may be waived by the parties involved in the dispute, either explicitly or implicitly. Mediators must be aware of any waivers of immunity and the potential consequences of such waivers. Finally, mediators must be aware of the relationship between immunity and national and international law. While immunity may protect mediators and parties from legal action in some circumstances, it must be balanced against other legal principles, such as the need to uphold human rights or the obligation to prosecute international crimes.

- **Confidentiality and Privacy:** Mediators must ensure that confidential and sensitive information is kept private and not disclosed to third parties without the consent of the parties involved. They should also be aware of any legal requirements for the disclosure of information, such as in cases involving national security or criminal investigations. This may include measures such as non-disclosure agreements, restrictions on the use of information obtained during the mediation process, and strict limitations on who has access to information about the dispute. Confidentiality can help facilitate the mediation process by allowing parties to discuss sensitive issues without fear of public disclosure or legal repercussions. It can also help to build trust and encourage parties to work together towards a resolution of the dispute. There may be exceptions to confidentiality in certain circumstances, such as where a party is required by law to disclose information obtained during the mediation process. Mediators must be aware of these exceptions and ensure that parties are informed about the limits of confidentiality in the mediation process. Confidentiality can help facilitate the mediation process by allowing parties to discuss sensitive issues without fear of public disclosure or legal repercussions. It can also help to build trust and encourage parties to work together towards a resolution of the dispute. Breaching confidentiality can have serious implications for the mediation process, as it can undermine the trust and goodwill built up between parties and potentially harm the chances of reaching a successful resolution of the dispute. Mediators must be aware of the potential consequences of breaching confidentiality and take appropriate measures to ensure that confidentiality is



maintained. Overall, confidentiality is an essential aspect of the mediation process in the context of international disputes, and mediators must be aware of the legal and ethical principles involved in ensuring that confidentiality is maintained legitimately and effectively.

- **Legal Implications of Agreements:** Mediators should ensure that any agreements reached through the mediation process are legally valid and enforceable. They should also be aware of any legal implications of the agreements, including their impact on future legal proceedings and the obligations of the parties involved.
- **Compliance with International Norms:** Mediators should be aware of and comply with international norms and standards relating to the mediation process, including the United Nations Guidelines for Effective Mediation, which set out principles and best practices for mediators.

Overall, mediation of international crimes and conflicts involves careful consideration of legal frameworks, conventions, and norms, to ensure that the process is conducted in a manner that is legally valid, fair, and transparent.

### **Impact of Power dynamics on the effectiveness of mediation in resolving conflicts and crimes:**

Power dynamics can have a significant impact on the mediation of international crimes and conflicts. Here are some key considerations related to power dynamics in the context of international mediation:

- **Unequal Distribution of Power:** In many cases, international crimes and conflicts arise from unequal distribution of power among parties involved in the dispute. These power imbalances can make it difficult to achieve a fair and equitable resolution of the dispute through mediation. Parties with greater resources, such as financial, technological, or military resources, may have an advantage over parties with fewer resources. For example, a powerful state may be able to use economic sanctions or military force to exert pressure on a weaker state in a conflict. Parties with greater access to information may have an advantage over parties with limited access to information. For example, a powerful state may have access to classified intelligence

information that is not available to other parties in a conflict. Parties with greater influence, such as political or economic influence, may have an advantage over parties with less influence. For example, a powerful state may be able to use its influence over international institutions or other states to shape the outcome of a dispute. Parties with greater legitimacy, such as recognized states or international organizations, may have an advantage over parties with less legitimacy. For example, a recognized state may have greater legitimacy than a non-state actor in a conflict. Parties with greater legal standing, such as states with greater recognition under international law or parties with greater legal resources, may have an advantage over parties with less legal standing.

