ANALYTICAL ESSAY

Reducing and Managing Risk: The Dimensions of Strong Ceasefires in Intra-State Conflict

Laurie Nathan [iD]

University of Notre Dame, USA

AND

Ajay Sethi

Mediation Support Unit, United Nations Department of Political and Peacebuilding Affairs, USA

This article presents a conceptual framework for analyzing the strength of ceasefires in intra-state conflict. The framework is based on the perspectives of ceasefire practitioners. The practitioners view the essence of ceasefire design as the reduction and management of risk, which ranges in severity from violations to complete breakdown of the ceasefire agreement. The framework identifies three determinants of ceasefire risk: the design's objective quality, being the extent to which the ceasefire arrangements reduce and manage risk; the design's subjective quality, being the parties' satisfaction with these arrangements; and the will of the parties to end the conflict through negotiations. Each dimension is negatively associated with risk, such that strong objective quality, strong subjective quality, and strong political will reduce the level of risk. We explore the effects of these dimensions and the relationship between them. We discuss two exceptions to the standard thesis that objectively strong design leads to subjectively strong design and ceasefire durability: "spurious agreements," which are signed by the parties under duress with no intention of honoring them, and preliminary ceasefires, which the parties generally prefer to be objectively weak. We illustrate the conceptual framework through case studies of ceasefires in Sudan and South Sudan.

Este artículo presenta un marco conceptual para analizar la solidez de los alto el fuego en los conflictos intraestatales. El marco se basa en las perspectivas de los partidarios del alto el fuego. Los partidarios del alto el fuego consideran que la esencia del diseño del alto el fuego es la reducción y la gestión del riesgo, que oscila entre la gravedad de las violaciones y la ruptura total del acuerdo de alto el fuego. Este marco identifica tres factores determinantes del riesgo asociado al alto el fuego: la calidad objetiva del diseño, es decir, la medida en que los acuerdos de alto el fuego reducen y gestionan el riesgo; la calidad subjetiva del diseño,

es decir, la satisfacción de las partes con estos acuerdos; y la voluntad de las partes de poner fin al conflicto mediante negociaciones. Cada dimensión se asocia negativamente con el riesgo, de modo que tanto una fuerte calidad objetiva como una fuerte calidad subjetiva y una fuerte voluntad política reducen el nivel de riesgo. En este artículo, exploramos los efectos de estas dimensiones y la relación entre ellas. Asimismo, analizamos dos excepciones a la tesis estándar de que un diseño objetivamente sólido conduce a un diseño subjetivamente sólido y a la durabilidad del alto el fuego: los «acuerdos espurios», que las partes firman bajo coacción sin intención de cumplirlos; y los alto el fuego preliminares, que las partes suelen preferir por su debilidad objetiva. Además, ilustramos el marco conceptual mediante estudios de casos de alto el fuego en Sudán y Sudán del Sur.

Cet article présente un cadre conceptuel pour l'analyse de la force des cessez-le-feu dans les conflits intraétatiques. Le cadre se base sur les points de vue des professionnels du cessez-le-feu. Ces derniers considèrent que l'essence de la conception d'un cessez-le-feu réside dans la réduction et la gestion des risques, dont la gravité s'étend des violations à la rupture totale d'un accord de cessez-le-feu. Le cadre identifie trois facteurs déterminants des risques pour le cessez-le-feu : la qualité objective de sa conception, c'est-à-dire la mesure dans laquelle les accords de cessez-le-feu réduisent et gèrent les risques ; la qualité subjective de la conception, c'est-à-dire la satisfaction des parties par rapport à ces accords ; et la volonté des parties de mettre un terme au conflit par le biais de négociations. Un lien négatif unit chaque dimension au risque, de telle façon qu'une qualité objective élevée, qu'une qualité subjective élevée et qu'une politique forte réduiront le niveau de risque. Nous nous intéressons aux effets de ces dimensions et à la relation qui les unit. Nous analysons deux exceptions à la thèse standard selon laquelle une conception objectivement solide engendre nécessairement une conception subjectivement solide et la durabilité du cessez-le-feu : les « faux accords », signés sous la contrainte par des parties qui n'ont aucune l'intention de les honorer, et les cessez-le-feu préliminaires, que les parties préfèrent généralement objectivement faibles. Nous illustrons le cadre conceptuel grâce à des études de cas de cessez-le-feu au Soudan et au Soudan du Sud.

Introduction

Ceasefire violations and breakdown can be devastating, undermining peace processes and, in worst-case scenarios, leading to a return to war. There are many possible reasons for the violations and breakdowns. They include a lack of political will, where the parties sign a ceasefire agreement with no intention of honoring it. Alternatively, a ceasefire induced by battle fatigue might later be abandoned if one of the parties comes to believe that it can make gains through further fighting. The problems could also be due to the weak design of a ceasefire that does not provide adequately for disengagement and control of forces or for dispute resolution in the event of ceasefire violations.

