MEDIATION March 2011

PRACTICE SERIES

3

Negotiating ceasefires

Dilemmas & options for mediators

Luc Chounet-Cambas

"hd Centre for Humanitarian Dialogue

Mediation for peace

The Centre for Humanitarian Dialogue (the HD Centre) is an independent mediation organisation dedicated to helping improve the global response to armed conflict. It attempts to achieve this by mediating between warring parties and providing support to the broader mediation community.

© Centre for Humanitarian Dialogue, 2011. Reproduction of all or part of this publication may be authorised only with written consent and acknowledgement of the source.

The Mediation Practice Series is a project of the Centre for Humanitarian Dialogue (the HD Centre). We value the feedback of mediation practitioners and researchers on the format and content of this publication. If you have any suggestion for improvement, please write to the editors Luc Chounet-Cambas and Katia Papagianni at mediationsupport@hdcentre.org

Foreword

The Mediation Practice Series' overview

The Mediation Practice Series (MPS) was initiated in 2008 as part of the HD Centre's efforts to support the broader mediation community. This series draws on feedback from mediators who tell us they and their teams often rely upon networks and ad hoc measures to assemble resources to support increasingly complex processes. They work on the basis of their own experience but lack insight into other peace processes. Their staff, both in the field and at their headquarters, also find themselves without adequate reference material, which hampers the improvement of mediation practice.

Based on the shared view that mediators often confront similar dilemmas although mediation differs widely across peace processes, the HD Centre has decided to produce a series of decision-making tools that draw upon the comparative experience of track one mediation processes.

Each publication in the series will give readers a concise and user-friendly overview of relevant issues, key dilemmas and challenges that mediators may face. They will also provide examples of how these dilemmas were addressed in the past, with a view to helping others prepare for the potential demands of ongoing and upcoming mediation processes.

Although these publications cannot replace practical experience, it is our hope that they can contribute to a more systematic learning process. The forthcoming publications in this series will be made freely available on the HD Centre's website and will be disseminated through our network and that of our partners.

Each publication is subjected to a thorough peer review by practitioners and support staff with expertise in the relevant topics.

Negotiating ceasefires is the third publication in this series. The author would like to thank the following people who were interviewed in the preparation process for this publication or gave feedback on earlier drafts: Cate Buchanan, David Gorman, Matthew Hodes, Julian Hottinger, Marc Knight, James Lemoyne, Ram Manikkalingam, Jeffrey Mapendere, Katia Papagianni, Alvaro de Soto, Leanne Tyler and Teresa Whitfield. The author also drew a number of observations from participating in the Mediating ceasefire and cessation of hostilities agreements workshop organised by the United Nations Department of Political Affairs in Geneva on 7–8 October 2010. He remains responsible for any errors the text may contain.

Contents

1. Introduction **5**

2. Purpose and content **6**

- Why negotiate a ceasefire and to what purpose? 7
- What goes into a ceasefire agreement? 11

3. Challenges **15**

- Do ceasefires favour states? 15
- Conflict management versus conflict resolution? 16
- When to negotiate a ceasefire? Timing and sequencing 19
- Blind spots 20
- Ceasefire monitoring arrangements 23
- Ceasefires and disarmament 25

5. Options for mediators **27**

- Allow parties to save face 27
- Introduce the Mitchell principles 27
- Start small: localised ceasefires 29
- Build the parties' responsibilities into the monitoring mechanisms 29
- Use wide ranging security expertise to build the capacity of the parties 30
- Pre-empt implementation challenges 31
- Work on public information 32
- Non-military ceasefire violations related to sexual violence 34

6. Conclusion **35**

Further reading **39**

Negotiating ceasefires

Dilemmas & options for mediators

1 Introduction

In late January 2010 the Movement for the Emancipation of the Niger Delta (MEND) suspended a unilateral ceasefire until such time as the Nigerian government agreed to meet with a MEND delegation, as per previous governmental public statements. In doing so the MEND joined a long list of armed groups (understood within this publication to mean non-state armed groups that challenge the authority of the state)[1] that ask for guarantees of political talks *before* renouncing violence. Governments, meanwhile, usually argue for a ceasefire as a prerequisite to peace talks.

Whether an armed group's willingness to accept a ceasefire should constitute a central criterion for engagement is one of many dilemmas mediators address when helping broker ceasefires. Others include how detailed should ceasefire agreements be? Do they benefit both parties equally, or should they? How should ceasefires be incorporated into the broader peace process? What should the role of third-parties be in the monitoring and verification of incidents, if any? Should ceasefires attempt to deal with the question of disarming armed groups? These questions

highlight the challenges presented to mediators seeking to understand and respond to the differing interests of parties to a conflict when negotiating ceasefire agreements.

This publication will focus on agreements, facilitated by a third party, that define the rules and modalities for conflict parties to stop fighting. This is how ceasefires are defined in this publication. It will examine the circumstances in which ceasefires are negotiated and the extent to which they may facilitate the transition from war to peace. A central consideration is that they are but one element of a wider political, social and economic process.

The diversity of conflict parties and peace processes makes identifying general principles applicable to the negotiation of ceasefire agreements a complex process. However, with due regard to case variation, the following sections examine the purpose and content of ceasefire agreements, discuss challenges mediators may face as they approach ceasefire negotiations and introduce some options available to them.

2 Purpose and content

Mediators face different demands from armed groups and states with regard to ceasefires. This is in part because ceasefires serve a range of purposes. Some of these purposes are limited (for example, to ensure the momentary safe passage of humanitarian aid) and others are broader in scope (for example, where they are part of the design of an overall peace process). Similarly, the content of agreements varies greatly. Some agreements – such as the Aceh Memorandum of Understanding (MoU) discussed below – are negotiated without a formal ceasefire between the parties. In other processes, very detailed ceasefire agreements may make a critical contribution to peace (for example, the 2002 Nuba Mountains ceasefire agreement) or not (e.g. the 2006 ceasefire negotiated as part of the Darfur Peace Agreement).

Why negotiate a ceasefire and to what purpose?
Sharing a common experience of years of suffering and distrust, parties to a conflict may consider ceasefires for tactical as well as strategic reasons. Negotiating ceasefires does not imply that armed groups no longer see their military capability as a core source of leverage with the state. As a result of asymmetries in the perceived legitimacy of both sides, armed groups will want to hold onto their primary bargaining chip – their arms – for as long as they can. They may, therefore, frequently resist committing to a ceasefire agreement until progress has been made on the political front.

Yet one or several of the conflict parties might be willing to enter ceasefire negotiations for genuine reasons of appeasement. If the conflict has raged for some time, a ceasefire can be a practical entry point to a negotiated settlement and enable conflict parties to display their intentions to ease tension and commit to a non-violent solution. Ceasefires will at a minimum separate belligerents and suspend the cycle of violence. They give the parties an opportunity to ascertain their opponent's willingness to negotiate.

Negotiating ceasefires does not imply that armed groups no longer see their military capability as a core source of leverage with the state.

Conflict parties may also be ready to discuss ceasefires because they can no longer sustain the level of violence which the conflict has generated. They may need time, for example to re-supply weapons and ammunition, re-deploy military personnel, hire and train new recruits or gather intelligence on the enemy's forces.

