

## **Examining conflict management technique sequences in international claims**

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### **Abstract**

This study groups third-party conflict management techniques (CMTs) into binding and non-binding approaches to examine whether and how their *sequence* and, in more detail, changes therein explain the outcome of international issue claims. Third parties can intervene in disputes by providing good offices or mediation; they also engage with more binding approaches such as arbitration and adjudication. While the literature has established a solid understanding of any of these third-party techniques in issue claims, it has mostly treated them in isolation from each other, thereby ignoring the persistent interdependencies that may establish a sequence of CMTs. We address this shortcoming by developing a theoretical argument for and empirically testing the impact of changes in CMT sequences on the outcome of interstate conflicts. Our results indicate that sequences involving a change in CMTs (from binding to non-binding approaches or vice versa) result in more effective outcomes.

**Keywords:** conflict management techniques, international conflict, sequences, binding and non-binding techniques

## Introduction

Libya and Chad experienced a series of clashes between 1960 and 1995. To restore peace, bilateral negotiations and third-party mediation were employed at different phases of the conflict and, eventually, this was achieved after a ruling by the International Court of Justice. This conflict illustrates the types of cases we focus on in this study, namely those where actors experience a *series* of interdependent settlement attempts featuring different conflict management techniques<sup>1</sup> (CMTs) over the course of their dispute. In the Libya-Chad dispute, the antagonists began with bilateral negotiations followed by third-party CMTs; first, a mediation attempt and, afterwards, a binding court decision that enforced a peace agreement.

Opting for different resolution strategies shows that actors<sup>2</sup> may consider alternatives after a CMT has been unsuccessful in resolving a claim. The question raised here is whether such a change over the course of a third-party CMT<sup>3</sup> sequence matters for effective conflict management. Specifically, we look at CMT changes within a claim (e.g., binding approaches following non-binding interventions or vice versa over the course of an issue claim) and whether they lead to effective conflict management or not. In our context, ineffectiveness pertains to no agreement, while the effectiveness of a sequence of interdependent CMTs ranges from merely signing an agreement at the lowest level to ending a claim if it was fully effective.

Previous literature has examined the effectiveness of mediation and other CMTs in international disputes, primarily focusing on single actors who intervened or on the impact of a single/multiparty CMT (Beardsley et al. 2006; Savun 2008; Gartner and Bercovitch 2006;

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<sup>1</sup> Diehl et al. (forthcoming) refer to these as conflict management strategies.

<sup>2</sup> For actors, we refer to all parties that can be involved in a conflict, e.g., belligerents and third-party interveners, thereby capturing both the supply and demand side of conflict management.

<sup>3</sup> In some international disputes, parties agree to bargain over a commodity bilaterally and there are others in which a third party influences the outcome. In this study, we focus on the effectiveness of changes in CMTs offered by third parties only.

Gent and Shannon 2010, 2011a, b; Wallensteen and Svensson 2014). However, except for a few studies (e.g., Böhmelt 2013; Melin 2014; Owsiak 2014; Owsiak forthcoming), how the sequence of CMTs shapes conflict management effectiveness remains underexplored; and those works that concentrate on CMT sequences and their interdependent relations do not examine changes in CMTs or distinguish between types of interventions, including binding and non-binding ones. We contribute to the literature by making this distinction, thus shedding light on whether changes in the sequence of CMTs have an impact on conflict resolution. Hence, we examine binding and non-binding CMTs and explore thoroughly the impact of changes in such techniques on conflict outcomes.

To this end, we classify CMTs according to the degree of obligation they create for conflict parties: binding or non-binding resolutions. Binding CMTs are arranged through a third-party actor and their resolution has a compulsory character. Non-binding CMTs offered by a third party rely on the good faith of the actors and cannot be enforced. Regardless of their type, sequences of repeated binding and non-binding attempts generate interdependencies that can be beneficial for conflict management. In particular, Owsiak (2014) suggests that when a first conflict management attempt fails, actors are keen to change their strategy and, as a result, the CMT. That is, the failure of a previous attempt drives actors to subsequently alter CMTs in their search for an effective outcome.

Along these lines, we argue that a change in the sequence of CMTs increases conflict management effectiveness. Such change creates opportunities for the actors to have a fresh start in the negotiations and to explore other methods that potentially meet their interests and satisfy their needs when an earlier attempt has been unsuccessful. Additionally, interdependence among the interventions creates an “evolving path”. In this regard, when actors change the CMT, they will draw on all available information and experience from previous attempts to make the most out of the current one (Owsiak 2014: 75). We test these

arguments using the ICOW data covering international issue claims for the period between 1816 and 2001 (Hensel et al. 2008) and find robust support for them.

### **Conflict management in international claims**

The existing literature on conflict management has widely discussed different aspects of it, such as actors, onset, outcomes, duration, and costs (e.g., Svensson 2007, 2009; Böhmelt 2013; Beardsley 2011; Owsiak and Mitchell 2019; Mehrl and Böhmelt 2020). Likewise, a great deal of research has addressed conflict alleviation and thoroughly examines the impact of CMTs on conflict outcomes, explaining how different strategies can alter actors' interests through bargaining (Bercovitch and Jackson 2001; Beardsley et al. 2006; Quinn et al. 2006; Bakaki 2016, 2018; Böhmelt 2016; Corbetta and Melin 2018; Greig et al. 2019). These works largely focus on CMTs as single, independent events, though.

In other words, a CMT may be applied to a specific claim and this, in turn, has some impact on the end of a claim (Owsiak and Mitchell 2019). As claims become more complex, however, it is more common to experience multiple interventions before ending them peacefully (Böhmelt 2013). If an initial intervention did not succeed and a new CMT is initiated by a third party, dependencies among interventions arise – a sequence of CMTs emerges – that scholars and policymakers must take into account for scientific inferences and policy advice. Multiple interventions in a conflict, therefore, are interdependent, showing that a first unsuccessful intervention can, to a large degree, define a following one (Diehl and Regan 2015). First, previous failure affects the strategies actors choose in following interventions (Owsiak 2014). Second, repeated interventions convey information among the actors, e.g., the predecessors pass information to the next interveners. Third, actors gain experience from previous attempts (Böhmelt 2013).