The most prominent studies of ceasefire design focus on inter-state ceasefire agreements (Fortna 2003, 2004a). Fortna finds that strong agreements, which include mechanisms that provide for withdrawal of forces, peacekeeping, and demilitarized zones, result in more durable peace than weak agreements that have few

mechanisms. Scholars have noted that comparatively little research has been done on intra-state ceasefires (Åkebo 2019; Clayton et al. 2019) and on intra-state ceasefire design in particular (Mattes and Savun 2009; Clayton and Sticher 2021). This article aims to addresses that gap by identifying the characteristics of strong ceasefires in intra-state conflict.

The term "ceasefire design" covers the concepts, rules, procedures, and mechanisms that constitute a ceasefire agreement. We define a "ceasefire agreement" as an agreement by belligerent parties to cease hostilities on a temporary or permanent basis. This definition encompasses a heterogeneous set of ceasefires with different purposes and time frames (Karakus and Svensson 2017, 684; Clayton, Nathan, and Wiehler 2021). We focus on ceasefires whose purpose is to contribute to ending a conflict.[1] We divide these conflict-resolution ceasefires into two subcategories, based on the timing and intent of the ceasefire: "permanent ceasefires" are embedded in a political settlement and aim to halt hostilities permanently, whereas "preliminary ceasefires" aim to support a peace process prior to the conclusion of a settlement.[2]

We present a conceptual framework for analyzing the strength of intra-state ceasefires. The framework is based primarily on the perspectives of ceasefire practitioners. These perspectives are drawn from the practitioner literature (e.g., Haysom and Hottinger 2004; Brickhill 2018; Verjee 2019; UN 2022), the authors' personal experiences as practitioners,[3] and interviews with experts involved in designing, facilitating, and implementing ceasefires (appendix A).[4] The practitioners offer a first-hand professional appreciation of the political and military aspects of ceasefire design, generating insights that other observers and methods might not discern.

The practitioners regard ceasefires as highly dangerous and risky endeavors that invariably experience violations (all interviewees; Potter 2004, 5–6). The risk ranges in intensity from occasional and low-level violations to systematic violations, reprisals and escalation, and ultimately to breakdown of the ceasefire agreement and a resumption of hostilities. According to practitioners, the central organizing concept of ceasefire design is therefore *reduction and management of risk.* The general aims of design are to prevent violations and, if violations occur, to prevent escalation and breakdown.

Our framework identifies three determinants of ceasefire risk: the objective quality of design, which refers to the extent to which the ceasefire arrangements reduce and manage risk; the subjective quality of design, which refers to the parties' satisfaction with these arrangements; and the political will of the parties, which refers to the parties' willingness to resolve the conflict through negotiations. All these dimensions are a matter of degree, their quality varying along a spectrum of strength and weakness. Each of them is negatively associated with risk: strong political will, strong subjective design, and strong objective design reduce the level of risk, whereas weak political will, weak subjective design, and weak objective design heighten the risk.

---

[1] Other ceasefire purposes include temporary humanitarian relief and maintaining the political and military status quo (Clayton, Nathan, and Wiehler 2021).

[2] There is no scholarly, policy, or legal consensus on definitions and types of ceasefire (Forster 2019; Bara et al. 2021, 332). We follow the approach of the *UN Guidance on Mediation of Ceasefires* (UN 2022), which identifies two types of ceasefire in the context of a political peace process: "preliminary ceasefires" and "definitive (or permanent) ceasefires". The *Guidance* does not view "cessation of hostilities" as a distinct type of ceasefire, and uses the term "truce" to cover a temporary cessation of fighting for humanitarian purposes.

[3] Nathan was a member of the African Union mediation team for Darfur in 2005–2006 and drafted the section on ceasefire and security arrangements in the Darfur Peace Agreement (DPA). Sethi is a United Nations (UN) official who serves as the focal point for ceasefires and security arrangements in the Mediation Support Unit of the UN Department of Political and Peacebuilding Affairs. He has provided technical advice on ceasefires in Afghanistan, Georgia, Libya, Myanmar, Philippines, Somalia, South Sudan, Sudan, Syria, Ukraine, and Yemen.

[4] All the interviewees were involved in at least one of the Sudan and South Sudan ceasefires discussed in this article, and their peacemaking experience extends to Afghanistan, Central African Republic, Nepal, Somalia, and Yemen (see appendix A).

The framework analyses the nature and effects of each dimension, as well as their relationship with each other.

This article contributes to the scholarly literature by developing a practitioner-informed model that integrates the political and military dimensions of ceasefire design and their effects on ceasefire strength, risk, and durability. The article also makes two more specific contributions to the literature. The first is to present a technical understanding of the objective quality of design. Drawing on the expertise of practitioners, this approach views objective quality in terms of the design's contextual fit, risk reduction provisions, and risk management mechanisms.