States in particular may not be able to sustain the political pressure created by conflict-related violence. In such cases the respite that comes with a ceasefire can ease political tension. Governments frequently insist on unilateral ceasefires from the non-state armed groups in conflict with them as a prelude to

political talks. They may argue that they are under pressure from a public that would not accept negotiations with an armed group that continues to perpetrate attacks on the national territory and population.

While armed groups may seek to exert pressure on an ongoing process of negotiations through the continuation of military activity, there may also be circumstances when a ceasefire is seen as an opportunity to demonstrate command and control. Doing so, usually through public unilateral ceasefires such as the one undertaken by MEND in late 2009, will display the effectiveness of the armed group's organisation and enhance its credentials as a legitimate partner in a peace process. Some groups will also be interested in the opportunity a ceasefire gives them to strengthen their presence in their area of operation. This was the case when the Tamil Tigers undertook a campaign to eliminate Tamil political opponents in areas they controlled after the signature of the 2002 ceasefire agreement in Sri Lanka.

States might resort to ceasefires to simply reduce violence to a politically acceptable level, whilst making no political concessions.

If faced with persistent and increasingly effective armed opposition, states might resort to negotiating a ceasefire in order to reduce violence to a politically acceptable level, whilst making no political concessions. They may attempt to use ceasefire negotiations to create a status quo that would support their political aims. Alternatively, states may seek a commitment to a renunciation of violence – tantamount to a ceasefire – as a precondition to dialogue, often also insisting on the need for the armed groups to rapidly disarm.

The presence of multiple armed groups in a conflict brings with it particular challenges. During the 1990s the authorities in Myanmar negotiated a dozen bilateral ceasefires with the country's

primary ethnic minority groups, in effect sustaining a policy of "divide and rule". Each agreement sought to reduce levels of violence by allowing the respective armed group to remain in control of the area where it operated and to open political offices in the capital (under close surveillance). This allowed the authorities to reposition troops in other parts of the country and, from a position of strength, negotiate other bilateral ceasefires[2]. From the perspective of the authorities, these ceasefires had proven to be, until recently, a very effective conflict management tool.

In light of these considerations, how can ceasefires contribute to conflict resolution? Virginia Page Fortna identifies three critical respects in which ceasefires can support peace processes[3]:

- By raising the cost of future attacks, through practical measures such as buffer zones and troop withdrawal, but also through public commitments to peace, ceasefire agreements make it difficult for parties to renege on their commitment. Indeed, whichever signatory party goes back to violence would face public condemnation and pressure. The bombing by the Basque separatist group ETA of Madrid's Barajas airport in December 2006, just nine months after it had committed to a "permanent" ceasefire, very much damaged its public credibility as a dialogue partner.

- Ceasefires signal the parties' formal commitment to resolve their dispute peacefully. Agreements give the belligerents the opportunity to reassure one another by clearly communicating this commitment, and hence reduce uncertainty about actions and intentions.

- Ceasefires entail a range of mechanisms that help prevent accidents (through separation of forces, for example) and control their scale and impact (through monitoring and verification mechanisms)[4].

Sri Lanka

Mediating and monitoring a ceasefire in the absence of a peace process

After 20 years of fighting, Norway brokered a ceasefire between the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE) in February 2002. The LTTE insisted on being the sole representative of the Tamil people in a strictly bilateral process with the Sri Lankan state. Following the 2001 general elections, the LTTE announced a unilateral ceasefire, which was soon extended and reciprocated by the new government.

Both sides entered into the Ceasefire Agreement (CFA) with a view to gaining "breathing space" and consolidating their military positions. The LTTE had made military gains on the ground, needed political recognition and sought legitimacy through the ceasefire. The ceasefire was followed by six rounds of talks which rapidly stalled over the agenda itself and led to the LTTE pulling out in April 2003.

The LTTE had insisted that Norway establish and lead a monitoring mechanism (the Sri Lanka Monitoring Mission/SLMM) despite Norway's reservations about becoming both the mediator and the implementer of the ceasefire. In the absence of political talks the SLMM, although a technical mechanism, became the only avenue for consultation between the parties. The overwhelming majority of the ceasefire violations were attributed to the LTTE, but Norway and the SLMM decided against a process of "naming and shaming" to avoid appearing partial. They did not want to undermine Norway's role as a mediator and its relationship to the parties.

Violations were examined by Norway and the parties' principals, and drew significant political attention. Accused of downplaying LTTE violations, the SLMM drew harsh criticisms of partiality from the Sinhalese parties who were not part of the ceasefire agreement. These criticisms rapidly extended to Norway's mediation. In the meantime, the LTTE kept violating the ceasefire, which they knew the SLMM could not enforce as it did not have a mandate, and was not equipped, to do so. Under these circumstances, the ceasefire and its violations monopolised all the stakeholders' political attention, distracting them from the resumption of political talks.

Other ways in which ceasefires can support peace processes include:

- Ceasefires offer the possibility for parties to work jointly to solve their differences and develop relations between individuals previously at war. A ceasefire can be a major confidence-building measure from which other arms and security management measures can flow.

- Ceasefires save lives, at least in the short term. They can reduce tension (when undertaken at the beginning of a political process) and contribute to a more conducive environment for political dialogue.

- Ceasefires best contribute to peace when they are part of a broader political peace process. In cases where there is no broader process, such as in Sri Lanka, ceasefires may be more of a conflict management than a conflict resolution tool[5].

What goes into a ceasefire agreement?

Ceasefires come in a number of forms. In many cases they are part of a broader peace process, either as one of several agreements or as a chapter within a comprehensive peace agreement. In terms of content, the length and level of detail of ceasefire agreements also differs immensely. There are even cases of peace processes being concluded in the absence of any ceasefire agreement. The eight page Memorandum of Understanding (MoU) signalling the end of the conflict in Aceh in 2005 was, for instance, concluded without a formal ceasefire. It should however be noted that the Free Aceh Movement (GAM) had announced a unilateral ceasefire following the December 2004 tsunami. The word "ceasefire" was not used in the Aceh MoU, nor was it in previous agreements mediated by the HD Centre. The Government of Indonesia felt that to use it might imply that the parties were negotiating as equals and would confer legitimacy on the GAM.

Stopping the violence was only one of several topics negotiated by the Government of Indonesia and the GAM in 2005. The only provision in the peace agreement facilitated by former President Ahtisaari which related to ending the violence came under a broader heading of "Security arrangements" and simply stated that "all acts of violence between the parties will end latest at the time of the signing of this [agreement]". Breaches of the agreement were even more simply defined as "any action inconsistent with the letter or spirit of this [agreement]"[6]. Five years later, the agreement still holds.

In most recent cases, ceasefire agreements address the following elements:

- **De-escalation measures.** These disengage forces and minimise contact between armed forces. More often than not, de-escalation will require detailed mapping and transparent information exchange between the parties in order to establish demilitarised areas that act as buffer zones between fighters.

- **A definition of what constitutes a ceasefire violation.** Examples of proscribed activities include: the use of weapons, as well as offensive actions such as supplying new weapons and ammunitions; regrouping troops; bringing in reinforcements; launching new attacks; and laying new minefields.

- **Monitoring, incident verification and dispute settlement mechanisms.** These can take a variety of forms and can entail joint mechanisms, depending on the nature of the conflict.

- **The geographic coverage of the ceasefire as well as a specific timeframe for implementation.** This is increasingly included and defined in detail to pre-empt a range of difficulties that might otherwise arise at the implementation stage.