All this underlines that we cannot consider interventions as independent attempts where one has no relation to another. In the same vein, previous work suggests that interdependence

among interventions can help conflict management overall and lead to more positive outcomes (Böhmelt 2013; Melin 2014; Owsiak 2014). The debate remains, however, how to define successful outcomes (e.g., Beardsley et al. 2006). The impact of CMTs on conflict resolution can vary from having no visible impact at all to resolving the underlying issues of the claim (Bercovitch and Regan 1999; see also Beardsley et al. 2006). The distinction between success and failure is not straightforward, especially when various conflict management attempts alleviate conflict tensions, but do not achieve an overall settlement (see also Greig and Diehl 2012: 104-106). Resolution of a conflict occurs when a final solution satisfies all parties fully. The resolution of a conflict does not demolish any important values, but it offers options that are close to the actors' interests. Also, once a claim is resolved, parties will not attempt to dissent by altering the conditions (Burton, 1969:171).

In light of this, we seek to address what CMT sequence, i.e., a series of at least two CMTs of a similar or dissimilar nature, and changes therein are likely to lead to more effective conflict-management outcomes. A similar nature of CMTs refers to those cases where there is no change in CMTs throughout a claim (i.e., either binding or non-binding CMTs). A dissimilar nature of CMTs indicates that there was a change across interventions over the course of an issue claim (i.e., either from non-binding to binding or vice versa).

### **The sequencing of conflict management in international claims**

CMTs consist of various actors and methods that determine their strengths and plan of action, stemming from both demand and supply-side incentives for conflict management. For instance, a third-party intervention is any attempt by an external actor (supply side), e.g., an international organization, a foreign government, or an individual from outside (Beardsley and Lo 2014). The supply of this may not always be given due to conflict characteristics and third-party interests (Beardsley 2010). When present, though, and once the belligerents agree on third-party intervention (demand side), a third party leads the decision-making process, may enforce

a decision, and can monitor whether parties comply with the ultimate outcome (Bercovitch and Jackson 2001; Quinn et al. 2006). This study approaches conflict management from both a demand and supply side<sup>4</sup>.

As indicated, we classify CMTs according to the degree of obligation they create for conflict parties. First, binding techniques are primarily employed by a court or a legal committee and rely on judicial settlements. CMTs that fit this description are arbitration and adjudication. In this case, the third party does not only facilitate the decision-making process, but also enforces the final agreement and, to a large extent, monitors its implementation (Hensel 2001; Allee and Huth 2006). Because of their legal nature, arbitration and adjudication do not require any decision-making power to be held by the states once they enter the process; conflict is settled with reference to the law. Nevertheless, they can allow for non-legal agreement (see also Lefler 2015). Gent and Shannon (2010) find here that binding settlements are more effective than nonbinding third-party negotiations in ending territorial claims. Likewise, Mitchell and Hensel (2007) demonstrate that arbitration and adjudication successfully help countries broker and comply with settlements of river, maritime, and territorial claims. The law-enforcement aspect does not only encourage states to reach an agreement, but also to comply with it in light of the sanctions tied to it upon violation (see also Dixon, 1996; Frazier and Dixon 2006; Greig et al. 2019:137).

Although such approaches increase the level of effectiveness of conflict management, actors may still prefer a non-binding CMT where they can have the lead in the negotiation and, ultimately, decision control (Gent and Shannon 2010). Non-binding third-party CMTs are characterized by flexible approaches to resolving conflict. The belligerents voluntarily agree to comply with an agreement that emerged out of the third-party negotiations (Wall and Lynn 1993; Bercovitch and Jackson 2001). Non-binding CMTs allow the third party to lead the

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<sup>4</sup> In another approach, Crescenzi et al. (2011) focus only on the supply side of conflict management.

negotiation process, but the final decision-making power remains with the adversaries (see also Bercovitch and Rubin, 1992; Bercovitch and Schneider 2000; Bercovitch and Gartner 2006).

Against this background, existing studies point to more effective conflict resolution when actors have experienced a number of consecutive conflict management efforts (Beardsley 2008; Savun 2008; Böhmelt 2013; Owsiak 2014). This means that interdependences generated between previous and current attempts are likely to lead to a better outcome. Specifically, Böhmelt (2013) highlights that belligerents and mediators together are unexperienced during the first conflict management attempts, which increases the risk of failure. However, consecutive efforts have a higher probability of effective conflict management as actors can be more receptive to the information provided by previous attempts (see also Heldt 2009; Justwan and Fisher 2017; Pickering 2002).

Having said that, the impact of cumulative interventions is mostly studied without taking into account the nature of an interdependent sequence as such. We stress that certain CMTs, and changes in their sequence, can influence conflict resolution (see also Gent and Shannon 2010, 2011a, b; Böhmelt 2013). Actors are selective in the CMT they employ (Beardsley 2008; Owsiak 2014), which is a strategic process in light of previous conflict management attempts the fighting parties were involved in.<sup>5</sup> We directly model the impact of different types of CMT sequences, thus assessing how previous, unsuccessful attempts in combination with the current intervention can shape the prospects of peace. For example, in the case of the Cod Wars between Iceland and UK, actors switched between non-binding and binding techniques. Therefore, actors do change CMTs throughout a claim assuming that a different technique may help. We focus on and examine the effects of the actors switching CMTs, i.e., learning from the past and opting for a CMT of dissimilar nature.

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<sup>5</sup> This study assumes that actors are genuinely interested in finding peace. There is some research that departs from this assumption and, instead, focuses on actors' devious objectives (Richmond 1998; Beardsley 2009).