The second contribution lies in challenging the standard scholarly thesis that the objective quality of design, the subjective quality of design, and ceasefire durability are positively correlated (Walter 1997; Fortna 2003, 2004a; Mattes and Savun 2009). The causal logic is that objective strength leads to subjective strength by raising the costs of attack, constraining the belligerent forces, reducing uncertainty, and thereby reducing the parties' fear that their opponent will violate the ceasefire. Conversely, an objectively weak design intensifies the parties' fear of violations and breakdown, raising the risk that they will pre-emptively violate or abandon the agreement. We argue that there are two major exceptions to the thesis that objective strength leads to subjective strength and ceasefire durability. The first exception is "spurious ceasefires", which are signed by the parties due to external pressure but are not owned by them. In the absence of political will, these agreements are unsustainable. Regardless of their objective quality, their subjective quality is zero. The second exception is preliminary ceasefire agreements signed while negotiations are still underway. The parties generally prefer an objectively weak design for these ceasefires because they mistrust each other and do not want to be overly constrained if negotiations fail to achieve a settlement.

We illustrate these arguments and the conceptual framework through case studies of three sets of ceasefires in Sudan and South Sudan: the preliminary and permanent ceasefires associated with the 2005 Naivasha Agreement to end the civil war in Sudan; the preliminary and permanent ceasefires associated with the 2006 DPA; and the preliminary and permanent ceasefires associated with the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS). These agreements are diverse in terms of their final outcomes. The Naivasha Agreement ended the civil war and, as discussed below, the preliminary and permanent ceasefires contributed to this outcome. The DPA and ARCSS, in contrast, failed to end the armed conflicts in Darfur and South Sudan, respectively.

The article proceeds as follows: it provides an overview of the relevant ceasefire literature; develops the framework on ceasefire design; presents the case studies; and draws conclusions.

Overview of Ceasefire Literature

Grounded in commitment theory, the scholarly literature on ceasefires links the design's subjective strength to its objective strength (e.g., Walter 1997; Fortna 2003, 2004a; Mattes and Savun 2009). The parties to an armed conflict, locked in a relationship of violence, enmity, and mistrust, have no confidence in each other's commitment to abide by peace agreements. These concerns are acute with respect to ceasefire agreements in particular because of their risks and dangers. Ceasefires create security vulnerabilities and a perfidious party can take advantage of this and inflict severe damage on its opponent. The parties can ease their concerns and signal a credible commitment to abide by a ceasefire if they accept a strong design that constrains their forces and increases the costs of initiating an attack.

In landmark work, Fortna (2003, 2004a) found that strong inter-state ceasefires lead to more durable peace than weak agreements. The "strength" of an agreement is based on the number and extent of its mechanisms. The higher the number

of mechanisms, "the longer peace should last, all else being equal" (Fortna 2003, 339). Certain mechanisms are closely associated with durable peace: demilitarized zones; third-party guarantees; peacekeeping; joint dispute resolution commissions; and a high level of specificity in the agreement. Other mechanisms appear to be ineffective and are associated with agreements most likely to break down quickly: arms control; third-party mediation; and attempts to control irregular forces.

Fortna argues that effective mechanisms entail three strategies to ensure lasting peace. First, they reduce the parties' incentives to break a ceasefire by increasing the costs of violation. This is done by formalizing the agreement so that violations incur international audience costs, and by accepting physical constraints such as demilitarized buffer zones and third-party peacekeeping. Second, the mechanisms reduce uncertainty about the parties' actions and intentions by specifying rules and adopting monitoring and verification measures. Third, these measures prevent accidental violations from escalating and reigniting the fighting. The three strategies are connected, and some of the mechanisms contribute to more than one strategy. The bottom line is that the parties' willingness to tie their own hands and raise the cost of initiating an attack signals a credible commitment to abide by the ceasefire.

An inter-state peace agreement that resolves the underlying dispute is more likely to lead to a stable peace than an agreement that only seeks to stop hostilities (Fortna 2003, 346). In the post–World War II period, however, settlement of the contested political issues, whether by agreement or force, is quite rare. Even if one side wins the war, most wars end with the core issues still in dispute. When the underlying dispute is not resolved, peace can still be maintained through strong ceasefire mechanisms (Fortna 2003, 363–65). Intra-state ceasefires are entirely different in this regard. Whatever the strength of the design, the parties to a civil war do not have the "luxury of leaving the fundamental political issues unsettled" (Fortna 2004a, 215).