- **Most recent ceasefires also extend to other non-military acts and outline specific concerns for the protection of civilians.** For instance the 2002 Sri Lankan ceasefire specifically forbids "hostile acts against the civilian population, including torture, intimidation, abduction, extortion" (article 2.1). Such concerns sometimes specifically extend to the personnel of humanitarian agencies, as was the case in the ceasefire concluded in Liberia in 2003.

- **Ceasefires increasingly extend to bans on verbal attacks.** These include agreements to "use civilised and dignified language" (ceasefire code of conduct signed in Nepal in 2006, article 13) and avoid "hostile propaganda and incitement to military action" (ceasefire agreement part of the Darfur Peace Agreement, 2006, p.45).

- **Specific text may further outline how the ceasefire is linked to the rest of the peace process.** This may include political and security transformation processes (e.g. disarmament and security sector reform). However, the ceasefire agreement might not necessarily enter into details.

- **Additional clauses most often make provision for unhindered access for humanitarian assistance and stipulate modalities for the release, or exchange, of prisoners.**

Ceasefires aim, as a minimum, to stop the fighting and prevent its resumption. However, interviews with selected mediators highlight the need for ceasefire agreements to more systematically combine and detail most of the above features in order to lend themselves to easier implementation. Such a recommendation echoes Page Fortna's findings that "strong ceasefires", that is agreements that address as many of these features as possible and at an appropriate level of detail, have more chance of success than ceasefires that only address a few of these considerations and include limited details about their implementation.

Despite this, the forty pages of "comprehensive ceasefire and final security arrangements" within the 2005 Darfur Peace Agreement provide a useful reminder that length and detail alone are no guarantee of durability. The agreement describes at length what the ceasefire applies to ("acts such as mobilization, recruitment or initiatives that are likely to jeopardize the peace process including offensive military actions, movements, deployment of forces… and hostile propaganda") as well as implementation modalities and a timeline. Its subsequent lack of implementation is a reminder that:

- Detailed wording cannot compensate for weak commitment by the conflict parties. Indeed it could be argued that parties that readily agree to extensive and detailed restrictions, prohibitions and sanctions, may do so on the understanding that such clauses are unlikely to be implemented.

Other cases touched upon in this publication also remind us that:

- The commitment of conflict parties to the spirit of a ceasefire does not necessarily need reflection in detailed provisions within an agreement (e.g. the 2005 Aceh MoU).

- However, a detailed ceasefire agreement will facilitate the work of the mediation team and the ceasefire monitors in cases where it builds on a genuine political commitment by the parties (which was the case in the 2002 Nuba Mountains ceasefire agreement).

3 Challenges

Among the many challenges mediators face in ceasefire processes, this publication will focus on the following six: whether ceasefires benefit all parties equally; whether they can stop war or simply postpone it; at what stage of the process they will be opportune; blind spots that may affect the parties' ability to implement aspects of the ceasefire; the type of monitoring arrangements required; and whether ceasefires should entail disarmament.

Do ceasefires favour states?

Are armed groups and states equal when it comes to ceasefires? Examples abound of governments advocating for early ceasefires in order to satisfy political supporters and public opinion as well as minimise the concessions they may be required to make in negotiations. When ceasefires are signed early in a process, they risk promoting the status quo rather than reform and tend to benefit the government more than its armed challengers. If, and when, a ceasefire enhances a state's reluctance to implement change, an armed group may decide to resume violence. A group that remobilises its combatants is likely to bear public responsibility for breaking its commitment and causing harm. This was the case for the Irish Republican Army in February 1996, when it ended a 17 month ceasefire after the period of relative normality which had followed the 1994 ceasefire.

> *"A ceasefire agreement should not create military or other disadvantages for either party and should not prejudice the options for the final resolution of the conflict."*
>
> Jeremy Brickhill, advisor to the African Union, 2006 Abuja peace talks on Darfur[7]

Ceasefire mechanisms preventing the acquisition of military hardware can also favour states in so far as they tend to place greater restrictions on armed groups. In Sri Lanka, for example, the government was able to procure arms and equipment after the 2002 ceasefire while the LTTE was severely restricted in its ability to "re-tool". Mediation teams will be aware that their ability to control, let alone stop the supply of weapons to conflict parties will always be limited.

In addition, mediators involved in the early stages of a process may face reluctance from an armed group to initiate talks that primarily focus on a ceasefire as opposed to their core grievances. The recognition inherent in their participation in a negotiation process may sometimes be enough for a group to accept the loss of the leverage inherent in its suspension of violence. In addition, measures such as the delivery of humanitarian aid to an armed group's constituency might build confidence in a ceasefire process. Throughout the process, a mediator will seek to avoid the impression of partiality and make the case for clear links between the ceasefire and the peace process writ large.

A mediator will make the case for clear links between the ceasefire and the peace process writ large.

Conflict management versus conflict resolution?

Mediators work under pressure to negotiate ceasefires that save lives and allow for substantial humanitarian improvements. Such results bring reputational benefits for the mediator and his/her parent organisation. However, in some cases an early cessation of hostilities may not contribute to tangible progress towards a lasting political settlement and this presents the mediation community with an acute dilemma. In March 2009, African mediators gathered in Zanzibar debated whether mediators focus too much on saving lives in the short term and whether this focus on conflict management might actually perpetuate conflict and postpone settlement[8]. Such considerations highlight

the difficulties associated with correctly assessing the extent to which a ceasefire can be part of a broader process or if it is the only possible outcome of a negotiation.

Cyprus offers a clear example of the classic ceasefire dilemma: Can the ceasefire be part of a broader process that tackles the root grievances of the conflict or can it only regulate the behaviour of the parties and try to avoid large-scale violence? The ceasefire agreement reached in 1974 was probably as far as the parties were willing to go. It has evidently proven to be a very effective means for avoiding the resumption of violence. However, it "froze" the conflict to the extent that the peace process stalled for decades, despite the efforts of a succession of United Nations mediators.

Conflict management and resolution are not contradictory alternatives but rather complementary goals which have been achieved in several peace processes. However, there are situations in which the management of a conflict might be the only possible outcome of a ceasefire negotiation. Whether it will fail to provide incentives for the parties to negotiate further, by creating a modus vivendi and removing the pressure of war, remains difficult to assess. The answer will always be context-specific and will ideally derive from what one mediator termed a "cold-blooded analysis… undertaken by the mediator together with the parties"[9]. Thorough analysis will be important to understand both what can realistically be achieved through a ceasefire, and which sanctions and rewards may have the best chance of helping maintain the ceasefire[10].

At least four significant factors will determine whether, and when, ceasefires can be facilitated and the extent to which they may contribute to the broader peace process:

- **The military capability of the belligerents and whether one of them can defeat the other(s).** For instance, the "all-out" offensive by insurgents in El Salvador in November 1989

Burundi

Between ceasefires and organised surrender?

The 2000 Arusha Peace and Reconciliation Agreement approached the political settlement of the conflict through power-sharing arrangements. While specific clauses carried the principle of security arrangements, the absence of critical armed groups at the negotiation table meant that technical aspects were left to the implementer. The main armed groups which were party to the agreement were the National Council for the Defence of Democracy (CNDD) and the Party for the Liberation of the Hutu People (PALIPEHUTU). Splinter groups – the CNDD-FDD (Democracy Defence Forces) and the PALIPEHUTU-FNL (National Liberation Forces) – refused to sign. They contested the validity of a process they were not part of and which did not address their primary concern around reform of the security apparatus.

