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## **BRIDGING CONFLICT THROUGH DIALOGUE: THE ROLE OF MEDIATION AND NONVIOLENT COMMUNICATION IN DISPUTE RESOLUTION—LESSONS FROM THE UKRAINE-RUSSIA CRISIS**

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### **1) INTRODUCTION**

Human civilisations cannot exist without conflicts. Peace and stability depend upon the methods used to handle these conflicts.<sup>1</sup> In recent years, the Russia-Ukraine crisis has attracted the attention of everyone in the world. Its resolution has been attempted with the participation of several countries and international organisations.<sup>2</sup> In this scenario, mediation and nonviolent communication (NVC) have been used to resolve the crisis.

Mediation, a structured approach to resolving conflicts and NVC, a strategy for promoting empathy and understanding, provide practical strategies to tackle the root causes of conflicts and develop long-lasting peace. NVC is a communication style created by Marshall Rosenberg that focuses on empathy, compassion, and comprehending human needs.<sup>3</sup> Its objective is to promote constructive exchanges by emphasising transparent and courteous communication, which proves especially efficacious in conflict resolution scenarios, such as mediation. Mediation, a systematic method of resolving conflicts, greatly benefits from the principles of NVC as it promotes the open expression of disputants and active listening to others. Integrating NVC into

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<sup>1</sup> John Paul Lederach, *The Moral Imagination: The Art and Soul of Building Peace* (New York: Oxford University Press, 2005), 3.

<sup>2</sup> Richard Sakwa, *Frontline Ukraine: Crisis in the Borderlands* (London: I. B. Tauris, 2015), 18.

<sup>3</sup> Marshall B. Rosenberg, *Nonviolent Communication: A Language of Life* (Encinitas: PuddleDancer Press, 2015), 3.

mediation techniques improves the calibre of interaction between conflicting parties. It bolsters the mediator's endeavours in directing them towards a situation wherein they can communicate. The significance of NVC in mediation is increasingly acknowledged as societies confront intricate interpersonal and organisational problems. Both fields aim to promote comprehension and collaboration, amplifying their junction's impact.<sup>4</sup>

This paper reflects on the possible application of NVC in conflicts, analysing the Russia-Ukraine crisis. This paper examines the synergy between NVC and mediation and considers the implementation of NVC principles for revolutionising mediation procedures and the possibility of achieving better and lasting conflict settlements.<sup>5</sup>

## 2) HISTORY OF NVC

Rosenberg, a psychologist, drew inspiration from the works of Carl Rogers and Mahatma Gandhi. He founded NVC in the 1960s.<sup>6</sup> Rosenberg aimed to develop a communication approach prioritising empathy and connection rather than conflict and pressure.<sup>7</sup> The formative years of his upbringing in racially segregated Detroit throughout the 1940s and 1950s, marked by exposure to violence and discrimination, influenced his understanding of the need for empathetic communication.<sup>8</sup>

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<sup>4</sup> John Paul Lederach, *The Moral Imagination: The Art and Soul of Building Peace* (New York: Oxford University Press, 2005), 45.

<sup>5</sup> Joan McGregor, *Conflict Resolution and Human Needs* (London: Routledge, 2013), 28.

<sup>6</sup> Rosenberg, *Nonviolent Communication: A Language of Life*, 4.

<sup>7</sup> Marshall B. Rosenberg, *Living Nonviolent Communication: Practical Tools to Connect and Communicate Skillfully in Every Situation* (Encinitas: PuddleDancer Press, 2015), 15.

<sup>8</sup> Thomas D'Ansembourg, *Being Genuine: Stop Being Nice, Start Being Real* (Boston: Shambhala Publications, 2007), 22.