In the case of intra-state ceasefires, Mattes and Savun (2009) identify two types of mechanism that address the parties' commitment concerns: fear-reducing mechanisms, which include third-party guarantees, lessen the parties' apprehension that their enemy may renege on the agreement, and cost-increasing mechanisms, which include separation of forces, peacekeeping, and withdrawal of foreign forces, raise the cost of renewed fighting. Åkebo (2016, 2019) highlights the importance of joint ceasefire bodies that perform coordination, monitoring, and dispute resolution functions. Other research shows the positive effects of third-party peacekeeping (Fortna 2004b), mediation and technical ceasefire support (Karakus and Svensson 2017), and monitoring (Karakus and Svensson 2017; Buchanan, Clayton, and Ramsbotham 2021). Clayton and Sticher (2021) find that "definitive ceasefires" that include demobilization and incompatibility provisions are more durable than "preliminary ceasefires" that lack these provisions but have compliance mechanisms, and both types of ceasefire are more durable than "cessation of hostilities" agreements that lack such provisions and mechanisms.

The best timing of preliminary ceasefires in intra-state conflict is a contested issue (Mahieu 2007). One view is that mediators and external actors should push for a preliminary ceasefire at an early stage of the peace process. This position is asserted strongly by the UN and other international actors when an armed conflict breaks out (Brickhill 2018, 33–34). In addition to enabling humanitarian access to communities in need, it is hoped that an early ceasefire will provide space for political negotiations (Touval 1995; Verjee 2019). On the other hand, preliminary ceasefires are tenuous because the parties' trust in each other is very low, it is hard to achieve the cooperation required by a ceasefire, and the parties may take advantage of a ceasefire to rearm before resuming hostilities. There is also a risk that violations and breakdowns of premature ceasefires reduce the parties' confidence in political negotiations (Mahieu 2007, 210–12).

Conceptual Framework on Intra-State Ceasefire Design

Drawing on the insights of ceasefire practitioners, this section presents a conceptual framework that explains ceasefire strength and risk in terms of three dimensions: the objective quality of design (i.e., the extent to which the ceasefire arrangements reduce and manage risk); the subjective quality of design (i.e., the extent to which the parties are satisfied with these arrangements); and the political will of the parties (i.e., the parties' willingness to resolve the conflict through negotiations). The discussion explores each of these dimensions in turn and then examines spurious agreements and preliminary ceasefires, which constitute exceptions to the standard thesis that objective strength leads to subjective strength and ceasefire durability. The section concludes with a summary of the relationships between the different dimensions of ceasefires.

Objective Dimension

For practitioners, the basic point of departure regarding the objective quality of design is that ceasefires are highly risky and dangerous undertakings, prone to violations and breakdown. Accidental violations tend to be due to communication failures between or within the belligerent forces and to misunderstandings about the ceasefire rules (Brickhill 2018). Deliberate violations occur where a party did not intend to honor a ceasefire agreement it signed or later decides to abandon the agreement. Parties also violate ceasefires through limited military action, without wanting to resume full-scale hostilities, in order to increase their negotiating leverage or signal their resolve to their opponent or their own members (interviewees 2, 4, 5, 7). In these situations, violent bargaining takes place in parallel with political bargaining (cf. Sudan case study). Ceasefire violations can also result from divisions within a party, where factions try to gain an advantage over their internal rivals (cf. Darfur case study). At the local level, commanders might initiate tactical skirmishes so as to increase territorial control and gain access to resources.

These dangers are heightened greatly by a distinctive feature of intra-state ceasefires. Unlike inter-state ceasefires, intra-state ceasefires cannot be maintained by confining the belligerent forces to their respective national territories. It is politically and technically difficult to negotiate and implement arrangements for the separation and restricted movement of enemy forces within the same country (cf. Sudan case study). In addition, governments are usually loath to relinquish de facto sovereignty over rebel-held territory, and there is the further challenge of determining which forces will be responsible for maintaining domestic law and order while the ceasefire is underway (cf. Sudan and South Sudan case studies).

Whether accidental or deliberate, ceasefire violations can lead to reprisals, escalation, and, in worst-case scenarios, a return to war. Ceasefires should therefore be designed to contain violations and to prevent escalation and breakdown when violations occur. Ceasefire arrangements "are ostensibly meant to ensure a cessation of violence but in reality their main function is to *manage violence and risk*" (interviewee 4; see also Bara, Clayton, and Rustad 2021, 331). Practitioners conclude that an objectively strong design is one that reduces and manages the risks adequately in the particular circumstances of each conflict, and a weak design is one that poses or tolerates too much risk. Whereas Fortna (2003) argues that objective quality depends on the number and extent of ceasefire mechanisms, the practitioners maintain that objective quality is based on the design's contextual fit, risk reduction provisions, and risk management mechanisms. Each of these elements is discussed below and summarized in table 1.