Following Arusha, the Burundian Government signed a series of bilateral ceasefire agreements with further splinter groups between 2002 and 2008. Ceasefires were negotiated in exchange for inclusion in the political process and the power-sharing government, even as the Government deftly avoided the compromises on security reforms which the groups demanded. The Burundian army, which opposed security reforms that would threaten its privileges, launched offensives aimed at weakening the armed groups and pressured them to accept the terms of the ceasefire. The groups suffered from in-fighting between supporters of, and opponents to, ceasefire negotiations. The facilitation team enlisted regional countries (Gabon, Tanzania) and UN experts to help the Government and the main armed groups negotiate. Aware that the ceasefires did not bring about needed security sector reform, the facilitators chose to end the violence and worked on agreements that entailed disarmament and reintegration coupled with political appointments for the groups' leaders. Most Burundian ceasefires were short-lived and had to be renegotiated [11].

Peace was not achieved with the CNDD-FDD until the signing of the Comprehensive Ceasefire Agreement in 2006. The PALIPEHUTU-FNL only stopped fighting in 2009 in exchange for recognition as a political party. While bilateral negotiations and combined political and military pressure led to ceasefires and disarmament, the reintegration of combatants has led to mixed results and the Burundian security sector has yet to be reformed.

highlighted the military stalemate with Government forces and made the need for a peace process clear to all sides.

- **The size of the constituencies whose aspirations the armed group(s) claims(s) to represent.** Typically, the larger and more influential these constituencies (as in El Salvador or Northern Ireland) the more legitimacy is assumed by the non-state opposition and the more difficult it is for the state to argue that political compromises are not required.

- **The political capacity of the negotiators on both sides as well as the nature of the group(s).** This is in addition to issues such as their ability to control territory. Questions of command and control weigh heavily in an armed group's capacity to enter into ceasefire discussions.

- **A shared belief in the rationale for non-violent dialogue, sometimes brought about by a recent catalytic event.** The 9/11 terrorist attacks on the United States had clear repercussions on the conduct of a number of armed groups. For example, positively influencing the process in Northern Ireland where the IRA was sensitive to being labelled as a terrorist organisation. In Aceh the December 2004 tsunami was a key factor in the move towards a peace settlement.

When to negotiate a ceasefire? Timing and sequencing

Ceasefires are often implemented at the beginning of a process as a prerequisite to a more substantive dialogue. The conventional assumption is that a ceasefire is "one of the first and necessary steps in a peace process… that paves the way for negotiation of issues that cannot be addressed during times of hostilities"[12]. This flows from a humanitarian imperative – at times felt more acutely by the mediator and other members of the international community than the conflict parties – to stop the conflict as soon as possible in order to prevent the further loss of life. Armed groups will also sometimes declare a unilateral ceasefire when talks are initiated in order to lessen the tension and contribute to an environment more conducive to negotiations.

While violence reduction frequently facilitates the initiation of dialogue, it is by no means always the case. In Liberia more than a dozen ceasefires broke down between 1990 and 1995, raising the question of whether they should have remained the primary focus of the negotiation effort. Negotiating in the absence of a ceasefire is also possible and has been undertaken, with varying degrees of success, in Burundi, Guatemala[13], Northern Ireland and El Salvador. The latter case offers a compelling example of a ceasefire which was negotiated only after the conflict parties had agreed to a broad agenda of political reform.

The need to consider the specifics of each conflict situation is sharply illustrated by the case of Colombia where, in 2002, the Revolutionary Armed Forces of Colombia (FARC) invoked the Salvadoran precedent to reject the introduction of a ceasefire in advance of talks. President Andrés Pastrana agreed to the FARC's demand for 'talking while fighting' until a political agreement could be reached. As a sign of good will, the Government conceded a large demilitarized zone to the FARC. However, in the absence of agreed mechanisms to monitor activity in the demilitarized area, the FARC used it as a safe haven to regroup, pursue criminal activities and kidnappings, as well as launch attacks. Not surprisingly, the talks soon collapsed.

Although some ceasefires are very successfully negotiated at the beginning of a process, the Salvadoran experience (and the Irish experience discussed later) are useful reminders of the need to remain open to the possibility of challenging the model of an "early ceasefire". In each case the sustainability of the settlement was rooted in (i) the armed groups' significant and legitimate demands for reforms; and (ii) the opportunity offered by a broader political settlement to respond to these demands and promote political and societal change in the country.

Blind spots

In some cases, governments and third parties fail to grasp that an armed group's inability to comply with some of the require-

El Salvador

Non-linear thinking

In 1989, the revolutionary armed groups which formed the Farabundo Marti National Liberation Front (FMLN) launched the largest offensive of El Salvador's decade-long civil war. The offensive demonstrated to the FMLN's commanders that they could not hold on to the ground they had seized for an extended period of time, while the Government realised that the army was in no position to win the war militarily. Pressure by the US Congress to investigate crimes involving Salvadoran army officials, as well as a decrease in military aid, further contributed to the Government's decision to stop demanding a ceasefire as a pre-condition for talks (as had been the case in previous dialogue attempts).

Rather than starting with a ceasefire and ending with a political settlement, the Government agreed with the FMLN that a ceasefire would not even be on the agenda but would be discussed separately once progress had been made on the political front. The parties first negotiated a range of agreements related to the rules, procedures, agenda and timetable of the talks, as well as human rights, military and constitutional reform. Allowing the parties to keep fighting during these negotiations paradoxically provided an element of trust and contributed to the security to the process (an argument repeatedly made by the UN mediator, Alvaro de Soto, to US officials who pushed for an early ceasefire). Only after 22 months of negotiation did the FMLN bring its commanders into the process to discuss ceasefire modalities. These talks took place less than a month before the signing of the January 1992 peace agreements which formalised the outcome of a two-year negotiation [14].

A human rights field monitoring mission, deployed throughout the country early on in the talks, contributed to building confidence and led to a reduction of violence. When the implementation of the ceasefire actually began in February 1992, it was accompanied by the disarmament of the FMLN as well as a parallel process of drastic force reduction within the Salvadoran army as agreed in the broader political negotiations. The ceasefire came as a last step in the peace process, as a formal translation of both sides' commitments, and no violations occurred.

ments of a ceasefire does not necessarily mean that it rejects the ceasefire itself. It could be that its own characteristics impede implementation. This may be because combatants will not accept/comply with what is demanded of them, or because the group's organisational structure renders implementation impossible.

In any context in which an armed group or groups are composed of a network of tactically independent formations, groups or cells (or simply amorphous entities with loose command and control), some standard ceasefire mechanisms become extremely difficult to implement. During the HD Centre-facilitated process in Aceh in the early 2000s, for example, creating a buffer zone and expecting the GAM to relocate its fighters from a number of different locations proved an impossible undertaking. This was not the result of a faltering commitment by the GAM but a consequence of it being a diffuse movement living in the midst of the civilian population (as opposed to in outposts and garrisons to which it could have relocated). However, accusations of GAM's non-compliance by the state reflected its perception of GAM's lack of political will, rather than its inability to implement a specific element of the agreement [15].

Ceasefires pose practical difficulties for conflict parties. They also involve difficult adjustments at the individual level.

