



Book Review of “Negotiating with the Devil Inside the World of Armed Conflict Mediation” Edited Pierre Hazan with the Collaboration of Emmanuelle Hazan¹

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A book by Pierre Haza, a former journalist and currently advisor to the Centre for Humanitarian Dialogue in Geneva, is a work that unquestionably fills a gap concerning this issue and presents an unexplored, unexamined perspective on the subject. The book is structured in a highly readable and detailed way to explain the importance of mediation in armed conflict.

The phenomenon presented by the author is a very complex subject, but it is nevertheless presented in a very clear and comprehensible way, so the book is not only intended for experts in the field, but also for the ordinary reader, who can easily and thoroughly understand the subject. The book raises issues such as ethical dilemmas, justice, peace or impartiality that arise in mediation in armed conflicts. Thanks to the author's unique style and experience, the specifics and potential uses of mediation in armed conflict could reach a wider readership. The foreword was, by the author's own admission, changed at the last minute because of the current Israeli-Palestinian conflict, which he believes is a very good example of the particularities of mediation in armed conflict. Haza stresses that the situation has reinforced the basic rule of this type of mediation that we never negotiate with terrorists.

The author highlights the importance of the role of Qatar as a mediator, uniquely both a strategic partner of Washington and a major financial supporter of Hamas, which clearly shows the end of Western hegemony over international systems. Qatar is a very unique example of mediation, defined by the UN as a terrorist state, yet offering Israel many compromises and assistance.

One of the most significant and successful outcomes of the Qatar mediation was the earlier truce between Israel and Hamas, co-organised with Egypt, which was an undisputed international diplomatic success. This is a good example of the extent to which mediation in the multipolar world has changed from being an enemy the day before to a partner the day after.

The first chapter of the book describes in detail some of the details of the war in Bosnia and Herzegovina, which the author experienced personally. The most significant challenge that he mentions is the difficulty of maintaining impartiality and seeking the truth where both sides have committed war crimes. He describes in detail how, as a

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member of an aid organisation, they had to select the prisoners to be released, in which one has to give up all one previous moral principles and the horrifying fact that in the process of mediation people become living commodities in a barter trade. The chapter gives further insight into the author's work as a consultant, which he began during the Basque conflict, a period during which he experienced the very turbulent and chaotic road to peace-building. The author's role as a mediator during this period was one of the most ethically sensitive areas, dealing with issues of reparation, justice and amnesty. This part of the chapter is entitled „grey zone“, quoting the words of an Auschwitz survivor, Primo Levi, who defined and described the camp with this word, in which the purpose of the leader of the camp and inhabitants is surprisingly similar, despite the fact that they are very different.

The peace-building process is similar to this grey zone, but fortunately less tragic, in which the warring parties and mediators seek the same thing: to limit suffering. A key point of the chapter is to draw attention to the fact that one of the greatest challenges of mediation is the responsibility to safeguard moral values. It may be a situation manipulated by others, where the promised peace turns out to be an illusion, of which the author refers to the Munich Agreement signed in 1938 as an example. The author's primary aim is to draw on his experience to collect useful methods and tools that can benefit all mediators and reduce the possibility of any risky action. The chapter discusses important questions such as in what context and how deeply a mediator can be involved in ethnic cleansing, even if it is a means to save more lives, or whether justice is worth sacrificing for a partial peace. The rest of the chapter examines how evil has emerged in the West since the end of the Cold War and how the parties concerned have subsequently sought to find a solution for peace.

The author examines the last three successful periods, firstly the conflicts during the 1990s, in which the international court's decision played a significant role in the sentencing of war criminals. The following chapter analyses the terrorist attack of 11 September 2001, the reaction of the US government, the birth of the concept of terrorism, the terrorist, the first anti-terrorist directives, the emergence of a new type of war. Furthermore, the author stresses that the emergence of terrorism has also posed new challenges for mediation. Another chapter of the book covers recent conflicts, from the Syrian war to the current conflict in Ukraine, during which the hegemony of the Western world in mediation has declined. In the chapter „Should we negotiate with the devil?“ the author refers to the specificity of mediation with the answer given by Emanuel Macron at the conference in 2022, during which the President was called to account for his failure to reach an agreement with Putin despite numerous negotiations, to which journalists were told that we do not negotiate with war criminals, we fight them.“ This statement by Macron is, according to the author, a key part of the mediation. The chapter describes in exemplary detail the relationship between humanity, truth and politics and power, citing such leading figures in history as Clausewitz, Kant, Cicero and Churchill. A sub-chapter of the book has a very expressive definition of the attack of September 11, 2001, which refers to the new face of evil,

referring to the emergence of terrorists. One of the major challenges of this period, according to the author, was the failure of both human rights organisations and governmental bodies to deal with this new phenomenon. In the end, the US government opted for a particular form of solution, foregoing the role of mediation in order to protect democracy, and instead launching an all-out war on terrorism, which has claimed many lives.