The contextual fit covers the salient political, military, and geographic issues (all interviewees; Haysom and Hottinger 2004; Brickhill 2018; UN 2022). Ceasefire templates are completely inappropriate. A strong design takes account of political fac-

Table 1. Elements of strong objective design

---

1. *Contextual fit* (i.e., design tailored to context and attentive to contextual risks)
   • Political factors
   • Military factors
   • Geographic factors

2. *Risk reduction* (i.e., disengagement and control of belligerent forces so as to minimize potential for accidental and deliberate clashes)
   • Appropriate mechanisms for separation and control of forces
   • Rules and procedures are prudent, precise, and based on accurate information
   • Rules and procedures are understood and accepted by national, regional, and local commanders
   • Schedules and deadlines are realistic
   • Responsibilities of belligerent forces and third parties are feasible and clearly specified

3. *Risk management* (i.e., joint ceasefire commission to oversee implementation and address violations, complaints, and disputes)
   • Includes political leadership of signatories
   • Includes military leadership of signatories, from national to local levels
   • Includes third-party monitors and guarantors
   • Provides for decision-making and communication links between these actors and levels

---

tors such as the conflict incompatibility, the presence of spoilers, and the signatories' demands, local support, and external allies. It also takes account of military factors such as the capabilities, location, mobility, and armaments of the belligerent forces. Geographic factors such as deserts, jungles, and mountains may be relevant. General research findings can be helpful in designing ceasefires, but they are less important than contextual imperatives. For example, Fortna (2003) finds that measures to control irregular forces are generally not effective ceasefire mechanisms. Yet, ceasefire design in a given case is objectively weak if it ignores irregular forces that are extensively involved in hostilities (cf. Sudan and Darfur case studies).

Ceasefire arrangements must be designed to reduce risk. The foundation of risk reduction is *disengagement and control of forces,* intended to minimize the potential for accidental and deliberate clashes between the belligerent forces. Depending on the military and geographic context, the arrangements might entail either a "freeze-in-place" or the withdrawal, redeployment, and assembly of forces, as well as some form of arms control (Brickhill 2018; UN 2022). The options for specific mechanisms include demilitarized zones, buffer zones (that separate the parties), zones of exclusion (from which a party is excluded), zones of limitations (that restrict the number of forces and armaments), and humanitarian zones or corridors (in which the parties are obliged to safeguard the delivery of humanitarian assistance) (Brickhill 2018, 42). There are also mechanisms for "mutual threat reduction," such as no-fly zones, air base lockdowns, and restrictions on the deployment and use of heavy weapons systems (Brickhill 2018, 42).

In order to reduce risk, the rules and procedures governing these processes and the conduct of the belligerent forces must be prudent and precise; they must be based on accurate information about the composition, location, armaments, and other features of the belligerent forces; they must be understood and accepted by all national, regional, and local military commanders; all deadlines and schedules must be realistic; and the obligations and responsibilities of the belligerent forces and third parties must be feasible and specified clearly (all interviewees; Haysom and Hottinger 2004; Brickhill 2018; UN 2022). Common weaknesses that heighten risk include unrealistic timelines and expectations of the belligerent forces and third parties, the parties' reluctance to share military information needed for ceasefire planning (cf. Darfur case study), weak command and control among fragmented rebel movements (cf. Darfur case study), and a lack of caution and clarity in the arrangements for disengagement and assembly of forces (cf. South Sudan case study).

Even the strongest design cannot eliminate risk entirely and there is consequently a need for risk management mechanisms. Responsibility for ongoing risk management lies chiefly with joint ceasefire commissions that oversee implementation of the ceasefire agreement; address violations, complaints, and disputes; and mitigate design weaknesses. Such commissions comprise party representatives and ideally include third-party monitors and guarantors (Åkebo 2016, 2019). A strong mechanism includes all the relevant levels of the parties and their forces—namely the political leadership, military leadership, and regional and local commanders—and provides for adequate communication and decision-making linkages between these levels (interviewees 1, 2, 4, 6, 7; cf. Sudan case study). A design is objectively weak if it excludes any of these levels or fails to provide links between them (cf. South Sudan case study).

The design's objective quality can affect the degree of risk regardless of its subjective quality. For example, the parties might conclude a ceasefire agreement that, because of mutual mistrust, does not specify the location of all the belligerent forces. This agreement is subjectively strong if the parties are satisfied with it, but it is objectively weak since it does not manage the risks adequately. Similarly, the establishment of joint military units comprising government and rebel combatants may be subjectively strong from the parties' perspective but objectively weak because of deficient command, control, and cohesion (cf. Sudan case study). In addition, the parties might be satisfied with an objectively weak design for the banal but dangerous reason that they lack the expertise to design strong arrangements. It is also possible that strong third-party monitoring and peacekeeping mechanisms constrain the belligerents even when the subjective quality of the agreement is low or nonexistent (cf. Darfur case study).