Ceasefires pose practical difficulties for conflict parties. Their implementation requires efficient communication to the rank and file in sometimes difficult terrain. It may also involve difficult adjustments at the individual level. Suspicion is high and combatants are likely to wonder if, and when, they may next be attacked.

A thorough understanding of the characteristics of the armed group which may become part of a ceasefire arrangement may call for a reassessment of even the most common ceasefire features. In some cases the objectives and principles of the armed group may, for example, directly counter consideration of a cease-

fire. In the Philippines, the Communist Party of the Philippines/ National Democratic Front/New People's Army (CPP/NDF/NPA) is not amenable to the idea of ceasefires lasting for more than a few days. The very idea of a ceasefire would entail renouncing its right to violence as a legitimate means to pursue the struggle. Indeed it would contradict the party's key ideological commitment to what it refers to as "protracted people's war" [16].

Ceasefire monitoring arrangements

Ceasefire monitoring arrangements may involve conflict parties in the monitoring and verification of how an agreement is being implemented, as well as the investigation of possible ceasefire violations. In other circumstances, local bodies which may or may not be active in conflict resolution in their area of operation may monitor the implementation of the ceasefire and report to a centralised Joint Military or Monitoring Commission (JMC).

The composition and power of each JMC depends on the context. In the Philippines, local monitoring teams (LMTs) include representatives from the local government, the armed group and civil society leaders. Grassroots ceasefire watchdogs ("Bantay ceasefire") complement the work of the LMTs and all report to a central Joint Coordinating Committee on the Cessation of Hostilities (JCCCH). This ceasefire implementation body works with a third party monitoring contingent, the International Monitoring Team, and both bodies report to the overall peace panel which convenes representatives of the belligerents. In other conflicts, participation in a JMC might be broadened beyond the conflict parties. Liberia's Joint Monitoring Committee, set up in 2003, included representatives from the Economic Community of West African States, the African Union, the United Nations and the International Contact Group on Liberia, as well as the conflict parties.

The 2002 Nuba Mountains ceasefire agreement innovatively placed the primary responsibility for monitoring and verification on the conflict parties themselves, as part of a Joint Military Commission which was supported by the third-party. A similar joint

approach was seen in Nepal where the United Nations helped the parties implement the 2006 Agreement on the Management and Monitoring of Arms and Armies (AMMAA). A Joint Monitoring Coordination Committee (JMCC) gathered both armies' representatives under UN chairmanship and, supported by Joint Monitoring Teams (JMTs), this proved critical to the monitoring process. The parties' explicit request for UN support in implementing the AMMAA, combined with their day-to-day involvement in the JMTs and JMCC, led to a very effective arms monitoring process. However, the absence of progress in the broader political process hampered the potential of these arrangements to contribute to the broader goals established within Nepal's peace process[17].

While joint mechanisms may seem obvious good practice, a mediation team's initial analysis will reveal when alternatives need to be considered. Joint mechanisms may not be relevant when – possibly armed – personnel are required not only to monitor, but also to enforce, compliance with a ceasefire, due to one or more of the following factors:

- A state party to a ceasefire does not exert its responsibility to protect its citizens (Liberia in the early 1990s);
- Some signatory groups have repeatedly demonstrated their lack of willingness to abide by the ceasefire agreement (Sierra Leone's Revolutionary United Front in the late 1990s);
- Peacekeepers are in active conflict with one or several signatory parties to the ceasefire agreement;
- Peacekeepers are forced upon one conflict party, while the other belligerent has not committed to a ceasefire (the Kosovo Verification Mission which monitored the compliance of Serbian forces to a ceasefire that was not recognised by the Kosovo Liberation Army in 1998-99).

In such cases, joint mechanisms may not be appropriate and may endanger the peacekeepers involved in monitoring the agreement.

Ceasefires and disarmament

Ceasefire discussions give mediators and parties an opportunity – indeed, some see it as an obligation – to negotiate security-related arrangements as part of the peace process. However, there is a risk of overreach when ceasefire agreements also seek to achieve the disarmament of armed groups.

Planning for disarmament as part of the ceasefire negotiation in effect amounts to modifying the balance of power between the conflict parties. This is why groups such as the FMLN undertook disarmament only at the end of the peace process, as part of the ceasefire implementation and in parallel to major reform of the Salvadoran army. The disarmament of the Irish Republican Army (IRA) in Northern Ireland further attests to the sensitivity of the issue. Initially, the IRA did not hand over weapons but rather made its arms and ammunition depots accessible to international inspection by former Finnish president Martti Ahtisaari and ANC leader Cyril Ramaphosa. The two men were able to confirm publically that depots were secure, their content not being used and that the IRA was honouring its commitments. This helped build confidence and was followed by the start of a formal disarmament process in 2001 – three years after the signature of the Belfast/Good Friday Agreement – that was only completed in 2005.

> *"Back in the days, as a young [republican] volunteer, I was taught to give up my life before I'd give up my weapon. Giving up weapons was an anathema."*
> Gerry Kelly, Sinn Fein

Whether ceasefires that entail disarmament of the groups are negotiated at the beginning or the end of a process, they still

represent a security threat for members of the armed group(s). The Colombian movement M-19, for instance, saw a number of its cadres assassinated after the movement disarmed [18].

In the absence of any tangible sign of political reform by the state, mediators should generally be wary of disarmament initiatives being introduced at the beginning of ceasefire negotiations. As A. G. Nourani wrote of the Kashmir conflict in 2000, "Militants fear that if they agree to a ceasefire first and, more, lay down arms, they would lose all leverage against the government in the negotiations that follow and would be in a hopeless situation if it reneged on its assurances" [19]. As a result of armed groups' likely opposition to build disarmament into a ceasefire, doing so may not only lead to the agreement of provisions which cannot be implemented but also erode the mediators' standing. It is not suggested that armed groups should not in the end disarm, but rather that ceasefires should lay the ground for broader security reforms (of which disarmament will be but one element) that ceasefires alone cannot supplant. The fact that disarmament initiatives present additional sets of difficulties, including frequent controversies over the numbers of combatants eligible for benefits, is one more reason not to tackle them as part of already complex ceasefire agreements. A critical concern for mediators contemplating ceasefire negotiations will be how best to approach the reduction of the spoiler capacity of conflict parties. If it appears that armed groups represent significant constituencies, negotiations that include disarming these groups but postpone broader questions of security sector reform to a later stage may put the entire peace process at risk.

Mediators should be wary of disarmament initiatives being introduced at the beginning of ceasefire negotiations.

4 Options for mediators

The options available to a mediator will depend on a range of factors including, but not limited to, the number of the parties to the conflict; the influence the mediator has over the parties and the leverage from other actors in the international community he or she can draw on to support it; the support third parties can lend to a ceasefire monitoring and verification process; and the extent to which the parties are willing to link the ceasefire to a broader peace process.

Allow parties to save face

For a number of armed groups, agreeing to a ceasefire is a huge concession to the state. The capacity of mediators to secure the parties' participation in a process in which none of the belligerents loses face will be of critical importance to the success of a ceasefire. This can be done through the involvement of entities other than the state, the army or the mediator, whose appeal for a ceasefire may be more acceptable to the armed group. In Northern Ireland, the IRA declared a ceasefire in response to a request from its political surrogate, Sinn Fein. In Colombia, the involvement of the Catholic Church has on several occasions been critical for the FARC to agree to a ceasefire, albeit temporarily.