Rosenberg's work was also influenced by the humanistic psychology movement, which emphasised the capacity of individuals to develop and achieve their full potential.<sup>9</sup> Rogers' client-centred therapy, which emphasises sympathetic listening and unconditional positive regard, formed the basis for numerous ideas in NVC. Rosenberg combined these concepts with Gandhi's nonviolent teachings, which promoted peaceful resistance and communication as methods for resolving conflicts.<sup>10</sup>

Rosenberg developed a systematic method of communication in the 1980s and documented it in his initial publication, "Nonviolent Communication: A Language of Life." This book described the principles of NVC and offered a manual of communication skills with greater effectiveness and empathy. NVC has achieved acclaim and has been embraced in several domains, such as education, business, and conflict resolution. The impact of NVC is expanding as training programs and workshops are being carried out in more than 60 countries.<sup>11</sup> NVC has also affected combat zones for dispute resolution and promoting mutual comprehension among opposing factions.<sup>12</sup> The evolution of NVC mirrors a transition towards communication and conflict resolution methods that prioritise empathy and collaboration.<sup>13</sup>

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<sup>9</sup> Carl R. Rogers, *On Becoming a Person: A Therapist's View of Psychotherapy* (Boston: Houghton Mifflin, 1961), 43.

<sup>10</sup> Arun Gandhi, *The Gift of Anger: And Other Lessons from My Grandfather Mahatma Gandhi* (New York: Gallery Books, 2017), 76.

<sup>11</sup> Lucy Leu, *Nonviolent Communication Companion Workbook* (Encinitas: PuddleDancer Press, 2003), 9.

<sup>12</sup> Kenneth Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution* (San Francisco: Jossey-Bass, 2006), 102.

<sup>13</sup> Sarah Cobb, *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution* (Oxford: Oxford University Press, 2013), 113.

### 3) PRINCIPLES OF NVC

NVC is based on four fundamental principles: observation, emotions, needs, and requests.<sup>14</sup> These are concepts for promoting empathy and comprehension in communication.<sup>15</sup>

#### a) Observation

The first principle, observation, highlights the significance of differentiating between the act of observing and one's subjective feelings about it. Observations are to be conveyed objectively, without judgment or evaluation. The clarity of communication aids in the prevention of misconceptions and minimises defensiveness during interactions. Instead of making a general statement like "You are always late," a more specific observation may be made by saying, "I observed that you arrived 15 minutes after our scheduled time on three occasions this week."<sup>16</sup> One sees neutrality in the observation. The fact is communicated without any judgment. There is no accusation in the observation. Hence, resistance is absent to the reaction from the other person.

#### b) Emotions

The second principle, emotions, is acknowledging and expressing one's feelings without attributing fault to others. NVC promotes personal responsibility for one's emotions through the use of "I feel" expressions, such as expressing frustration as "I feel frustrated," instead of attributing anger to

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<sup>14</sup> Rosenberg, *Nonviolent Communication: A Language of Life*, 15.

<sup>15</sup> Kenneth Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future* (San Francisco: Jossey-Bass, 2001), 75.

<sup>16</sup> Leu, *Nonviolent Communication Companion Workbook*, 16.

others with statements like “You make me angry.”<sup>17</sup> This decreases the chances of conflict by highlighting personal experience rather than attributing blame. Understanding and expressing emotions is important for fostering empathic communication. It helps both individuals to make an emotional connection.<sup>18</sup>

### **c) Needs**

The third principle, needs, revolves around finding out the needs that underlie one’s feelings. All human behaviours aim to fulfil needs, such as security, affection, independence, and social interaction. By expressing these demands, individuals can overcome superficial conflicts and tackle the real causes of conflict. For instance, when an individual is frustrated due to their opinions being disregarded, the need may be for acknowledgement or respect.<sup>19</sup>

### **d) Requests**

The fourth principle, requests, requires formulating explicit, affirmative and practicable requests derived from the recognised needs. Unlike demands, which can bring about resistance, requests are, in fact, invitations for cooperation. They are precise and amenable to negotiation, facilitating a mutually satisfactory result. Instead of stating, “You need to listen to me,” the NVC approach would be to ask, “Would you be open to dedicating five minutes of your time to attentively hear my concerns without interruptions?”

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<sup>17</sup> Rosenberg, *Nonviolent Communication: A Language of Life*, 30.

<sup>18</sup> Cobb, *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution*, 120.

<sup>19</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 80.