- **Role of Mediators:** Mediators can play an important role in addressing power imbalances by creating a level playing field for all parties and ensuring that each party is given a fair opportunity to express their needs and concerns. Mediators must be aware of power dynamics and be skilled in managing power imbalances in the mediation process.
- **Role of International Law:** International law can play a role in addressing power imbalances by providing a framework for resolving disputes that is based on principles of fairness, equity, and justice. However, the effectiveness of international law in addressing power imbalances may be limited by factors such as lack of enforcement mechanisms or resistance from powerful actors in the dispute.
- **Importance of Inclusivity:** Inclusivity is key to addressing power imbalances in the mediation of international crimes and conflicts. All parties must be included in the mediation process, and their voices must be heard and considered in the development of any agreements or solutions. Inclusivity can help to address power imbalances by ensuring that all parties have a stake in the outcome of the mediation process.
- **Implications for Mediation Outcomes:** Power dynamics can have a significant impact on the outcomes of mediation. Parties with greater power and resources may be able to achieve more favourable outcomes than those with less power. Mediators must be aware of these dynamics and work to ensure that outcomes are fair, equitable, and based on principles of justice.

Overall, power dynamics can have a significant impact on the mediation of international crimes

and conflicts. Mediators must be aware of power imbalances and be skilled in managing these dynamics to ensure that the mediation process is fair, equitable, and effective in resolving the dispute. These power imbalances can make it difficult to achieve a fair and equitable resolution of the dispute through mediation. Mediators must be aware of power dynamics and be skilled in managing power imbalances in the mediation process to ensure that the mediation process is fair, equitable, and effective in resolving the dispute. This may involve measures such as ensuring that all parties have equal access to information, resources, and opportunities to participate in the mediation process and working to address power imbalances through creative problem-solving and negotiation.

### **Usage of Technology in mediating International Disputes:**

Technology has played a significant role in the mediation of international disputes, allowing parties to engage in dialogue, share information, and negotiate agreements even when they are physically distant. Here are some examples of how technology has been used in mediation:

- **Videoconferencing:** Videoconferencing has become a popular tool for mediation, allowing parties to communicate and negotiate in real time without needing to be physically present in the same room. This technology is especially useful for mediating international disputes, where parties may be located in different countries and unable to travel. This allows parties to clarify their positions, ask questions, and discuss potential solutions, all in real time. Joint sessions, where all parties are present, are a crucial part of mediation. This can save time and travel expenses, making it easier for parties to engage in mediation. Videoconferencing can be used to conduct private sessions, allowing parties to speak candidly with the mediator while maintaining confidentiality. Documents are shared electronically, eliminating the need for physical document exchange. Videoconferencing sessions can be recorded, which can be helpful for reference purposes. Recordings can be used to confirm agreements reached during mediation and to refer back to previous discussions if necessary. Overall, videoconferencing has made it easier for parties to engage in mediation and has facilitated more efficient and cost-effective resolution of international disputes. However, it's important to note that videoconferencing is not a substitute for face-to-face communication, and some aspects of mediation may still require in-person interaction.

- **Online collaboration tools:** Online collaboration tools such as shared workspaces, document repositories, and project management tools can help parties work together more effectively during mediation. These tools enable parties to share and collaborate on documents, track progress, and communicate more efficiently. Shared workspaces provide a platform for parties to work together on a shared project. This can be useful during mediation, as parties can use shared workspaces to collaborate on documents, share information, and track progress. Document repositories provide a secure and accessible platform for parties to share and collaborate on documents during mediation. This can include contracts, proposals, and other relevant materials. Project management tools can be used to track progress, assign tasks, and manage deadlines during mediation. This can help ensure that mediation moves forward efficiently and that parties are meeting their obligations. Electronic whiteboards provide a digital platform for parties to brainstorm and work together on solutions during mediation. This can be especially useful during joint sessions, where parties are working together in real-time. Communication tools such as instant messaging, chat, and email can be used to facilitate communication between parties during mediation. These tools can help parties stay in touch, ask questions, and clarify positions.
  
