

“Arbitrating for Peace” The Symposium

SCC Centennial: Celebrating 100 years of dispute resolution
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Introduction to the Swedish Women Mediation Network

by
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Your Excellencies, Ladies and Gentlemen, colleagues and friends,

I would like, first of all, to thank the organisers of this symposium for inviting me to give this brief introduction to the Swedish Women Mediation Network. I am very happy to be here.

Peaceful conflict prevention and resolution have long been cornerstones of Swedish foreign policy. In an increasingly volatile global environment, Sweden’s support for multilateralism and a rules-based international order continues. ‘Arbitrating for peace’ is at the heart of this ambition, but as former UN Secretary-General Kofi Annan correctly points out in the foreword to the excellent book presented here today: *“the use of the rule of law in pursuit of peace often takes place quietly, far away from the limelight”*.

Looking back at past experiences, as this book so valuably does, we find that successful arbitration cases may help us think innovatively and boldly about how to address the root causes of conflict and support sustainable peace.

We should recall that Article 33 of the Charter of the United Nations, on the peaceful settlement of disputes, does not only refer to arbitration. Article 33 provides that: *The parties to any dispute... shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.*” As you all know, the list is non-exhaustive and imposes an obligation on parties to any dispute *“which is likely to endanger the maintenance of international peace and security”* not to remain passive. And if they do, the Security Council will have to take action.

As part of Sweden's broader peacebuilding agenda, the Swedish Government is increasing its support to sustainable and inclusive peace processes. Lessons from the Colombian, Philippine and Guatemalan peace processes are unambiguous: We know that sustainable peace requires inclusive processes.

One of the Swedish Government's initiatives in this area is the *Swedish Women Mediation Network*. It was launched just over a year ago, in December 2015, and I am very honoured to be part of it. Originally an initiative of Minister for Foreign Affairs Margot Wallström, the network aims to counter the absurd assertion that there are no competent women who can contribute to peace processes or, for that matter, to international arbitration. Well, all we have to do is to look at the participants at this Symposium to see that such an assertion is not only absurd – it's simply wrong.

The Network's objective is not only to strengthen our own capabilities. What is even more important is to cut across traditional divides and create cooperative networks of international women mediation teams from around the globe.

At present, the Swedish Women Mediation Network consists of nine senior women representing diverse expertise and competencies. Through political, legal and financial support, the Network seeks to support women peacebuilders wherever they are and increase women's effective participation in peace processes. The Swedish Government has established a mediation support function at the Ministry for Foreign Affairs in Stockholm and strengthened a number of embassies in conflict-affected and fragile states to enhance mediation capabilities before, during and after conflict.

Allow me to touch upon three areas that are important for the Women's Mediation Network.

Firstly, we want to support women peacebuilders and assist their effective participation in the various stages of peace processes. Sixteen years since the adoption of UN Security Council Resolution 1325 on Women, Peace and Security, we can firmly say that the promotion of gender equality is not only a matter of women's legal and political rights, but more importantly a matter of ensuring sustainable peace and security for all.

Secondly, we recognise that peace must be built from below. It is therefore essential to support civil society and local peacebuilders and ensure that their voices are heard. Sustainable peace is not only about gender inclusion; it is also about recognising that the conditions for peace, based on the rule of law, are set at local level. Connecting local communities, civil society, governments and the international community helps to create the conditions for a truly inclusive and legitimate peace process.

Thirdly, the international community needs to increase its efforts to support sustainable peace processes. We need true leadership for inclusive peace. Sweden has taken its seat on the United Nations Security Council for the 2017–2018 term, and it has a clear focus on conflict prevention, peacebuilding and inclusiveness.

The Swedish Women Mediation Network is part of the newly *established Nordic Women Mediation Network*. This means that all five Nordic States have now established women mediation networks. The work has just started, and it should be emphasised that the national networks are not copies of each other. They each have their own individual character.

Although the work of the Swedish Women Mediation Network encompasses the entire peace process, the Network may also be able to assist and make an important contribution in the context of arbitration.

Let me recall that despite the enormous expertise of women lawyers, far too few are involved in arbitration cases dealing with matters of public international law. Even fewer serve as arbitrators. When inter-State arbitral tribunals are established, for example, under the United Nations Tribunal on the Law of the Sea, women are rarely – if ever – appointed arbitrators. GQUAL – the international *Campaign for Gender Parity in International Representation* has provided us with data on the participation of women in international courts and tribunals. It's a depressing read.

It is time to change all that. I am sure that Swedish women engaged in peace building and public international law can learn from the work that SWAN – the *Swedish Women in Arbitration Network* - is doing. We will reach out to SWAN.

A successful peace process is not only about reaching a ceasefire. It is also about justice, education, health, reconciliation, equitable distribution of resources and the protection of the natural environment.

It is about human rights and international law. It is about a rules-based order. It is about the rule of law. A sustainable peace process lays the foundation for resilient institutions that promote economic, political and social emancipation *for all*. Peace processes therefore need to be inherently inclusive. No discussions *about* women should take place *without* the involvement of women: “*Nothing about women without women*”.

Let me close by saying that I very much look forward to listening to the thoughts and views of the speakers to come.

Thank you!