Introduce the Mitchell principles

In processes where one, or several, of the parties remain(s) opposed to negotiating a ceasefire but they are inclined to curb the level of violence and reassure others of their commitment to peace, the Mitchell principles offer an opportunity. Named after US Senator George Mitchell who introduced them in Northern Ireland in 1996, these six principles can be agreed upon by conflict parties and reflect a de facto commitment to the essence of a ceasefire. They entail i) resolving political issues by democratic and exclusively peaceful means; ii) disarming all paramilitary organisations; iii) submitting such disarmament to verification by an independent body; iv) renouncing and opposing efforts to

The Nuba Mountains

Joint monitoring

In 2001 the United States appointed Senator Danforth as Special Envoy for Peace in Sudan, to explore the possibility of confidence-building measures between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A). Following consultations with the conflict parties, the region and European countries, the Nuba Mountains emerged as a test case where a localised ceasefire could be negotiated.

A major oil pipeline ran across the area and, although neither side was able to hold it entirely, they were not ready to concede. Building on the pressure the parties were under post 9/11, the mediation team pushed for detailed ceasefire mechanisms that the parties eventually agreed to, leading to the signature of the ceasefire in January 2002. The Swiss-US mediation team anticipated that the parties would use the ceasefire to redeploy troops to fight in other areas. To pre-empt this, they not only suggested buffer zones and the withdrawal of troops, but also that the parties stay within the boundaries of the Nuba Mountains, where they bore primary responsibility for sustaining the ceasefire through a Joint Military Commission (JMC).

The JMC gathered the conflict parties and members of the international mediation group. It enforced compliance through systematic joint local patrols, and was complemented by a complaints registration system. To further reinforce local ownership and avoid escalation, incidents and complaints were systematically addressed by commanders at the lowest possible level. This highly collaborative set-up drew upon the leverage the US-Swiss team enjoyed in the aftermath of 9/11. The United Nations and powerful states also pushed for compliance through a process of naming and shaming. The ceasefire agreement further included very detailed geographic co-ordinates and implementation timeframes.

The six-month ceasefire was renewed for more than three years. The joint mechanism resulted in military personnel from both sides working together and emphasised local responsibility in monitoring and investigating violations. Such mechanisms were absent from the CPA security arrangements, where UN monitors no longer patrolled with local forces.

use force or threaten to use force to influence the course or the outcome of all-party negotiations; v) abiding by the terms of any agreement reached in all-party negotiations and resorting only to democratic and peaceful means to try and alter aspects they may disagree with; vi) urging that "punishment" killings and violence stop and taking effective steps to prevent such actions[20].

Start small: localised ceasefires

Mediators may explore the option of localised ceasefires as a confidence-building measure acceptable to the parties. A localised ceasefire can serve as a means for the parties to ascertain each other's interest in, and willingness to work on, a negotiated settlement. Supported by clear monitoring and verification mechanisms, it can open the way for sustained dialogue between the parties.

Programmes aiming at armed violence reduction have utilised "peace zone" initiatives which, while they are not as comprehensive as localised ceasefires, require the conflict parties to agree to a set of rules that can apply to demilitarised areas. Such localised peace zones may be regulated by a variety of rules, ranging from banning the carrying of weapons to banning their use, as well as regulating the movement of troops. In some instances they also provide for a framework to promote local dialogue mechanisms and other confidence-building measures. Such localised mechanisms have been used both during conflict (in Aceh and Colombia) as well as in post-war situations (in El Salvador). While peace zones appear to be effective mechanisms at the implementation stage, their usefulness as confidence-building measures in the absence of strong monitoring and verification mechanisms remains questionable.

Build the parties' responsibilities into the monitoring mechanisms

When working on a ceasefire process, mediators also have the opportunity – if not the duty – to remind the parties of their primary responsibility for making the ceasefire hold, as well as for

monitoring its implementation and verifying possible ceasefire violations. From a mediator's point of view, the parties' commitment can translate into a series of practical steps that bring them to work with each other to address the challenges of implementation. The 2002 Nuba Mountains ceasefire provides interesting lessons in terms of putting the onus on the parties, including through joint monitoring mechanisms, with the mediators' formal role being only one of support. In this example, involving the conflict parties' military commanders in the planning stage of the ceasefire as well as its implementation, contributed to the success of the process. This positive example was, as noted above, drawn upon in Nepal where the Joint Monitoring Coordination Committee involved representatives of the Nepal Army, the Maoists' People's Liberation Army and the United Nations.

"Attitudes changed over months. They [the National Congress Party and the Sudan People's Liberation Army negotiators and commanders in the Nuba Mountains] understood each other much better. It did create trust. It made the starting of the CPA talks much easier."
Julian Hottinger, Swiss mediator

The processes in the Nuba Mountains and Nepal stand in contrast to the monitoring arrangements of the 2002 Sri Lankan ceasefire. In the latter case, low levels of support from the parties translated into a structural problem as exclusively Scandinavian monitors bore the brunt of the monitoring responsibility, while the conflict parties were only represented in an advisory capacity.

Use wide ranging security expertise to build the capacity of the parties

Security expertise should ideally be broader than purely military expertise and include both disarmament and security sector reform. In some situations mediators can usefully enlist country

specialists who have an in-depth knowledge and understanding of the conflict at hand. This can complement the work of security advisers who may be called upon to advise the mediation team as well as the parties on (i) understanding the specifics of their conflict environment and requirements and ; (ii) devising ceasefire mechanisms that address these specific points and are linked to the broader security elements of the peace process.

Mobilising the right security expertise will enable a mediation team to offer conflict parties the technical capacity they need and ensure that they understand the implications of the measures and technical components they are negotiating. It may also encourage parties to include in the agreement a degree of detail that clarifies possible sources of dispute which may arise during implementation. Following the 2002 Machakos Protocol in Sudan, for example, the mediation team organised separate workshops on security arrangements for senior military officers in Khartoum and SPLA commanders in the south. During the 2006 Darfur talks held in Abuja, the African Union similarly called upon a team of advisers to help the Darfur groups develop a better understanding of what the ceasefire would entail[21]. When negotiating the 2002 Cessation of Hostilities Agreement (COHA) in Aceh, the HD Centre enlisted the services of a retired US General, a private security consultancy firm to provide expertise throughout the process, as well as former Indian military personnel to devise mechanisms related to weapons placement. Throughout these processes, the use of individuals with security and military expertise (including former combatants) was beneficial both to the mediation team as well as the parties themselves.

Pre-empt implementation challenges

Mediators are in a position to prepare the parties for the difficulties of implementing ceasefire agreements, especially those that lack the necessary level of detail. They can help the negotiators think through the specific requirements of their process and devise suitable mechanisms that pre-empt some of the challenges which may arise during implementation.