Engaging in discussions of this nature encourages teamwork and diminishes the chances of further conflict.<sup>20</sup>

Together, these principles establish a means of communication that emphasises the importance of understanding, transparency and reciprocal regard. NVC promotes a less aggressive discussion and is more favourable to understanding and resolving issues by emphasising observations, feelings, wants and requests.<sup>21</sup>

#### **4) MEDIATION AND ITS ROLE IN CONFLICT RESOLUTION**

Mediation involves an impartial intermediary, called a mediator, assisting the parties in conflict and facilitating a dialogue between them to attempt and resolve their conflict.<sup>22</sup> Mediation is not the same as litigation or arbitration in as much as it allows the parties in conflict the power to independently make their own decisions rather than imposing an adjudicated resolution upon them.<sup>23</sup> The mediator's function is to facilitate communication between the parties in conflict and to enable them to delve into their fundamental interests and requirements.<sup>24</sup> Mediation, a practice with ancient origins, can be traced back thousands of years and is found in diverse cultures such as ancient Greece and China<sup>25</sup> as well as in India.<sup>26</sup> Mediation has become an important element of conflict resolution in various fields, such as family

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<sup>20</sup> D'Ansembourg, *Being Genuine: Stop Being Nice, Start Being Real*, 39.

<sup>21</sup> Rosenberg, *Living Nonviolent Communication: Practical Tools to Connect and Communicate Skillfully in Every Situation*, 42.

<sup>22</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 85.

<sup>23</sup> *Ibid.*, 12

<sup>24</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 99.

<sup>25</sup> Cobb, *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution*, 130.

<sup>26</sup> R. S. Bachawat, *Justice Bachawat's Law of Arbitration and Conciliation*, 4th ed. (Delhi, India: Lexis Nexis, 2005).

law, business, and international relations.<sup>27</sup> Mediation is favoured due to its informal and voluntary nature, cost-efficiency, and expedited process compared to litigation.<sup>28</sup>

Mediation is preferred because it can handle conflict's substantive issues and relational concerns.<sup>29</sup> Substantive issues are the issues of disagreement, while relational concerns refer to the emotional and psychological interactions between the parties. Mediation also provides a means for the parties to address relational issues, which leads to the promotion of enduring and satisfying results. Communication is treated as of utmost importance in mediation. Effective communication facilitates understanding opposing views, builds trust, and identifies shared interests.<sup>30</sup>

## **5) INTERPLAY OF NVC AND MEDIATION**

The principles of NVC resonate with the objectives of mediation, as both emphasise empathy, attentive listening, and regard for the needs of others.<sup>31</sup> Incorporating NVC into mediation procedures provides advantages in resolving substantive and relational issues in conflict.<sup>32</sup> The emphasis of NVC on empathy, clarity and mutual understanding aligns with the objectives of mediation, rendering it an effective tool for mediators. Mediators can better their capacity to foster productive discourse and assist parties in overcoming positional negotiation to delve into their fundamental wants and interests. One significant meeting point between NVC and mediation is prioritising,

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<sup>27</sup> Leu, *Nonviolent Communication Companion Workbook*, 25.

<sup>28</sup> Susan Gillis Chapman, *The Five Keys to Mindful Communication* (Boston: Shambhala Publications, 2012), 103.

<sup>29</sup> Lederach, *The Moral Imagination: The Art and Soul of Building Peace*, 54.

<sup>30</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 105.

<sup>31</sup> Cobb, *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution*, 143.

<sup>32</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 24.

comprehending and expressing needs. During numerous disagreements, the involved parties often prioritise their views, which refer to their desired outcomes, rather than their requirements, which pertain to the underlying reasons for their desires. NVC promotes recognising and articulating one's needs, transforming the dialogue from making demands to discussing interests. This change is of utmost importance in mediation, as it expands the range of potential for innovative and mutually advantageous resolutions.<sup>33</sup>

Another crucial aspect is the significance of empathy. NVC suggests that empathy involves not just comprehending someone else's emotions and requirements but also articulating that comprehension to increase rapport. Empathy plays a crucial role in mediation by removing obstacles, diminishing antagonism and fostering a collaborative environment. When participants perceive that their concerns have been acknowledged and comprehended, they are more inclined to participate in the process and strive towards resolution actively. NVC offers mediators a tool for effectively handling emotions during the mediation procedure. Conflicts involve intense emotions, and how these emotions are managed significantly influences the result of mediation. NVC's methodology on emotions enables mediators to effectively assist parties in constructively express their feelings without being accusatory or critical of the other party.<sup>34</sup> This helps prevent the situation from becoming more intense and enables the fundamental problems to be dealt with more efficiently.<sup>35</sup>

The combination of NVC with mediation improves the mediator's capacity to establish a nurturing and considerate atmosphere where parties can

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<sup>33</sup> McGregor, *Conflict Resolution and Human Needs*, 75.