None of the ceasefires covered in this article constitutes a perfect agreement in terms of its objective quality. All of them have a mix of strong and weak design elements. This may well be typical of intra-state ceasefire arrangements, which encompass negotiated compromises reached by conflict parties with different political and military strengths, vulnerabilities, and perspectives. Whether any of the weak elements are especially problematic and whether strong elements can compensate for weak elements depend on the context and the will of the parties. The joint ceasefire commission is arguably the most critical mechanism in this regard because an effective risk management mechanism can mitigate design weaknesses and prevent violations from leading to reprisals, escalation, and breakdown.

Subjective Dimension

The subjective dimension of design refers to the parties' satisfaction with the ceasefire arrangements. This depends on three factors in particular: the parties' concerns about their security vulnerabilities arising from the constraints of the ceasefire; their perception of their adversary's commitment to honor the agreement fully; and their confidence in the ceasefire mechanisms to minimize these risks and vulnerabilities. The parties may have different levels of satisfaction with a given design as a result of their different military capabilities, different status as government and rebels, and different political goals and concerns. Subjective quality can also vary within a party.

Like the objective dimension, the subjective dimension of design has a major bearing on risk. During negotiations on ceasefire arrangements, a failure to address adequately a party's commitment concerns can cause that party to withhold crucial military information and provide false information. If a party signs a ceasefire agreement without sufficient confidence, it may secretly retain some military assets in reserve as an "insurance policy." Once the ceasefire is underway, the risk is that the party will resort to self-help by taking prohibited military action in response to actual or anticipated violations by its opponent.

It is not inevitable that the signatories to a ceasefire agreement are satisfied with the design. They may have signed because of external pressure, they may have had to accept compromises during the negotiations, and they may doubt their opponent's commitment to the deal. The challenge posed by commitment concerns is considerable: there are no guarantees against perfidy and violations; the separation of forces can be very complicated in intra-state conflict; and certain context-specific concerns may be especially difficult to meet. Such concerns arise, for example, where a party has consistently failed to honor previous ceasefire agreements; there is acute asymmetry in the military balance of power, heightening the weaker party's fears; and a party lacks internal cohesion, impeding its ability to ensure factional and rank-and-file adherence to the rules of the ceasefire.

Whereas the objective design is fixed in the ceasefire agreement, the subjective strength is fluid and can rise or fall over time. This may be due to domestic or external political and military developments exogenous to the design. The parties' satisfaction can also shift for reasons endogenous to the design. Ceasefire arrangements that meet the parties' expectations over time are likely to increase their satisfaction, and arrangements that fail to do so are bound to reduce their satisfaction.

As noted earlier, the standard scholarly approach holds that an objectively strong design leads to a subjectively strong design. In reality, though, the parties may want to avoid being overly constrained and may therefore be satisfied with a design that is generally weak (e.g., Sudan preliminary ceasefires) or that has weak elements (e.g., the retention of large government and opposition armies within the same territory for a period of 6 years under the Sudan permanent ceasefire). During ceasefire negotiations, the parties are confronted with a conundrum. Because they do not trust each other, each party would ideally like to have strong constraints on its opponent's forces and weak constraints on its own forces. Of course, this preference for asymmetrical arrangements is generally unattainable. How the parties manage the conundrum, which lies at the intersection of the objective and subjective dimensions of design, is a matter of judgment by each party and is frequently contested in the negotiations.

The process by which a ceasefire agreement is drafted is a critical issue. The parties' ownership of both the process and the content is a necessary condition for subjective strength and, indeed, for the durability of the agreement (all interviewees). Brickhill (2018, 26) argues that the overall strategy of negotiating security arrangements "should therefore be guided by continuous efforts to enable the parties to strengthen their ownership of the process at every stage, ensuring they understand their ownership and thus their responsibility for their agreement and peace process". Brickhill (2018, 25) concludes that ceasefires should be designed and negotiated by the parties themselves, rather than crafted by ceasefire experts. As a matter of policy, the UN and other international mediators emphasize the imperative of ownership (e.g., UN 2012, 14-15), but in practice they sometimes rush to produce ceasefire agreements that are not owned by the parties (cf. Darfur and South Sudan ceasefires). This approach heightens the risk of ceasefire violations and breakdown.

Political Will

The parties' willingness to resolve their conflict through negotiations is a pivotal factor in determining the degree of ceasefire risk. A high level of collective will is likely to reduce the degree of risk and increase the prospect of a durable ceasefire, while a low level of political will can have the opposite effect.

According to Zartman's (2001) theory of conflict ripeness, political will to engage in peace negotiations arises when the conflict parties perceive a mutually hurting stalemate. If they believe they cannot achieve military victory, and this stalemate is painful to all of them, they may become receptive to negotiating a political settlement and permanent ceasefire or, in the absence of a settlement, a conflict man-

agement ceasefire (Zartman 2001, 14). If, on the other hand, a party believes that it can make military gains through continued fighting, it will have no interest in a settlement (Zartman 2001).[5] Political will and conflict ripeness are subjective and fluid phenomena. The parties' commitment to negotiations can change over time and can differ among and within the parties.