Difficulties in implementing ceasefires relate less to the shortcomings of the monitors and more to the lack of clarity of the original agreement including crucial terminology, responsibilities and mechanisms. To avoid any misinterpretation, the mediators of the Nuba Mountains ceasefire agreement defined the structure, composition and responsibilities of the Joint Military Commission in great detail and decided to make it an integral part of the agreement, signed by both parties. In cases where contentious details have been left out of the ceasefire negotiation or mediators have resorted to "creative ambiguity"[22] to overcome parties' disagreements, personnel in charge of implementing and monitoring the ceasefire have later faced real difficulties. In 2002, the HD Centre helped parties to the conflict in Aceh sign a Cessation of Hostilities Agreement (COHA) which provided no detail on the significant aspect of "placement of [GAM] weapons to designated sites". At the implementation stage, the parties' respective understanding of what it meant could not be reconciled sufficiently to overcome mutual suspicion and misunderstandings. Creative ambiguity in the COHA process in Aceh, resulted in what one member of the implementation team recalled as "a critical mass of disagreements at the implementation stage, which convinced the parties that a genuine meeting of minds had not been achieved during negotiations."[23]

Work on public information

Mediators usually facilitate a joint dialogue and negotiation process between two or more parties. They may play a different role when, in internal conflicts, the government might not agree to a reciprocal ceasefire that it fears would amount to formal recognition of its armed challenger. In this case, the mediator's work may consist of facilitating a process of parallel, unilateral moves. On the one hand, helping an armed group think through and implement a unilateral ceasefire, while on the other helping the state carve out and deliver public information messages that support the process and acknowledge the armed group's accomplishments. The use of efficient communication will significantly contribute to confidence-building for the conflict parties themselves

Aceh

Public information

In December 2002, the Free Aceh Movement (GAM) and the Government of Indonesia (GOI) signed the Cessation of Hostilities Agreement (COHA). The COHA was expected to bring the violence to an end in preparation for an «All Inclusive Dialogue» in which civil society groups and the GAM could negotiate and amend the existing autonomy law in Aceh. Despite an initial dramatic drop in hostilities and casualties, the COHA ended after six months.

The security arrangements for the COHA included the establishment of the Joint Security Committee (JSC). The JSC was composed of 50 international monitors, 50 commanders from the GAM, and 50 military and police officers from the GOI. The tripartite team travelled throughout Aceh responding to incidents and trying to prevent their escalation.

The entire operation was overseen by the Centre for Humanitarian Dialogue along with support from the Swedish Rescue Services Agency and contracted security experts. The HD Centre had facilitated the agreement and was also in charge of its implementation. The parties had not agreed upon clear mechanisms to undertake the placement of the GAM's weapons at the time of the signature of the agreement and the HD Centre was tasked with working out the demilitarization process which included cantoning the GAM's weapons and repositioning forces from the GOI.

For the duration of the COHA, the HD Centre established a semi-autonomous body referred to as the Public Information Unit (PIU). Led by an international media specialist and composed of approximately 30 persons, the PIU was responsible for all information and public relations activities. It was established to hold the parties accountable for implementing the agreement and promoted understanding of the agreement among the parties' supporters, clarifying possible areas of misunderstanding. The PIU held weekly press conferences together with representatives of the parties and conducted regular programmes on radio and television. They operated alongside the JSC in six field offices established throughout Aceh. A similar Public Information Unit was set up by the Aceh Monitoring Mission (AMM), the body responsible for monitoring and verifying the implementation of the subsequent 2005 Memorandum of Understanding.

as well as for their constituencies. Specific mechanisms to disseminate information to the rank and file of the fighting forces are important in order to maintain group cohesion throughout the process.

Avoiding triumphalism and provocative statements on both sides will be a major part of a mediator's work. He or she can, both at the negotiation and during the monitoring stage, work with the parties to decrease the use of hostile propaganda and inform broader constituencies about the spirit and letter of the ceasefire agreement. This has proved to have a direct and positive impact on a number of negotiation processes and has been done through radio broadcasts, leaflets, TV programmes, as well as the use of theatre. In so far as it encourages the groups' leadership to communicate clearly and regularly on the process and its achievements, public information ensures wider exposure and can contribute to enhanced accountability.

It is worth noting that parties are increasingly broadening the definition of what constitutes a ceasefire violation to include propaganda. The extent of a ban on propaganda remains very country specific and might include the national media as well statements made outside the country [24]. In the case of conflicts where religion is a factor, religious propaganda might also be banned [25].

Non-military ceasefire violations related to sexual violence
Ceasefire agreements increasingly reflect concerns for the protection of civilians. Most include intimidation, extortion and crimes against civilians in the definition of what constitutes a ceasefire violation. While gender mainstreaming should not be limited to the ceasefire implementation mechanisms, in the Nuba Mountains the presence of a female senior police adviser to investigate sexual crimes committed by the parties – as part of the monitoring force – reportedly caused a noted reduction of the number of rapes within less than three months [26]. An Indian all-female police unit played a similarly positive role when deployed as part of the peacekeeping contingent in Liberia. Such

examples suggest that sexual violence can be more systematically included as part of the non-military ceasefire violations and efforts made to curb it when i) ceasefire monitors are trained to investigate cases of sexual violence as part of the ceasefire violations; and ii) more female monitors are deployed in contexts where sexual violence is prevalent.

An argument can also be made that joint monitoring mechanisms of ceasefire agreements, incorporating belligerents from both parties, should include female combatants. Doing so would publicise the existence of female combatants and may contribute to countering their frequent "disappearance" during subsequent disarmament processes[27].

5 Conclusion

Ceasefire agreements are a central element in peacemaking. They can significantly contribute to a reduction in tension levels and benefit the peace process at large. In cases where they are recognised as an important mechanism to address and treat the symptoms of a given conflict (the violence) and bridge – not supplant – the broader political, economic and social process that is needed to address its root causes, ceasefires have contributed to more sustainable peace.

As ever, patience and timing are vital. Mediation teams will need time to build enough trust with the belligerents for them to disclose and map vital information about the scale and location of their troops as well as their arms. Drawing on specific security expertise will help mediators build this relationship and facilitate joint planning of a ceasefire that will be better understood by the parties, contribute to their increasing co-operation, and open the door to a reduction of violence. It will also contribute to ceasefire agreements that are sufficiently detailed to lend themselves to effective implementation.

Clearly the challenges to good practice remain considerable. Mediators are, in many respects, dependent on the commitment of the parties and their ability to exert command and control over their troops. A thorough analysis of the conflict environment and its possibilities, ideally conducted in collaboration with the parties, is needed to ascertain what the parties expect from, and are willing to invest into, a ceasefire. It should also suggest the extent to which a ceasefire can be a tool both for the management of the conflict and for its sustainable settlement.

Endnotes

[1] For a more comprehensive discussion, see Teresa Whitfield, "Engaging with armed groups, Dilemmas & options for mediators", *Mediation Practice Series N° 2*, (Geneva : Centre for Humanitarian Dialogue, 2010)

[2] Negotiating ceasefires in Myanmar was done without third party involvement and goes beyond the scope of this publication. It remains, however, an instructive example of how a succession of bilateral ceasefires allowed the state to perpetuate itself. The recent move aiming at turning the armed groups into a border corps, under increased government control, may affect the durability of these ceasefires. For more details, see Zaw Oo & Win Min, "Assessing Burma's Ceasefire Accords", *Policy Studies 39*, (Washington : East-West Center, 2007)

[3] Virginia Page Fortna, *Peace Time : Ceasefire agreements and the durability of peace*, (Princeton : Princeton University Press, 2004) pp.21-23.

[4] Virginia Page Fortna (2004) p.23.

[5] For an illustration, see Samset, Ingrid, "Trapped in the peace process : ceasefire monitoring in Sri Lanka", Working Group on Peace Support Operations (AFO), Nordic Research Programme on Security (*AFO Paper n° 5*), (Oslo : 2004)

[6] See the 2005 *Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement*, article 4.1 and concluding line.