<sup>34</sup> Cobb, *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution*, 157.

<sup>35</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 140.

communicate honestly, examine their needs and strive for a resolution that satisfies everyone involved.<sup>36</sup>

## 6) APPLICATIONS OF NVC IN THE MEDIATION PROCESS

In mediation, the actual implementation of NVC requires incorporating its fundamental concepts, which include observation, feelings, needs, and requests, into the mediation process. Integration can occur at several points in the mediation process, from the initial encounter with the parties to the ultimate agreement.

In the early phases of mediation, NVC can be employed to create a secure and courteous atmosphere. The mediator can exemplify NVC by using impartial language, refraining from judging and prioritising observations above judgments.<sup>37</sup> For instance, a mediator could state, “I observed the presence of tension in our previous session,” instead of saying, “You displayed hostility last time.” This method minimises defensiveness and establishes a favourable atmosphere for the mediation process.<sup>38</sup> NVC can facilitate the mediation process by enabling parties to articulate their feelings and needs more clearly. The mediator can promote the use of “I feel” phrases and assist parties in recognising the underlying needs behind their stances. When one side displays irritation, the mediator may enquire about the unfulfilled need, causing displeasure. This form of inquiry facilitates the progression from assigning fault to attaining a more profound comprehension of one’s own and the other party’s needs.

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<sup>36</sup> McGregor, *Conflict Resolution and Human Needs*, 84.

<sup>37</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 145.

<sup>38</sup> Leu, *Nonviolent Communication Companion Workbook*, 48.

NVC is also beneficial in expediting the negotiation stage of mediation. By prioritising needs over positions, the mediator can assist parties in examining a broader spectrum of potential solutions for resolving their conflict. For instance, if both parties need security, the mediator could investigate several methods to fulfil that demand, such as utilising financial agreements, contractual assurances or continuous communication. The high degree of flexibility enhances the probability of discovering a resolution that satisfies both sides' needs.<sup>39</sup>

During the concluding phase of mediation, NVC can be employed to guarantee that the agreement is unambiguous, precise and capable of being put into effect.<sup>40</sup> The mediator can assist parties in formulating their agreements as affirmative appeals rather than ultimatums. Instead of explicitly stating that "Party A will not do X," the agreement could be modified to express that "Party A agrees to undertake action Y to resolve the concern."<sup>41</sup> By employing positive framing, the likelihood of future conflict is diminished and the cooperative aspect of the agreement is strengthened.<sup>42</sup>

Incorporating principles of NVC in the mediation process improves the effectiveness of mediation and promotes empathy, clarity and mutual respect.<sup>43</sup>

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<sup>39</sup> Rosenberg, *Living Nonviolent Communication: Practical Tools to Connect and Communicate Skillfully in Every Situation*, 85.

<sup>40</sup> D'Ansembourg, *Being Genuine: Stop Being Nice, Start Being Real*, 66.

<sup>41</sup> Chapman, *The Five Keys to Mindful Communication*, 123.

<sup>42</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 185.

<sup>43</sup> Leu, *Nonviolent Communication Companion Workbook*, 64.