CMT switches occur when actors change CMTs and move from a binding to a non-binding CMT or from a non-binding to a binding CMT. We suggest that changing a CMT increases the likelihood of effective conflict management and, thus, of chances of ending a claim. In developing this argument, we also acknowledge that third-party conflict management and the types of it are not a random phenomenon. Thus, when analyzing conflict-management outcomes, we must take into consideration “the prior selection stage of intervention or the question of how conflict characteristics may influence the willingness of third parties to intervene in conflicts” (Böhmelt 2010: 168). This means that the occurrence of conflict management is driven in specific ways, which – if unaddressed – induces selection bias and is the main source of endogeneity (Greig 2005; Heckman 1979; Hansen et al. 2008; Gartner 2011; Beber 2012; Owsiak and Mitchell 2019). To avoid either exaggerating or underestimating the effectiveness of conflict management, we thus account for selection effects in the following development of our argument, which is based on the interdependent relationship among interventions, given that a new attempt is shaped by its predecessors (see also Owsiak 2014; Diehl and Regan 2015).

First, the occurrence of CMT switches shows that disputants and third parties together (supply and demand) have likely learned from previous interventions, having realized that the CMT used in the previous instance was inappropriate for their situation. Hence, making a change in CMTs is a path to more effective conflict management<sup>6</sup>. Feedback and learning from previous events are useful elements for future attempts due to the gained experience and understanding (Heldt 2009; Bercovitch and Houston 2010). Along these lines, Böhmelt (2013) argues that disputants and interveners gain valuable knowledge through a series of CMTs (see also Kydd 2003; Powell 2004). Actors learn over the course of unsuccessful attempts and are

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<sup>6</sup> A counter argument may be that changing the nature of interdependent CMTs generates uncertainty due to the new negotiations’ environment and potential unfamiliar processes. However, we expect that transaction costs are still diminishing in the long-term, given the probability of effective conflict management and resolution of the claim overall.



more knowledgeable to present their needs, discuss their interests, and claim their preferences (Owsiak 2014; Diehl and Regan 2015). In particular, the learning process that is achieved through interdependent interventions aggregates the amount of information available to the actors (Diehl and Regan 2015). To this end, actors (disputants and interveners) may change CMTs depending on the different conditions that may arise, looking for the one that is the most appropriate to resolve their differences (see also Beardsley et al. 2006). Under those circumstances, actors are freed from previous blockades in negotiations and can induce new perspectives in a new round of negotiations that, in turn, increase the likelihood of effective conflict management. As suggested by existing studies, first negotiation attempts may indeed fail, but there is a “tipping point” where actors are more receptive to information provided, meaning that they are better able to evaluate such information and use it towards the resolution of the conflict (Böhmelt 2013: 200).

Second, by moving to a different CMT, actors change the negotiation environment and the bargaining parameters as the last intervention was unsuccessful. The rationale here mirrors the impact of a perceived mutually hurting stalemate that has led to the initial third-party intervention: over the course of fighting, actors receive new information and learn that conflict alone is unlikely to improve their position. That is, actors acknowledge that they are in a deadlock situation and, at this tipping point, need to consider other options to move forward and, eventually, find a way out of fighting (Zartman 2001; Melin and Svensson 2009). Initially, this possibly leads to the onset of a first conflict-management attempt. But if conflict management is already underway, actors stuck in a deadlock situation, a tipping point, likely consider changing to CMTs that are eventually more effective. Bringing in the new parameters of the new CMT generates a fresh start offering the now more-experienced actors the opportunity of re-addressing their claim using new tools, while avoiding mistakes of the past. A change in the nature of the CMT as a part of an interdependent sequence of repeated conflict

management attempts can therefore generate more opportunities for the actors to effectively address the claim.

Third, after switching to a new CMT, actors benefit from the information previously disseminated about disputants' interests, preferences, and positions (Svensson 2007, 2009; Böhmelt 2013; Spitka 2018). Information from previous interventions can help both disputants and interveners setting the negotiations' background or understanding actors' behavior more comprehensively. While this is the case for all sequences of repeated settlement attempts, *sequences involving a change in CMTs* should be particularly effective. With the new CMT, the actors involved have a range of new tools to address previous obstacles. In other words, the earlier experience of failure using one CMT may thus play a relevant role in the effective employment of another CMT later on.

Ultimately, we suggest changing CMTs over the course of an interdependent sequence of interventions provides the actors with new tools to resolve their conflict and allows them to act upon what they have learned from past mistakes. Along these lines, we expect that *changes in CMTs (CMT sequences of a dissimilar nature) increase conflict management effectiveness.*

### **Illustrative evidence from the Beagle conflict**

Conflicts, particularly those that are complex in nature, may experience a series of conflict management techniques before a final settlement. As discussed in earlier work, considering the interdependence of CMTs, actors gain experience from previous failed attempts and take advantage of information from past practices (Svensson 2007, Böhmelt 2013; Owsiak 2014). In the following, we focus on the Beagle conflict to illustrate where and how actors switched conflict management techniques in a sequence of attempts, and how this impacted on the effectiveness of conflict management. Argentina and Chile were involved in a territorial conflict contesting the ownership of three small islands located to the east side of the Beagle Channel. There were several issues at stake related to the Beagle conflict. Besides sovereignty

over the islands, the disputants sought access to the Atlantic Ocean and meant to further national political stability and economic opportunities (Van Aert 2016). After several clashes, the two countries took the dispute to the International Court of Justice (ICJ) in 1972 where the Presidents of Chile and Argentina signed an arbitration agreement that enforced a binding decision over the territorial and maritime boundaries around the islands of Picton Nueva and Lennox. In May 1977, the court granted the islands to Chile. The court's decision did not resolve the conflict, though, as Argentina challenged it and moved its armed forces to the Mendoza border. A series of bilateral negotiations took place without reaching an effective and permanent outcome. The leaders of the two countries, Videla of Argentina and Pinochet of Chile, agreed on a commission to look for a resolution of the conflict, but this produced inconclusive results.