Although strong political will can compensate for design flaws, it is not sufficient to ensure ceasefire durability. Design is always relevant. Ceasefire violations can be accidental, regardless of the parties' will. Strong objective design aims to prevent such violations and, if they occur, to prevent escalation and breakdown. It is also possible that the parties violate the agreement deliberately, but without the intention of resuming full-scale hostilities (cf. Sudan case; Wiehler 2021). Here, too, the design is relevant in whether escalation occurs or is prevented.

Political will and the objective dimension of design have a bidirectional relationship, which can be positive or negative. On the one hand, design can influence political will over time: ceasefire mechanisms that prove to be ineffectual in practice can reduce the parties' will to pursue a settlement, whereas sufficiently effective mechanisms can build their commitment to negotiating a settlement. On the other hand, political will influences design: weak or uncertain will is bound to lead to weak objective design since the parties do not want to be overly circumscribed by the ceasefire arrangements.

Political will is not necessarily correlated with the subjective quality of design, which refers to the parties' satisfaction with the ceasefire arrangements. A party that genuinely wants to end the conflict through negotiations may be dissatisfied with the design for any one of a number of reasons: it mistrusts its opponent's commitment to the ceasefire; the arrangements constrain the party too severely; they do not constrain the party's opponent sufficiently; or they do not provide for adequate third-party guarantees.

The following subsections discuss two exceptions to the standard thesis that objective strength leads to subjective strength and ceasefire durability: the scenario where the parties have zero commitment to a settlement, leading to spurious ceasefire agreements, and the scenario of low or uncertain commitment that tends to characterize provisional ceasefire agreements.

Spurious Agreements

Spurious agreements arise where one or more of the parties signs a ceasefire agreement due to international pressure but without the intention of honoring it. In the absence of political will, the agreement is unsustainable. Its design may be objectively strong if it was crafted by third-party ceasefire experts, but this has no positive effect on its subjective quality, which is zero. As noted above, the parties' ownership of the agreement is a necessary condition for its durability.

The concept of spurious intra-state ceasefire agreements is consistent with the finding that inter-state ceasefires are most likely to fail when they result from third-party pressure (Werner and Yuen 2005). It is also consistent with the finding that excessive external leverage can lead to an illusory peace when it compels parties to a civil war to sign peace agreements they do not really support (Beardsley 2011). The concept of spurious ceasefires is analogous to spurious negotiations in ripeness theory. If there is no mutually hurting stalemate, the parties may respond to international leverage by participating in negotiations merely as "a tactical interlude, a breather for rest and re-armament, a sop to external pressure, without any intent of opening a sincere search for a joint outcome" (Zartman 2001, 9).

---

[5]This article is concerned with the ways in which a mutually hurting stalemate affects ceasefires. For a discussion on how ceasefires affect mutually hurting stalemate and conflict ripeness, see Sticher (2022).

Although a spurious agreement is not a genuine agreement by the parties, it can nevertheless be an influential text by virtue of having been signed by them. As a result of this formal status, the ceasefire design can have positive and negative effects. The former include external actors relying on the agreement as a basis for deploying monitors and peacekeepers and for holding the signatories accountable for violations (cf. Darfur and South Sudan case studies). The negative effects include ceasefire disasters arising from weak design elements in a spurious agreement (cf. South Sudan case study). In addition, a party that signs a ceasefire agreement with no commitment to honor it will greatly diminish its credibility in subsequent ceasefire negotiations, rendering those negotiations more difficult (cf. Darfur case study).

The phenomenon of spurious agreements poses a challenge to the scholarly and policy debate on the most appropriate timing of ceasefires. This debate, summarized above, frames the question of timing as a decision to be made by mediators and other third-party actors on the basis of a range of ethical, strategic, and political factors. Yet, if a ceasefire is to avoid being a spurious agreement, the decision on timing has to be made by the conflict parties on the basis of a sincere intention to cease hostilities. The major policy implication is that external leverage, which may be required to shift the parties' cost–benefit calculations in favor of a ceasefire agreement, cannot substitute for the parties' ownership of the agreement (cf. Darfur and South Sudan case studies).