## 7) DISADVANTAGES OF NVC

NVC has numerous advantages in mediation but has a few constraints. One of the main obstacles is the significant amount of time and effort needed to acquire and master NVC skills.<sup>44</sup> For mediators and parties, NVC signifies a fundamental change in their cognitive approach and active participation in communication. Shifting in such situations can be particularly challenging, especially when faced with high-stress levels or intense emotions, as this is when ingrained patterns and protective reactions are most prone to resurface. Another problem arises from the possibility that NVC may be seen as manipulative if not employed with genuine sincerity.<sup>45</sup> Suppose individuals feel that NVC is being used to manipulate or exert control over them rather than as a sincere attempt to establish a connection and foster understanding. In that case, they may develop resistance or scepticism.<sup>46</sup> This can impede the efficacy of the mediation process.<sup>47</sup>

Addressing deeply ingrained disputes or disparities of power is also difficult using NVC. When there is a substantial power imbalance or resource disparity between two parties, as seen in the evaluation of the Russia-Ukraine crisis, NVC may not be enough to tackle the root causes of the problems effectively. Other measures, such as legal assistance or advocacy, may be required to guarantee a just and impartial resolution. NVC requires profound self-awareness and emotional intelligence from the mediator and the individuals engaged in the process. Without possessing these attributes, it

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<sup>44</sup> Heidi Burgess, "Nonviolent Communication (NVC)." *Beyond Intractability*, June 2004, <https://www.beyondintractability.org/essay/nonviolent-communication>. Accessed on August 27, 2024.

<sup>45</sup> Cobb, *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution*, 177.

<sup>46</sup> Leu, *Nonviolent Communication Companion Workbook*, 72.

<sup>47</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 205.

might be challenging to effectively use NVC, especially when confronted with intense emotions or intricate interpersonal dynamics. For instance, if a party encounters difficulty recognising or articulating their feelings and requirements, the mediation process may become stagnant or ineffective in generating significant outcomes.<sup>48</sup>

Cultural differences might pose difficulties when implementing NVC in mediation. Diverse cultures possess distinct norms and expectations regarding communication, emotional expression and conflict resolution.<sup>49</sup> Cultural norms about respect and appropriateness can vary, resulting in potential misunderstandings or resistance when interacting with individuals from various cultures.<sup>50</sup> Mediators must demonstrate cultural sensitivity and adjust the use of NVC accordingly.<sup>51</sup>

## **8) NVC AND *AHIMSA* IN JAINISM: THEIR ROLES IN MEDIATION OF ARMED CONFLICTS**

The principles of NVC and *Ahimsa*, a fundamental tenet of the Jainism religion, exhibit a deep harmony that forms the basis of successful mediation. Both philosophies prioritise preventing physical, emotional or verbal violence and advocate cultivating understanding, empathy and harmonious coexistence. During the mediation process, these principles serve as a framework to ensure a resolution that considers the needs of all parties involved and reduces conflict to a minimum. *Ahimsa*, a Sanskrit term meaning ‘non-harm’ or ‘non-violence,’ is the foundation of Jain philosophy.<sup>52</sup> It means

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<sup>48</sup> Rosenberg, *Nonviolent Communication: A Language of Life*, 106.

<sup>49</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 215.

<sup>50</sup> McGregor, *Conflict Resolution and Human Needs*, 124.

<sup>51</sup> D’Ansembourg, *Being Genuine: Stop Being Nice, Start Being Real*, 89.

<sup>52</sup> Paul Dundas, *The Jains*, 2nd ed. (London: Routledge, 2002), 175.

one should not harm any living being through actions, words, or thoughts.<sup>53</sup> Jainism propagates *Ahimsa* not merely as the absence of violence but as a positive commitment to compassion and kindness.<sup>54</sup> This tenet applies to all living organisms, making it a universal moral guideline beyond religious limitations.<sup>55</sup> Incorporating *Ahimsa* and NVC into mediation methods can significantly improve the mediation process. *Ahimsa* principles, as used in mediation, stress the significance of upholding respect and empathy for all participants, irrespective of the nature of the conflict. Mediators can facilitate the transition from opposing stances to focusing on shared interests and needs by cultivating a nonviolent atmosphere.<sup>56</sup>

The influence of *Ahimsa* in mediation also encompasses the function of the mediator. A mediator led by *Ahimsa* demonstrates impartiality, patience and dedication to the well-being of all parties involved.<sup>57</sup> *Ahimsa* promotes confidence and transparency, crucial elements of an effective mediation procedure, more so in the mediation of international armed conflicts. The mediator's adherence to non-violence encourages the parties to adopt a similar attitude, thereby reducing hostility and promoting a cooperative atmosphere. Implementing NVC in mediation, guided by the principle of *Ahimsa*, also improves the efficiency of the mediation process by promoting introspection among the involved parties.<sup>58</sup> Applying *Ahimsa* in mediation promotes a long-

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<sup>53</sup> Champat Rai Jain, *The Key of Knowledge* (London: Oxford University Press, 1915), 38.