The conflict demanded immediate attention before it escalated to a full-scale war. Both parties agreed on a mediator and, in this instance due to the countries' connections to the Catholic Church, the Vatican was the most suitable third party both of the fighting parties could agree on in 1979. The Papal mediation to the Beagle conflict lasted for about four years. Argentina and Chile signed a treaty that granted the territorial rights of the islands to Chile, but maritime rights to Argentina (Garrett 1985) – and, thereby, effectively ended the claim. The point we are making here is twofold. First, the Beagle conflict experienced a sequence of CMTs as there was a switch from a binding to a non-binding technique. Second, and arguably more important for our focus, the actors having gained the experience of a first failed conflict-management attempt opted for a different CMT looking for alternative options more suitable to their dispute. Moving to a new negotiation environment with a different third-party intervener encouraged the parties that they could move forward with an effective solution for all. Additionally, the information from the former attempt, particularly emphasizing that

Argentina would not accept a resolution similar to the one of the ICJ and that Chile was keen to avoid a full-scale war, facilitated the Vatican's intervention (Van Aert 2016).

### **Empirical strategy**

To examine the relationship between CMT sequences and conflict management effectiveness, we employ data from the ICOW project (Hensel et al. 2008). This dataset covers interstate contention in three types of territorial issues: land, river, and maritime claims. In the latest version, while land claims are included for the Western Hemisphere and Western Europe for 1816-2001, maritime claims have the same spatial coverage but are only coded as of 1900. River claims are covered for 1900-2001 focusing on the Western Hemisphere, Western Europe as well as the Middle East. As we are interested in the effectiveness of peaceful third-party conflict management, we use the third-party settlement attempt within a claim-dyad as the unit of observation.

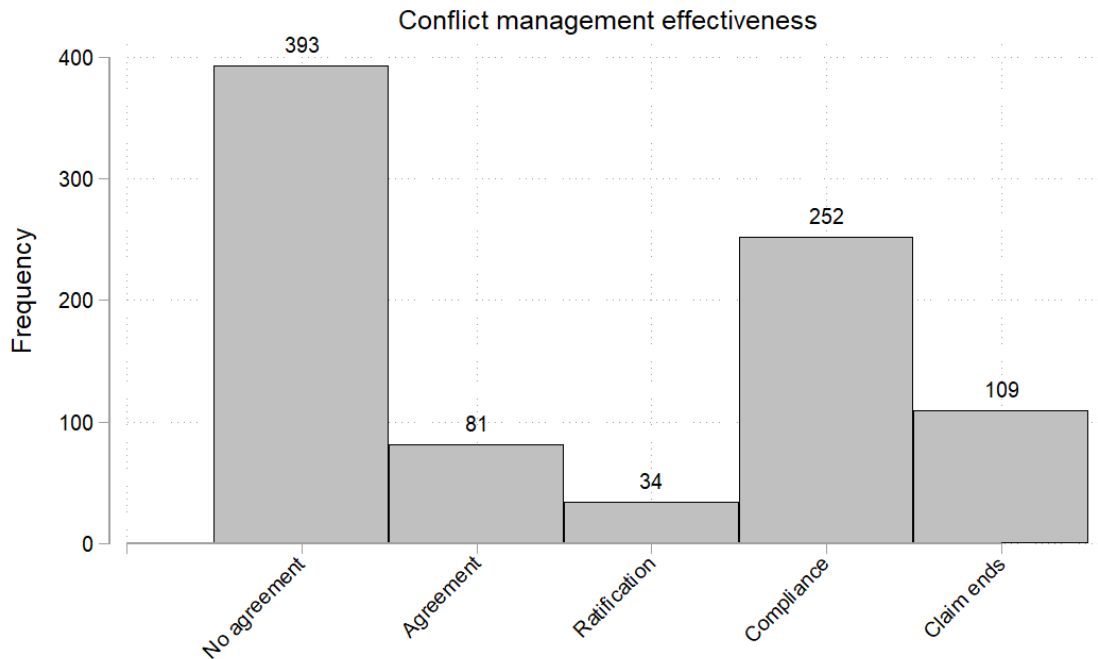
To measure the effectiveness of conflict management, our dependent variable is a categorical indicator of *effectiveness* from the ICOW data that measures the success of an intervention along five categories. First, an intervention can be entirely ineffective and fail to result in an agreement between the disputants. Second, the intervention can lead to an agreement, but this agreement is not ratified by at least one party. Third, the intervention can lead to an agreement, which is also ratified but not complied with by at least one party. Fourth, although the intervention results in an agreement that is complied with, this does not lead to the termination of the claim. And fifth, we see an agreement due to third-party intervention which also ends the claim (see also Böhmelt 2011, 2013). We use this variable as it presents a more encompassing measure of conflict management effectiveness than, e.g., focusing only on whether an agreement was reached (e.g., Beardsley et al. 2006), whether conflict-parties comply with an agreement (e.g., Mitchell and Hensel 2007), or whether a claim is ended (e.g.,

Gent and Shannon 2010). All of these aspects represent important outcomes of conflict management but focusing on one comes at the price of disregarding the other, potentially equally important aspects. Hence, we follow Böhmelt (2011, 2013) in choosing the most holistic measure of conflict management effectiveness for our main analysis. Figure 1 offers a detailed overview over the dependent variable. For example, 393 (~45%) claims in our dataset have not seen an agreement, whilst 109 (~12.5%) have fully ended. This variable is categorical but exhibits rank ordering in that its categories are cumulative, i.e. an observation should only be able to attain a given outcome category if it has also attained lower categories. For instance, a conflict management attempt can only end the claim if it has resulted in an agreement, which is ratified and complied with. Similarly, an attempt can only result in ratification if there is an agreement to be ratified. We thus use ordered probit regression models to test our hypothesis pertaining to the *effectiveness* of CMT sequences.

Recall that third-party conflict management is not randomly assigned and failing to take this into account may result in selection bias (e.g., Greig 2005; Heckman 1979; Owsiak and Mitchell 2019). Hence, we also employ ordered probit models with sample selection to examine the effectiveness of different CMT sequences while explicitly modelling whether claims receive any repeated third-party conflict management in the first place. We thus include issue claims that experienced no (third-party) or only bilateral settlement attempts in the selection part of some of these models; the substantively more interesting outcome part concentrates on issue claims featuring third-party intervention. There, we also do not consider initial settlement attempts as CMT *sequences* should consist of at least two such attempts. We use the control variables from the main models as predictor variables for the selection equation

and additionally account for time dependence by including cubic polynomials of the time since the last third-party conflict management attempt<sup>7</sup> (see also Carter and Signorino 2010).