- **Electronic data rooms:** Electronic data rooms provide a secure and accessible platform for sharing confidential information during mediation. This technology enables parties to share information while maintaining confidentiality and control over the information. EDRs allow parties to control who has access to the information they share during mediation. This can be useful in ensuring that confidential information is not shared with unauthorized parties. EDRs allow parties to collaborate on documents, even when they are located in different parts of the world. This can be useful during mediation, as parties can work together to draft proposals, contracts, and other relevant materials. EDRs provide version control, which allows parties to track changes and updates to documents over time. This can be useful in ensuring that parties are working from the most up-to-date information. EDRs provide an audit trail, which allows parties to track who has accessed the information and when. This can be useful in ensuring that parties are adhering to the terms of the mediation agreement. EDRs have become a valuable tool in the mediation of international disputes. By providing a secure and accessible platform for sharing confidential information, EDRs can help parties work together more efficiently and effectively during mediation.

- **Artificial intelligence:** Artificial intelligence (AI) can be used to analyze large volumes of data and identify patterns, which can be helpful in identifying potential solutions during mediation. AI could be used to analyze historical data on similar disputes and identify potential solutions or outcomes. This can help parties better understand the strengths and weaknesses of their case and facilitate more informed negotiations. AI can be used to analyze and understand natural language, which can be useful during negotiations. For example, AI could be used to analyze the tone and sentiment of emails and other correspondence to identify areas of agreement or potential conflict. AI has the potential to streamline the mediation process and make it more efficient and effective.
  
- **Online dispute resolution:** Online dispute resolution (ODR) platforms provide a digital forum for parties to resolve their disputes without the need for physical presence. These platforms typically provide a range of dispute resolution tools, including negotiation, mediation, and arbitration. ODR is similar to the process of videoconferencing. Apart from this, ODR also provides online arbitration and multilingual support.

However, it's important to note that technology is not a substitute for human interaction and negotiation skills, and it's essential to use technology in conjunction with traditional mediation techniques to achieve the best results.

### **Case Studies of successful mediation efforts in resolving international conflicts and crimes**

- **Tashkent Declaration:**

The Tashkent Declaration was a peace agreement signed between India and Pakistan in 1966, following the Indo-Pakistani War of 1965. While mediation was not directly involved in the negotiation of the Tashkent Declaration, it did play a role in creating the conditions that led to the agreement. The Soviet Union, which had good relations with both India and Pakistan, played a significant role in bringing the two sides to the negotiating table. Soviet Premier Alexei Kosygin invited the leaders of India and Pakistan to Tashkent for talks, and the Soviet Union acted as a mediator during the negotiations. The mediation efforts of the Soviet Union helped to create an atmosphere of diplomacy and negotiation, which allowed the leaders of

India and Pakistan to come to an agreement. The Tashkent Declaration was a significant milestone in the history of India-Pakistan relations, as it marked the first time that the two countries had come to a formal agreement to resolve their differences peacefully. Overall, while mediation was not the primary factor in the Tashkent Declaration, it did play a significant role in creating the conditions that led to the agreement. By providing a neutral platform for negotiation and facilitating communication between the two sides, mediation helped to bring about a peaceful resolution to the conflict between India and Pakistan. Moreover, the EU has played a key role in resolving several conflicts through mediation. For example, the EU played a crucial role in mediating the agreement between Serbia and Kosovo in 2013, which normalized relations between the two countries. The EU has also supported mediation efforts in the Middle East, such as the Quartet's efforts to resolve the Israeli-Palestinian conflict.

#### □ **Algiers Agreement**

The Algiers Agreement was a peace agreement signed in 2000 between Ethiopia and Eritrea, ending a two-year border conflict between the two countries. Mediation played a critical role in bringing the two sides to the negotiating table and facilitating the peace agreement. The mediation efforts were led by the Organization of African Unity (OAU), which later became the African Union (AU). The OAU established a peacekeeping mission, known as the OAU Peace and Security Council, to monitor the ceasefire and oversee the peace process. The OAU also appointed former heads of state from Algeria, Liberia, and Mozambique to mediate between the two sides. The mediators worked tirelessly to create an atmosphere of trust and dialogue between Ethiopia and Eritrea. They facilitated several rounds of talks between the two countries, helping to resolve issues related to the border dispute, the demarcation of the border, and the treatment of prisoners of war. The mediation process was successful, and the Algiers Agreement was signed on December 12, 2000. The agreement called for an end to hostilities, the withdrawal of troops to their respective positions before the conflict, and the establishment of a UN peacekeeping mission to monitor the ceasefire. Overall, mediation played a crucial role in bringing an end to the conflict between Ethiopia and Eritrea. The efforts of the OAU mediators helped to create an environment of trust and dialogue between the two sides, which paved the way for the Algiers Agreement and a lasting peace between the two countries.