<sup>54</sup> Jeffery D. Long, *Jainism: An Introduction* (London: I.B. Tauris, 2009), 45.

<sup>55</sup> Kristi L. Wiley, *Historical Dictionary of Jainism* (Lanham: Scarecrow Press, 2004), 22.

<sup>56</sup> Heidi Burgess, "Nonviolent Communication (NVC)." *Beyond Intractability*, June 2004, accessed August 27, 20-24. <https://www.beyondintractability.org/essay/nonviolent-communication>.

<sup>57</sup> M.K. Gandhi, *The Essential Gandhi: An Anthology of His Writings on His Life, Work, and Ideas*, ed. Louis Fischer (New York: Vintage, 2002), 89.

<sup>58</sup> Burgess, "Nonviolent Communication (NVC)." *Beyond Intractability*.

term resolution by focusing on healing and reconciliation rather than mere resolution.<sup>59</sup>

## 9) THE UKRAINE-RUSSIA CONFLICT

### a) Background

The conflict between Ukraine and Russia background which is long and complex. The most recent escalation commenced in the year 2014 when Russia annexed Crimea and then engaged in conflict in Eastern Ukraine. In the year 2022, the Russia-Ukraine conflict intensified when Russia militarily invaded Ukraine, launching an assault that resulted in extensive destruction and a dire humanitarian disaster for both Russia as well as Ukraine. The dispute encompasses geopolitical dynamics and profound cultural and historical tensions. The issue is deeply rooted in historical grievances, geopolitical rivalries, and geographical disputes. The war is a manifestation of a collision between the national identities of Russia and Ukraine. Russia aims to impose its dominance over Ukraine, a former Soviet state, while Ukraine endeavours to connect itself with Western Europe and the wider international community. This has generated a difficult and intricate struggle that cannot be resolved using ordinary resolution mechanisms.<sup>60</sup>

The response by several countries of the world to the crisis has demonstrated a range of reactions, with Western nations implementing sanctions against Russia and extending military and economic assistance to Ukraine. India and China have adopted impartial positions. The dispute has also highlighted the difficulties conventional diplomatic endeavours face,

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<sup>59</sup> Robert A. Baruch Bush and Joseph P. Folger, *The Promise of Mediation: The Transformative Approach to Conflict* (San Francisco: Jossey-Bass, 2005), 74.

<sup>60</sup> Sakwa, *Frontline Ukraine: Crisis in the Borderlands*, 22.

leading to a heightened curiosity regarding other approaches to resolving conflicts, such as mediation and NVC.<sup>61</sup>

### **b) Mediation Efforts in the Ukraine-Russia Conflict**

In February 2022, the battle between Ukraine and Russia intensified greatly, resulting in an invasion by Russian soldiers. Several countries and organisations expressed their apprehension of a humanitarian catastrophe and danger to worldwide security on account of the conflict. The attempt at diplomatic resolution of the crisis was initiated promptly, with the scheduling of numerous rounds of negotiations between Russia and Ukraine. Nevertheless, these conversations were intricate and impacted by long-standing historical resentments, security apprehensions, and opposing political objectives.<sup>62</sup>

By March 2022, the conflict had escalated, resulting in substantial casualties and the forced relocation of residents. The need for a diplomatic resolution became of utmost importance, prompting the commencement of negotiations on March 7, 2022. These conversations aimed to achieve a cessation of hostilities and a lasting resolution of the conflicts. The participation of international mediators and the implementation of NVC principles played a crucial role in the negotiating process despite numerous obstacles.<sup>63</sup>

Diverse global entities have endeavoured to facilitate the resolution of the Ukraine-Russia conflict, yielding varying outcomes. The Minsk

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<sup>61</sup> Ibid., 44.

<sup>62</sup> Ibid., 52.

<sup>63</sup> Ibid., 60.