Figure 1: Distribution of conflict management effectiveness



To operationalize the sequence of CMTs, the ICOW dataset includes chronological information on settlement attempts within a claim-dyad<sup>8</sup>. It also states the type of each settlement attempt, i.e., whether the attempt included the provision of good offices, fact-finding, mediation, arbitration, or adjudication. In line with previous studies (Hensel et al. 2008; Owsiak and Mitchell 2019; Powell and Wiegand 2010, 2014; Wiegand and Powell 2011), we group the former three as non-binding third-party conflict management techniques, and arbitration and adjudication are coded as binding techniques. Based on this information, we create our core explanatory variable, *CMT sequence*, which indicates the sequence of CMTs

<sup>7</sup> The cubic polynomials also allow us to meet the identification criterion as they should affect the incidence but not effectiveness of conflict management. The selection models use the entire universe of claim dyads in the first stage, the second stage is then restricted to those observations also used in models not accounting for sample selection.

<sup>8</sup> This study focuses on the temporal interdependence, but other types of interdependence exist too, e.g. former attempts or along shared intervenors.

used in a claim-dyad up to and including the currently observed settlement attempt. That is, when coding the sequence of CMTs at attempt  $t$  for dyad  $i$ , we examine the current attempt in  $t$  as well as the previous settlement attempts  $t - 1, t - 2, t - 3$ , etc. in a dyad until the first attempt ever occurred. For a sequence to be coded at the attempt under observation, at least one previous attempt,  $t - 1$ , must exist.

Table 1: Coding *CMT sequence*

| CM attempt          | $t - 7$     | $t - 6$            | $t - 5$            | $t - 4$            | $t - 3$         | $t - 2$         | $t - 1$         | $t$             |
|---------------------|-------------|--------------------|--------------------|--------------------|-----------------|-----------------|-----------------|-----------------|
| Year                | 1897        | 1908               | 1918               | 1922               | 1923            | 1926            | 1926            | 1928            |
| CMT                 | non-binding | non-binding        | non-binding        | non-binding        | binding         | non-binding     | non-binding     | non-binding     |
| Attempts considered | t-7         | t-7 to t-6         | t-7 to t-5         | t-7 to t-4         | t-7 to t-3      | t-7 to t-2      | t-7 to t-1      | t-7 to t        |
| CMT sequence        | none        | without change (0) | without change (0) | without change (0) | with change (1) | with change (1) | with change (1) | with change (1) |
| Effectiveness       | 0           | 0                  | 0                  | 3                  | 3               | 0               | 0               | 4               |

Illustration of coding *CMT sequence*: conflict management attempts in the dispute between Peru and Chile, 1884-1928.

Based on this approach, the variable *CMT sequence* can take two values: a claim-dyad can have experienced a CMT sequence either *without a change in technique* (0) or *with a change in technique* (1). Table 1 illustrates this coding and shows that the entire history of third-party conflict management attempts in a claim-dyad is considered while coding the independent variable, i.e., a sequence *cannot* switch from having experienced a change to having experienced no change. For example, in a dispute between Peru and Chile, a binding conflict management attempt in 1923 was both preceded and succeeded by non-binding attempts. We code all observations from the binding attempt onwards as having experienced a change.

Table 2 shows the distribution of *CMT sequence* across its two categories in comparison with *conflict management effectiveness*. While most sequences of settlement attempts involved only one (i.e., the same) third-party CMT, we also have a non-negligible number of cases that

do exhibit a change in CMTs<sup>9</sup>. Of those sequences that saw a change in techniques, more than 60% resulted in settlements that were either complied with or ended the claim, whereas these outcomes were only reached in about 40% of claims with unchanging sequences. For instance, in the dispute between Peru and Chile, conflict management appears to have become more effective once the CMT sequence saw a switch, eventually resolving the claim being in 1928. These observations already point to at a positive relationship between changes in CMT sequences and eventual effectiveness.

Table 2: Relationship between *CMT sequence* and *Effectiveness*

|              | CMT Sequence:<br>Without Change | CMT Sequence:<br>With Change | Total      |
|--------------|---------------------------------|------------------------------|------------|
| No agreement | 369                             | 24                           | <b>393</b> |
| Agreement    | 75                              | 6                            | <b>81</b>  |
| Ratification | 34                              | 0                            | <b>34</b>  |
| Compliance   | 224                             | 28                           | <b>252</b> |
| Claim Ends   | 87                              | 22                           | <b>109</b> |
| Total        | <b>789</b>                      | <b>80</b>                    | <b>869</b> |

We also include a number of control variables, which account for confounding factors that may be linked to both the CMT sequence used in settlement attempts and their outcomes. By doing so, we avoid omitted variable bias but also account for factors that determine whether a contentious issue claim experiences third-party intervention and thus minimize the risk of selection bias. These variables are usually employed in the conflict management effectiveness literature, and they account for both the demand and supply of conflict management: offering conflict management and the willingness to accept conflict management (e.g., Greig 2005; Beardsley 2008; Böhmelt 2011, 2013; Owsiak and Mitchell 2019; Greig et al. 2019). First, we use factors related to the characteristics of the conflict parties, and second, we include determinants of the dispute itself. To start with, we consider the ratio of the disputants' military capabilities as well as their polity values. Disputants' military capabilities may play a role as

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<sup>9</sup> For CMT sequences with a change, the first change occurred from non-binding to binding techniques in 66 cases, whereas it took place the other way around for 14 cases. Binding attempts are equally likely to follow previous non-binding and binding techniques.



conflict parties that are stronger than their adversary may not accept third-party conflict management (Greig 2005). At the same time, their relative power distribution ratio should also affect whether they deem it worthwhile to renege on agreements and thus see conflict recurrence (Beardsley 2008). We use data from the National Material Capabilities dataset to include the logged ratio of the challenger's capabilities to the target's capabilities (Singer et al. 1972). Furthermore, disputants' regime type should matter because democratic countries may be more inclined to accept third-party involvement (Beardsley 2010). That said, democratic countries might also be worse at adhering to agreements due to regular leadership change (e.g., Böhmelt 2018). We thus include both the challenger's and target's polity score as taken from the Polity 4 dataset (Marshall et al. 2018).