In the following part of the book, we read about events in which mediation has had a successful and prominent outcome, such as 'An Agenda for Peace', created in 1992 by the then UN Secretary General Boutros Boutros-Ghali, which emphasises the important role mediators can play in preventing disputes and disagreements and can point to the real causes of conflicts during the period when the peace process was being established. The chapter notes that mediation underwent its greatest transformation and development in the period from 1982 to 1992, with the significant role played by figures such as Nelson Mandela or conventions such as the Dayton Agreement ratified in 1995. In 1992, the United Nations created the Handbook on the Peaceful Settlement of Disputes between States, which was the cornerstone of mediation and focused primarily on mediation between states. The author refers to this period as the glorious years of mediation, with the successful peace negotiations between Iran and Iraq in 1988, the struggle for independence in Namibia, and the Lebanon peace talks in 1989.

Furthermore, the book raises major questions, like what role should mediators play in the face of the horrific events in Bosnia-Herzegovina (1992–1995) and Rwanda (1994) during those periods when the process and feature of mediation have changed fundamentally.

In the second part of the book, the author clearly summarizes the activity of the ICRC during the Second World War and how the UN turned its position on the war crimes committed in the former Yugoslavia and later in Syria. The issues raised by having mediators find a middle ground with the perpetrators of mass violence is still on the agenda. This part of the book highlights the role of the international justice system concerning mediators, as the international criminal tribunals, the International Criminal Court introduced a new principle for the former Yugoslavia and Rwanda in 2002 that states, war criminals should be eliminated from peace processes. Henceforth, the pressure between the peace-making and the demand for justice has been perceptible, from the former Yugoslavia to Liberia, in Sudan, the Central African Republic, and Libya that has lasted to the present day, even though the attempt of Articles 16 and 53 of the Rome Statute of the International Criminal Court that tried to carry out a measure of flexibility and correctly order transitional or post-conflict justice implement.

This chapter refers to the discussion on 'peace versus justice' by the quote of Richard Goldstone, the Chief Prosecutor of the ICTY, writes: 'A peace masterminded by and in order to accommodate the concerns of vicious war criminals defiant of all the fundamental international law prescriptions or norms is [not an] effective or enduring peace. The quest for justice for yesterday's victims ... should not be pursued in such a manner that it makes today's living the dead of tomorrow. That, for the human rights

community, is one of the lessons of the former Yugoslavia. Thousands of people are dead who should have been alive—because moralists were in quest of the perfect peace. Unfortunately, perfect peace can rarely be attained in the aftermath of a bloody conflict. The pursuit of criminals is one thing; making peace is another.”

The author devoted a widely detailed chapter to the key factors and wars involved by the U.S.A. that formed significantly the feature of the American mediation. Haza comes to the conclusion that several peace agreements disclose obvious similarities, as if, under the incitement of the United Nations, under the idea of ‘democracy’ had been automatically installed, creating the rule of law by state bureaucracy, an independent judiciary, and economic improvement. Unfortunately, this type of results falls short of expectations, and there are a huge number of causes why mediation has had average results.

In the last chapter of the book, the author highlights that two decades of American hegemony promoted a type of circumstances that was undoubtedly useful to United Nations mediation and other areas of peace agreements. After the period of war on terror’, which began after 11 September 2001, huge changes have been experienced, namely soft power giving way to military interventions in Iraq, Afghanistan and Libya. Following this period, the erosion of American power and the emergence of a new international equation could have been seen regarding Russia and China and other regional powers that grew in strength. A new multipolar world has evolved, where states have enough power to oppose to any country of the international system, furthermore the principles of war-time commitments raised some question, therefore the ability of mediators to act is limited.

The book is a unique piece for those who would like to follow up the space of three decades of mediators whose territories of action have transformed remarkably. From the beginning of the book, the readers could experience from the soft to the hard power, from the end of the cold war to a new war comprising the conflict between the West and Russia, even China, from the unipolar world of American hegemony to a multipolar world by the words of the personal experiences and view of the author.

At the end of the last chapter, the author sums up again clearly the basic feature of mediators by the words of journalist Elena Kostyuchenko, “war is like cancer, it spreads easily and no one knows how to stop it. Mediators have the merit of trying to do so despite the obstacles, and will play an essential role in this multipolar and fragmented world, building compromises between a growing array of participants.”