Agreements of 2014 and 2015,<sup>64</sup> facilitated by the Organisation for Security and Cooperation in Europe, sought to reduce tensions but failed to establish enduring peace. Mediation has been seen as a possible means of relieving stress and finding a settlement in the Russia-Ukraine conflict. Several global countries, such as Turkey and Israel and organisations such as the Vatican, have attempted to facilitate negotiations between Russia and Ukraine. Mediation efforts have been difficult due to the deeply rooted nature of the conflict and the power imbalance between the parties involved.<sup>65</sup>

India's stance on the Russia-Ukraine conflict is remarkable. Although India has not officially engaged in mediating the issue, it has constantly promoted conversation and diplomacy to resolve it. Prime Minister Narendra Modi's engagements with Russian President Vladimir Putin and Ukrainian President Volodymyr Zelenskyy have underscored the significance of peaceful dialogue. India's hesitation to take on a direct mediation role can be ascribed to various causes, including its historical connections with Russia, its strategic concerns in preserving neutrality and its inadequate expertise in high-stakes international diplomacy.

The ongoing conflict has posed significant challenges to mediation efforts, primarily due to the power imbalance between the parties involved and the prevailing deep mistrust. Notwithstanding these difficulties, mediation remains an essential instrument for resolving the conflict.

### **c) The Potential Role of NVC in the Ukraine-Russia Conflict**

Implementing NVC in the context of the Ukraine-Russia conflict can help bridge the communication divide between the parties. NVC promotes

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<sup>64</sup> "The Minsk Agreements of 2014 and 2015" (Organisation for Security and Cooperation in Europe, 2015.), <https://www.osce.org/home/123257>. Accessed on August 27, 2024.

<sup>65</sup> Ibid., 70.

directing attention towards the fundamental needs and emotions that lead to disagreement rather than the superficial expressions preceding negotiations. Through cultivating empathy and promoting mutual understanding, NVC can potentially help reduce tensions and establish a favourable atmosphere for effective communication. The effectiveness of NVC in the Russia-Ukraine crisis depends upon the mutual readiness of the parties to participate in the process and the mediator's expertise in enabling communication using the principles of NVC.<sup>66</sup>

The settlement process between Ukraine and Russia was marked by meetings held in Belarus, Turkey, and other neutral locations. International actors, including representatives from the United Nations, Turkey, and the European Union, mediated these negotiations. The initial focus was on establishing a humanitarian corridor to allow the safe evacuation of civilians and the delivery of essential supplies to besieged areas.<sup>67</sup>

NVC principles were employed during these talks to bridge the significant communication gap between the Ukrainian and Russian delegations. Mediators encouraged both parties to express their concerns and demands in a manner that reduced hostility and promoted mutual understanding. For instance, during the March 10, 2022, negotiations held in Turkey, both sides utilised NVC techniques to discuss the humanitarian crisis in Mariupol. The Ukrainian delegation emphasised the need for immediate ceasefire arrangements to prevent further civilian casualties, while the Russian side focused on security concerns related to NATO expansion. Through NVC, both parties could frame their demands to acknowledge the

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<sup>66</sup> Rosenberg, *Nonviolent Communication: A Language of Life*, 85.

<sup>67</sup> Sakwa, *Frontline Ukraine: Crisis in the Borderlands*, 93.

other side's problems, contributing to a temporary agreement on establishing humanitarian corridors.<sup>68</sup>

Despite the use of NVC and mediation, the settlement process was hindered by deep mistrust and the asymmetry of power between the two parties. The negotiations on March 29, 2022, in Istanbul, marked a turning point, where a more substantive discussion took place regarding the potential for a neutral Ukraine and the security guarantees required by both sides. However, the lack of a clear framework for implementing these guarantees led to the collapse of this particular round of talks.<sup>69</sup>

#### **d) Lessons Learned**

The ongoing crisis between Russia and Ukraine provides valuable insights into utilising mediation and NVC in international disputes. The situation highlights the significance of understanding the fundamental reasons for the conflicts, such as historical resentments, national identities, and geopolitical objectives. Mediation and NVC can be potent instruments for tackling these basic concerns. Still, they necessitate a sophisticated understanding of the conflict's context and the needs and interests of the parties.<sup>70</sup>

Furthermore, the crisis underscores the difficulties of mediating with a substantial power imbalance between the conflicting parties. When faced with such situations, the mediator must be able to equitably consider the concerns of the less powerful party while also ensuring that the more powerful party perceives their interests as being acknowledged.<sup>71</sup>

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<sup>68</sup> Sakwa, 109.