In addition, we account for attributes of the claim-dyad in question using data from the ICOW project. First, disputants may be less likely to accept external intervention (Hensel 2001) but also less likely to arrive at or adhere to agreements when a claim is highly salient. We thus include the ICOW index of salience which ranges from 0-12 with higher values standing for higher salience. Second, land, river, and maritime claims differ in what types of mediation they usually experience (Owsiak and Mitchell 2019) and in how likely they are to be resolved effectively (Owsiak and Mitchell 2019; Hansen et al. 2008). For this reason, we control for the type of claim by including binary indicators for river and maritime issues. Territorial claims are the baseline category for comparison. Third, both the CMT sequence and likelihood of effective settlement should depend on the duration of the claim in question as well as previous attempts. We thus include both the number of years the claim has been active as well as the number of previous settlement attempts<sup>10</sup>. To further account for potential interdependencies across time within an issue claim, we cluster the standard errors on the claim in all models.

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<sup>10</sup> It is possible that changes in conflict management techniques are just a function or otherwise closely related to the number of previous settlement attempts of the same claim, making the inclusion of this control potentially problematic. However, both Spearman and Kruskal-Wallis tests fail to reject the null hypothesis of independence between the two variables.

Table 3 reports descriptive statistics and variance inflation factors (VIFs) for all independent variables. The VIFs imply that multicollinearity should not present an issue as they are well below the commonly used threshold of 2.5 (Allison 2012; O’Brien 2007).

Table 3: Descriptive statistics

| Variable                 | Observations | Mean   | Standard deviation | Minimum | Maximum  | VIF  |
|--------------------------|--------------|--------|--------------------|---------|----------|------|
| CMT sequence with change | 879          | 0.091  | 0.288              | 0       | 1        | 1.10 |
| Capability ratio         | 10,453       | 38.952 | 253.259            | 0.000   | 4673.097 | 1.16 |
| Claim salience           | 10,567       | 6.385  | 2.464              | 0       | 12       | 1.28 |
| Challenger: polity2      | 10,434       | 1.358  | 6.895              | -10     | 10       | 1.20 |
| Target: polity2          | 10,143       | 3.094  | 6.541              | -10     | 10       | 1.37 |
| Previous attempts        | 1,687        | 7.449  | 9.357              | 1       | 61       | 1.61 |
| Claim duration           | 10,567       | 30.315 | 29.370             | 1       | 186      | 1.84 |
| River issue              | 10,567       | 0.077  | 0.266              | 0       | 1        | 1.49 |
| Maritime issue           | 10,567       | 0.323  | 0.468              | 0       | 1        | 1.72 |

## Empirical Results

We present the results of the main empirical analysis in Table 4. Model 1 regresses conflict management effectiveness on *CMT sequences*, while Model 2 also includes the control variables. To this end, we see that our results are not driven by the inclusion of other variables. Model 3 explicitly takes sample selection into account. In the selection equation, we first estimate the probability that an issue claim involves third-party conflict management. Conditional on having a third-party intervention, the outcome equation then examines the effect of conflict management relying on unchanged or changed techniques. Model 4, our preferred specification, takes the same approach and replicates Model 3 while adding one additional control variable, *binding attempt*. This variable indicates whether the attempt under observation is a binding one, thus allowing us to test the effect of changes in the conflict management technique during a sequence of attempts *independent of the technique used in the current*

*settlement attempt*. It is possible to directly interpret the direction and significance of coefficients in the models, but not their magnitude.

Our results provide support for our general claim that the type of CMT sequencing matters. Models 1-4 all show that the coefficients of *CMT sequence: with change* are positive and significant on at least the 95%-level, indicating that repeated third-party conflict management can effectively tackle issue claims *when it involves a change in the type of CMT*. In other words, we find that when actors take the risk of switching to another CMT, though they might be unexperienced or less familiar with the new technique, there is a higher probability of seeing a more effective conflict management outcome and ultimately the end of the claim. Changing the negotiation environment and, hence, the CMT, does not necessarily create additional difficulties to the actors, but instead appears to increase the opportunities for effective conflict management. The lessons learned and experience gained from previous attempts drive the actors to a change in the CMT. This ultimately increases the likelihood of effective conflict management. While these findings hold across all four models, the statistically significant  $\rho$  coefficients in Models 3 and 4 also indicate that the disturbances of the two stages are correlated and that sample selection thus plays a relevant role. Hence, we focus on Models 3 and 4 for the substantive interpretation of the results.

Table 5 presents a first summary of the substantive effects of CMT changes in a conflict management sequences on its effectiveness. It reports the expected outcome category of effectiveness for each CMT sequence. Across all four models, CMT sequences without a change are expected to only result in an agreement. In contrast, CMT sequences that include such a change are also likely to see that agreement ratified by both conflict parties.