#### □ **Acta De Brasilia Agreement:**

The Act of Brasília was an agreement signed in 1988 between Peru and Ecuador, which put an

end to a long-standing border dispute between the two countries. Mediation played a vital role in bringing the two sides to the negotiating table and helping to resolve the conflict. The mediation efforts were led by the four guarantor countries of the Rio Protocol - Argentina, Brazil, Chile, and the United States. The guarantor countries had signed the Rio Protocol in 1942, which had established the boundaries between Peru and Ecuador. However, the border had never been fully demarcated, leading to ongoing disputes and tensions between the two countries. The guarantor countries facilitated several rounds of talks between the two sides, which helped to build trust and create an atmosphere of negotiation. The mediators helped the two countries to reach a compromise on the disputed territories, which allowed for the border to be fully demarcated. The Act of Brasília was signed on October 26, 1988, and it established the official border between Peru and Ecuador. The agreement also included provisions for the withdrawal of troops from the disputed territories, the establishment of a demilitarized zone, and the creation of a joint border commission to monitor the implementation of the agreement. Overall, mediation played a crucial role in resolving the border dispute between Peru and Ecuador. The efforts of the guarantor countries helped to create an environment of trust and negotiation, which enabled the two sides to reach a compromise and sign the Act of Brasília. The agreement was a significant milestone in the history of Peru-Ecuador relations and has helped to maintain peace and stability in the region.

□ **Arab-Israeli Conflict:**

The Arab-Israeli conflict has been ongoing since the establishment of the State of Israel in 1948, and mediation efforts have played a significant role in trying to resolve the conflict. The United Nations has played an active role in mediating the Arab-Israeli conflict since its inception. The UN General Assembly adopted Resolution 181 in 1947, which called for the partition of Palestine into separate Jewish and Arab states. However, the resolution was not accepted by the Arab states, and war broke out between the newly established State of Israel and its Arab neighbours. Over the years, numerous mediation efforts have been made to try to resolve the conflict. One of the most significant mediation efforts was led by the United States, which helped to broker the Camp David Accords between Israel and Egypt in 1978. The Accords led to a peace treaty between the two countries, which has been in place since 1979. In 1993, mediation efforts led by Norway resulted in the signing of the Oslo Accords between Israel and the Palestine Liberation Organization (PLO). The Accords called for the establishment of a Palestinian Authority and the eventual creation of a Palestinian state.

However, the peace process has since stalled, and the conflict between Israel and the Palestinians continues. Other mediation efforts, such as those led by the Quartet on the Middle East (comprised of the United Nations, the United States, the European Union, and Russia), have also been made to try to resolve the Arab-Israeli conflict. Overall, mediation has played a significant role in trying to resolve the Arab-Israeli conflict. While some efforts, such as the Camp David Accords, have resulted in a lasting peace agreement, others have not been successful in bringing about a resolution to the conflict. Nonetheless, the international community continues to engage in mediation efforts in the hopes of finding a lasting solution to the conflict.

**Epilogue:**

In conclusion, mediation is an important tool in addressing international conflicts and crimes against humanity. Mediation can help to prevent the escalation of violence, promote understanding and dialogue between conflicting parties, and create a pathway towards sustainable peace, justice, and reconciliation. Whether in the context of war or international crimes, mediation can facilitate communication and negotiation, create opportunities for reparations and forgiveness, and help to build trust and understanding between conflicting parties. In a world that continues to face complex and difficult challenges, the role of mediation in promoting peaceful resolution and justice is more important than ever.