<sup>69</sup> Ibid., 113.

<sup>70</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 121.

<sup>71</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 125.

The Russia-Ukraine crisis is a great example of the constraints of NVC when it comes to significant international disputes. Although NVC can successfully foster empathy and understanding, tackling the intricate power dynamics and strategic goals that fuel these conflicts is inadequate. To obtain a durable resolution, it is necessary to integrate NVC with other tactics such as mediation, diplomacy, and conflict management. Despite the use of NVC and mediation, the settlement process was hindered by deep mistrust and the asymmetry of power between the two parties. The conflict highlights the necessity of a multilateral dispute resolution strategy. The participation of various global stakeholders, including nation-states, international organisations, and non-state entities, is crucial in establishing a complete and enduring resolution. Mediation and NVC are vital to this multilateral approach. Still, they must be incorporated into a comprehensive plan that tackles the conflict's political, economic, and security aspects.

The concepts of NVC have extensive relevance in international disputes. By emphasising the emotional and psychological aspects of conflict, NVC can contribute to humanising the people involved and establish a basis for trust. In upcoming conflicts, including NVC in mediation procedures could assist in addressing the apparent problems and the underlying needs and values that fuel the conflict.<sup>72</sup>

The lessons from the Ukraine-Russia crisis underscore the possibilities and obstacles associated with implementing these tactics in global conflicts. As the world strives to resolve disputes peacefully, integrating mediation and NVC will become increasingly crucial. The need for a comprehensive and enforceable peace agreement that addresses the core concerns of both parties is crucial for any future negotiations. The lessons learned can inform future

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<sup>72</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 161.

diplomatic efforts, emphasising the importance of combining NVC with robust political solutions to achieve lasting peace.<sup>73</sup>

## 10) CONCLUSION: FUTURE OF NVC AND MEDIATION

The incorporation of NVC into mediation signifies a notable progression in the realm of conflict resolution. By placing empathy, understanding and articulating needs as top priorities, NVC improves the mediation process, resulting in more efficient and long-lasting outcomes.<sup>74</sup> The increasing global need for successful conflict resolution has led to the recognition of the valuable tools provided by the principles of NVC for mediators working in various contexts, ranging from personal disagreements to intricate multinational conflicts.<sup>75</sup> In the future, numerous possibilities exist to incorporate NVC into mediation techniques more effectively. Training programs for mediators should integrate additional NVC-based strategies to enhance their ability to mediate sympathetic and needs-oriented discussions.<sup>76</sup>

The growing acknowledgement of the significance of emotional intelligence and empathy in leadership and conflict resolution indicates that NVC can impact mediation and wider societal communication and conflict management methods.<sup>77</sup> With the increasing use of NVC, there is a potential for a transition towards more empathetic and cooperative methods of conflict resolution, both in interpersonal connections and within broader systems. NVC provides a robust foundation for improving mediation methods. By

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<sup>73</sup> Cloke, *The Crossroads of Conflict: A Journey into the Heart of Dispute Resolution*, 171.

<sup>74</sup> Leu, *Nonviolent Communication Companion Workbook*, 156.

<sup>75</sup> Rosenberg, *Living Nonviolent Communication: Practical Tools to Connect and Communicate Skillfully in Every Situation*, 190.

<sup>76</sup> Chapman, *The Five Keys to Mindful Communication*, 195.

<sup>77</sup> Lederach, *The Moral Imagination: The Art and Soul of Building Peace*, 130.

promoting empathy, clarity and mutual respect, mediation based on NVC can potentially convert disagreements into chances for establishing a connection and personal development. As the field of conciliation progresses, incorporating NVC will be essential in influencing fairer and more peaceful outcomes for everyone involved.<sup>78</sup>

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<sup>78</sup> Cloke, *Mediation and Conflict Resolution: Reclaiming Our Future*, 425.

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