Table 4: The impact of CMT sequences on conflict management effectiveness

| Dependent Variable:<br><i>Effectiveness</i>                | Model 1<br>Ordered<br>Probit | Model 2<br>Ordered<br>Probit | Model 3<br>Ordered Probit w/<br>Sample Selection | Model 4<br>Ordered Probit w/<br>Sample Selection |
|--|------------------------------|------------------------------|--|--|
| <b><i>Outcome Equation</i></b>                             |                              |                              |  |  |
| CMT sequence (1=with change;<br>0=no change)               | 0.551***<br>(0.180)          | 0.695***<br>(0.160)          | 0.714***<br>(0.159)                              | 0.287**<br>(0.119)                               |
| Binding attempt  |                              |                              |  | 1.408***<br>(0.206)                              |
| Capability ratio   |                              | -0.004***<br>(0.001)         | -0.004***<br>(0.001)                             | -0.004***<br>(0.001)                             |
| Claim salience   |                              | -0.054**<br>(0.027)          | -0.030<br>(0.028)                                | -0.014<br>(0.027)                                |
| Challenger's democracy                                     |                              | 0.003<br>(0.008)             | 0.004<br>(0.007)                                 | 0.004<br>(0.007)                                 |
| Target's democracy   |                              | -0.001<br>(0.011)            | 0.002<br>(0.010)                                 | -0.005<br>(0.010)                                |
| Previous attempts  |                              | -0.004<br>(0.004)            | -0.001<br>(0.004)                                | -0.001<br>(0.003)                                |
| Claim duration   |                              | 0.001<br>(0.001)             | 0.003*<br>(0.001)                                | 0.003**<br>(0.001)                               |
| River issue  |                              | -0.390*<br>(0.219)           | -0.281<br>(0.208)                                | -0.146<br>(0.209)                                |
| Maritime issue   |                              | -0.104<br>(0.134)            | -0.103<br>(0.132)                                | 0.016<br>(0.122)                                 |
| <b><i>Selection Equation</i></b>                           |                              |                              |  |  |
| Capability ratio   |                              |                              | -0.001<br>(0.001)                                | -0.001<br>(0.001)                                |
| Claim salience   |                              |                              | 0.075***<br>(0.016)                              | 0.075***<br>(0.016)                              |
| Challenger's democracy                                     |                              |                              | 0.006<br>(0.005)                                 | 0.006<br>(0.005)                                 |
| Target's democracy   |                              |                              | 0.012*<br>(0.006)                                | 0.012*<br>(0.006)                                |
| Claim duration   |                              |                              | 0.012***<br>(0.001)                              | 0.012***<br>(0.001)                              |
| River issue  |                              |                              | 0.280**<br>(0.113)                               | 0.280**<br>(0.113)                               |
| Maritime issue   |                              |                              | 0.021<br>(0.119)                                 | 0.021<br>(0.119)                                 |
| Years since third-party<br>settlement attempt              |                              |                              | -0.097***<br>(0.010)                             | -0.097***<br>(0.010)                             |
| Years since third-party<br>settlement attempt <sup>2</sup> |                              |                              | 0.001***<br>(0.000)                              | 0.001***<br>(0.000)                              |
| Years since third-party<br>settlement attempt <sup>3</sup> |                              |                              | -0.000***<br>(0.000)                             | -0.000***<br>(0.000)                             |
| Constant   |                              |                              | -1.660***<br>(0.133)                             | -1.659***<br>(0.133)                             |
| Observations   | 869                          | 801                          | 9,976  | 9,976  |
| Log Pseudolikelihood                                       | -1143                        | -1048                        | -3099  | -3070  |
| Prob > $\chi^2$  | 0.002                        | 0.000                        | 0.000  | 0.000  |
| $\rho$   |                              |                              | 0.284***<br>(0.084)                              | 0.155*<br>(0.088)                                |

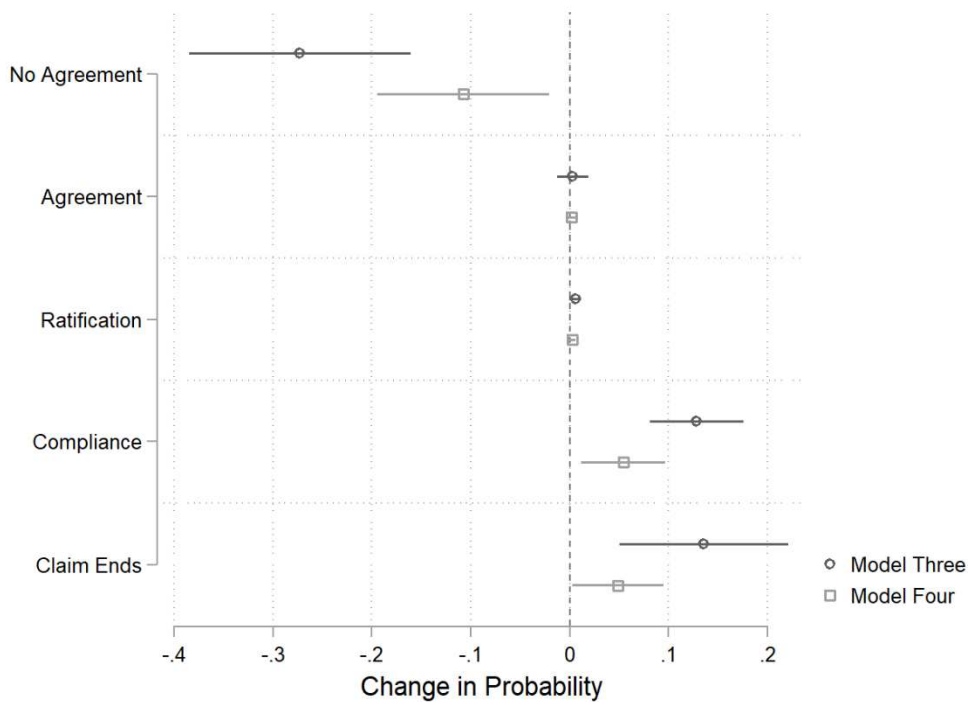
Models 1-2: Ordered Probit; models 3-4: Ordered Probit with sample selection. Standard errors clustered on the claim in parentheses; \*\*\* p<0.01, \*\* p<0.05, \* p<0.1.