[7] Jeremy Brickhill, "Protecting civilians through peace agreements, Challenges and lessons of the Darfur peace agreement", *ISS paper 138*, (Pretoria : Institute for Security Studies, 2007)

[8] The African Mediators Retreat organised as part of the HD Centre and Government of Norway's Oslo forum series, 24-27 March 2009 in Tanzania. See Centre for Humanitarian Dialogue, *Meeting report, African Mediators' Retreat 2009* (Geneva : Centre for Humanitarian Dialogue, 2009) pp. 25-26.

[9] Interview, James Lemoyne, 9 November 2009.

[10] See Antonia Potter, "Ceasefire Monitoring and Verification, Identifying Best Practice", *Background paper, Oslo Forum 2004* (Geneva : Centre for Humanitarian Dialogue, 2004)

[11] For more details on the negotiation of the security elements see Richard Barltrop, "The Negotiation of Security Issues in the Burundi Peace Talks", *'Negotiating Disarmament' Country Study N° 1* (Geneva : Centre for Humanitarian Dialogue, 2008)

[12] Shane Smith, "What is a Ceasefire and why is it Important ?" in Guy Burgess and Heidi Burgess (Eds.) *Beyond Intractability* (Boulder, Colorado : Conflict Research Consortium, University of Colorado, 2003)

[13] Prior to the signature of a ceasefire in Guatemala, the process leading to the final peace agreement in December 1996 entailed a range of confidence-building measures such as an agreement on human rights (that entailed a UN verification mission), agreements to stop attacking civilian targets, the demobilisation of state-aligned paramilitary units and the forced retirement of selected army officials. For details on the peace process in Guatemala, see Jean Arnault, *Good Agreement ? Bad agreement ? An implementation perspective*, (Princeton : Center on International Studies, Princeton University, 2003)

[14] For more detail on the negotiation of the security elements, see Cate Buchanan and Joaquin Chavez, "Guns and violence in the El Salvador peace negotiations", *'Negotiating Disarmament' Country Study N°3* (Geneva: Centre for Humanitarian Dialogue, 2008)
[15] Interview, Mark Knight, 3 May 2010.
[16] The NDF typically agreed to only day-long "ceasefires" for the duration of a round of talks, for the sake of facilitating the release of prisoners, or over the Christmas holidays. Such stalemate was further made possible by the approach of successive Governments seeking to lower levels of violence to a manageable level without trying to accommodate some of the legitimate grievances of the CPP/NDF/NPA constituencies.
[17] For a more detailed discussion of the Nepal case, see Teresa Whitfield, *Focused mission: not so limited duration. Identifying lessons from the United Nations Mission in Nepal (UNMIN)*, (New York: Center on International Cooperation, 2009)
[18] The assassination of M-19 members increased after the agreement was signed, to a total of about 17% of its demobilised members. See Garcia Duran, Grabe Loewenherz & Patino Hormaza, "M-19's Journey from Armed Struggle to Democratic Politics: Striving to Keep the Revolution Connected to the People", *Berghof Transitions Series N° 1*, (Berlin: Berghof Conflict Research, 2008), p.35.
[19] A. G. Noorani, "Questions about the Kashmir ceasefire", *Economic and Political Weekly*, 35 (45) (2000), pp. 3949-3958.
[20] See George Mitchell, John de Chastelain and Harri Holkeri, *Report of the International Body on Arms Decommissioning*, 22 January 1996.
[21] For a compelling account of the importance of mobilising security expertise in the Abuja process, see Jeremy Brickhill (2007).
[22] See Nicholas Haysom and Julian Hottinger, *Do's and Don'ts of sustainable ceasefire agreements*, presentation to IGAD Sudan peace process workshop on detailed security arrangements in Sudan during the transition,(2004) p.1.
[23] Interview, Mark Knight, 30 November 2010.
[24] The Liberia 2003 ceasefire agreement bans all acts of "hostile propaganda amongst the Parties, including defamatory, untruthful or derogatory statements, both within and outside the country".
[25] Article 2.2 of the 2002 *Agreement on a ceasefire between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam* bans "ideas that could offend cultural or religious sensitivities".
[26] Interview, Brig. Gen. Jan Erik Wilhelmsen, 8 October 2010.
[27] Interview, Mark Knight, 30 November 2010.

Further reading

Appiah-Mensah, Seth, "Monitoring fragile ceasefires, the challenges and dilemmas of the role of AMIS", *ISS paper 127*, (Pretoria: Institute for Security Studies, 2006)

Brickhill, Jeremy, "Protecting civilians through peace agreements, Challenges and lessons of the Darfur peace agreement", *ISS paper 138*, (Pretoria: Institute for Security Studies, 2007)

De Soto, Alvaro, "Ending violent conflict in El Salvador" in Chester A. Crocker, Fen Osler Hampson, Pamela Aall (Eds), *Herding cats: multiparty mediation in a complex world* (Washington DC: USIP Press, 1999)

Fortna, Virginia Page, *Peace Time: Ceasefire agreements and the durability of peace* (Princeton: Princeton University Press, 2004)

Haysom, Nicholas & Hottinger, Julian, *Do's and Don'ts of sustainable ceasefire agreements,* presentation to IGAD Sudan peace process workshop on detailed security arrangements in Sudan during the transition (2004)

Kieh, George Klay, "The United Nations' Peace Observation Mission and the first Liberian civil war", *Peace Studies Journal*, 2 (1) (2009), pp.45-62

Potter, Antonia, “Ceasefire Monitoring and Verification, Identifying Best Practice”, *Background paper, Oslo Forum 2004*, (Geneva : Centre for Humanitarian Dialogue, 2004)

Samset, Ingrid, “Trapped in the peace process : ceasefire monitoring in Sri Lanka”, Working Group on Peace Support Operations (AFO), Nordic Research Programme on Security (*AFO Paper n° 5*), (Oslo : 2004)

Souverijn-Eisenbert, Paula, *Lessons learned from the Joint Military Commission* (New York : DPKO’s Peacekeeping Best Practices section, 2005)

The Public International Law & Policy Group, *Ceasefires : Peace Drafter’s Handbook Chapter* (2005)

Whitfield, Teresa, Focused mission : not so limited duration. *Identifying lessons from the United Nations Mission in Nepal* (UNMIN) (New York : Center on International Cooperation, 2009)

Zaw Oo & Win Min, “Assessing Burma’s Ceasefire Accords”, *Policy Studies 39*, (Washington DC : East-West Center, 2007)

Luc Chounet-Cambas

Luc Chounet-Cambas is a Project Manager with the HD Centre Mediation Support Programme, where he provides support to ongoing mediation processes and works on drawing lessons from the HD Centre's work. Prior to joining the HD Centre in 2008, Luc Chounet-Cambas was working on disarmament, re-integration and stabilisation initiatives in Afghanistan, Indonesia (Aceh) and Sudan. He has worked in development and humanitarian affairs with the United Nations, the International Organization for Migrations, non-governmental organisations and the French bilateral co-operation. Luc holds an MPhil in political science and African studies, a BA in political science and a degree in Middle-Eastern studies.

Contact
114, rue de Lausanne
CH–1202 Geneva, Switzerland

Telephone +41 (0)22 908 11 30
Fax +41 (0)22 908 11 40
info@hdcentre.org