Table 5: The substantive effect of CMT sequences – expected outcome categories

| CMT sequence:         | Model 1                 | Model 2                 | Model 3                 | Model 4                 |
|-----------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| Without change in CMT | 1.473<br>(1.357; 1.589) | 1.504<br>(1.384; 1.623) | 1.015<br>(0.788; 1.242) | 1.289<br>(1.039; 1.539) |
| With change in CMT    | 2.252<br>(1.848; 2.656) | 2.460<br>(2.127; 2.793) | 1.957<br>(1.524; 2.390) | 1.653<br>(1.307; 2.000) |

Note: Expected value of the outcome variable and, thus, the category of *effectiveness* for different values of *CMT sequence*, 90% confidence intervals in parentheses.

Figure 2: The substantive effect of CMT sequences – First difference estimates



Change in the predicted probability of the categories of *effectiveness* when switching from 1 (*CMT sequence: Without change*) to 2 (*CMT sequence: With change*). All other variables held at their observed values. Whiskers represent 95%-Confidence Intervals.

Figure 2 provides a more disaggregated analysis of the different categories of *effectiveness*. Based on Models 3 and 4, it shows how a change in CMTs affects the predicted probability of a given claim outcome as compared to no change taking place within a conflict

management sequence. This graph shows that the probability of no agreement is reduced when CMT sequences involve a change in techniques, whereas the probability of an agreement being complied with or even ending a claim is increased. More substantively, while a CMT change reduces the predicted probability of no agreement being reached by 27.3% in Model 3, this effect decreases to 10.8% in Model 4. And whereas the positive effects on compliance and a claim ending are 12.8% and 13.6%, respectively, in Model 3, they decrease to 5.4% and 4.9%, respectively in Model 4. This suggests that while the effect of CMT changes on conflict management is statistically significant and substantively relevant in either model, it is also over-estimated in Model 3 due to the exclusion of a key control variable, *binding attempt*<sup>11</sup>. The results in Model 4 thus present a more accurate estimate of the positive effect of CMT changes on conflict management effectiveness.

We thus find support for our claim that CMT sequencing and, particularly, changes therein matter as they increase conflict management effectiveness. This substantive finding is also mirrored in a number of additional model specifications. These models are reported in the appendix, but also briefly summarized here. First, by using ordered probit models, we impose a parallel regression assumption on our data, i.e., that the slope coefficients do not vary over the outcome categories. In the appendix, we relax this assumption by using generalized ordered probit models as well as four alternative binary dependent variables<sup>12</sup>. Second, some settlement attempts only seek to achieve procedural or functional agreements, making them structurally different from substantive attempts, which aim to end an issue claim while possibly being likelier to achieve an agreement (Hensel and Mitchell 2007). We thus account for the type of settlement attempts but also restrict our estimation sample to substantive ones. Changes in

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<sup>11</sup> In line with existing studies (Gent and Shannon 2010; Mitchell and Hensel 2007), binding attempts are found to strongly decrease the probability of no agreement (52.4%) while strongly increasing that of compliance (27.5%) and a claim ending (20.5%).

<sup>12</sup> These items have also been used as main outcome variables in other studies of conflict management effectiveness (see Beardsley et al. 2006; Gent and Shannon 2010; Mitchell and Hensel 2007).

binding to non-binding and vice versa have a positive and statistically significant effect on conflict management effectiveness. At the same time, a Wald test suggests that the coefficients for the two directions of change cannot be statistically distinguished. Third, we differentiate between sequences that only experience one change and sequences where third parties repeatedly switch between conflict management techniques. Fourth, we include additional control variables from the literature on third-party conflict management that are plausibly related to both CMT changes and *effectiveness* to further check the stability of our findings. More specifically, we control for two attributes of third parties, their number (Böhmelt 2011), and whether they include an international organization (Mitchell and Hensel 2007), and two variables related to the history of a dispute.

Our substantive results as reported in Table 4 remain qualitatively the same in all of these additional specifications. Our empirical results thus strongly and robustly underline the claim that changes in CMT sequencing matter for conflict management effectiveness. That is, we find that repeated third party conflict management increases intervention effectiveness *if* later settlement attempts involve a change in techniques.

## **Conclusion**

While most international claims end relatively fast and with the first conflict management attempt, there are others that require further interventions for their peaceful resolution. In this case, actors may opt for a CMT of similar nature or switching to a CMT that differs from what has been used in the past. Our analysis indicates that actors can benefit from changing CMTs as this increases the likelihood of effective conflict management. When actors take the risk to change CMTs, they create more negotiation opportunities that likely suit them better and address the claim more effectively. This makes reaching an agreement and ending the claim more likely.

Our findings provide new insights about the role of conflict management sequences and, particularly, changes therein. Previous research mostly focused on the impact of cumulative interventions without considering the nature of a sequence as such (Heldt 2009; Bercovitch and Houston 2010; Böhmelt 2013). To this end, we find that for those recurring claims that require further attempts, a change in the sequence from binding to non-binding or vice versa has a significant impact on conflict management effectiveness. Additionally, our study shows that persistent interdependencies may establish a sequence of CMTs that has a crucial impact on conflict management effectiveness. Most importantly, a change in the CMT creates new opportunities and offers actors a way out of a potential deadlock situation. This increases the likelihood of effective conflict management.

Against this background, our research suggests that actors can benefit from looking into alternatives. From a policy perspective, we demonstrate that the lessons learned and the experience gained from the previous attempts – though unsuccessful – lead belligerents third parties to opt for a different CMT that has the potential to offer a more effective conflict management outcome. We have primarily focused on the change of CMT sequences when looking at binding and non-binding techniques. However, further research could focus in more depth on the type of CMTs, offering a more detailed analysis on the techniques *per se* and exploring what sequence of techniques could eventually lead to the best outcome overall. Although temporal dependence is the primary focus of this study other dependencies should be explored as well e.g., failed attempts.

Considering that all past conflict management interventions are part of the learning process, there might be a chain of sequences that results in the most effective outcome. Additionally, further research could elaborate on conflict management effectiveness looking for the mechanisms that some CMTs lead to an agreement, compliance, or ending the claim. In 30% of the cases of our sample, there was an agreement that was ratified without ending the



claim. Those cases are intriguing because they raise questions about the agreement itself as well as why states would sign and ratify an agreement, but that would not end the claim.

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