It may be difficult to identify spurious agreements contemporaneously. Since ceasefire violations are inevitable, they are not in themselves indicative of a spurious agreement. Conversely, objectively strong arrangements are not necessarily indicative of a genuine agreement if they were designed by third-party ceasefire experts. The Darfur and South Sudan cases provide three indicators of a spurious agreement: the continuation of hostilities without any notable abatement after the agreement has been signed; the parties' failure to establish, or cooperate with, the monitoring and verification bodies provided for in the agreement; and a party's express complaint that the agreement was imposed on it. The applicability of these indicators to spurious agreements in other cases requires further research.[6]

Preliminary Ceasefires

Preliminary and permanent ceasefires are concluded in different political contexts and this has implications for the subjective and objective dimensions of design. Whereas permanent ceasefires take place in the context of a political settlement, preliminary ceasefires are concluded in order to contribute to negotiations on a possible settlement. Their durability consequently depends on progress in the negotiations. As the practitioners put it, preliminary ceasefires are at risk of breaking down if the parties "cannot see the light at the end of the tunnel" (interviewee 2). The "longer a preliminary ceasefire has to last because progress in the substantive negotiations is slow, the less likely it is to hold" (interviewee 4). Along these lines, Fortna (2004a, 215) argues that intra-state ceasefires are unlikely to be durable if the conflict incompatibilities remain unresolved.

Prior to the conclusion of a settlement, the parties are generally averse to a strong design. The trust between them is especially low, they do not want to forsake the bargaining leverage they derive from their fighting forces, and they know that there is no guarantee that negotiations will succeed. They may have the political will to *begin* negotiations, but this is not the same as having the will to *conclude* a settlement,

---

[6] For example, the evidence that the 2015 Hodeidah ceasefire for Yemen was a spurious agreement includes the signatories' blatant obstruction of UN ceasefire monitoring, including lethal attacks to prevent monitors from carrying out their tasks (Palik 2021, 461–63). During the Liberian civil war, numerous ceasefire agreements were concluded between 1992 and 1995. Their spurious nature was evident in the fact that they were short-lived and used by the parties to rearm and regroup before resuming hostilities (Sesay 1996).

which depends on whether they can negotiate a mutually acceptable deal. They may perceive a hurting stalemate but be uncertain whether their enemy shares that perception, and they know that a stalemate can cease to exist at some future point. For all these reasons, the parties anticipate the possibility of a return to hostilities and do not want to be too constrained by strong mechanisms (cf. Sudan case study). Rebels are particularly fearful of measures that make them vulnerable to government attack, and governments are particularly resistant to restraints that impede their regular security functions and their ability to deal with non-signatory rebel forces.

According to the practitioners, objectively strong design requires a higher level of military cooperation and constraint than is usually feasible for a preliminary ceasefire (interviewees 1, 2, 4, 7). The "more elaborate the preliminary ceasefire agreement, the more unrealistic it is" (interviewee 2). A viable arrangement for a preliminary ceasefire may therefore have to be minimalist, focusing on a withdrawal or freeze-in-place of the belligerent forces and on the parties reorienting their military posture from offense to defense (interviewees 1, 2, 4, 7; cf. Sudan case study). The paramount objective of the design must be to build the parties' confidence, failing which the ceasefire can be counterproductive. The parties are of course free to select objectively strong arrangements, but it is more likely that successful preliminary ceasefires are initially weak and then strengthened incrementally as the parties become more optimistic about reaching a settlement (cf. Sudan case study).[7]

Summary

Based on the preceding discussion, we conclude this section with a summary of the effects of different ceasefire dimensions. Table 2 covers the determinants of risk, the relationship between objective strength and subjective strength, the relationship between political will and the objective and subjective quality of design, and the effects of design in practice. The table highlights the practitioners' perspective that ceasefire strength and risk have a range of political and military dimensions and determinants, which interact with each other.

Sudan Ceasefires, 2002–2011

The structural causes of the North–South civil war in Sudan lay in the ruling elite's exploitation and oppression of the country's periphery regions, exacerbated by ethnic and religious divisions and competition over natural resources (LeRiche and Arnold 2013). Led by the Sudan People's Liberation Movement/Army (SPLM/A), the South demanded a secular state committed to political freedom or, failing that, independence. In 2002, the Intergovernmental Authority for Development (IGAD), the regional body responsible for peace and security in the Horn of Africa, initiated mediation with support from Britain, Norway, and the United States. The timing was propitious. A mutually hurting stalemate had arisen, with both sides believing that the conflict was unwinnable and that the costs of hostilities had become too high (Collins 2008, 262–63; Schiff 2017, 39–41).

The mediation process made steady progress between 2002 and 2005. In July 2002, the government and the SPLM/A signed the Machakos Protocol, a framework agreement aimed at ending the war through negotiations for a political settlement. Over the next 3 years, the parties concluded protocols on power-sharing and other substantive issues, as well as a series of preliminary ceasefire accords (Barltrop 2008). The process culminated in the 2005 Naivasha Agreement, a comprehensive settlement that included a permanent ceasefire. This agreement ended the war and

---

[7] Alternatively, as in El Salvador in the early 1990s, the parties might forego a preliminary ceasefire and just conclude a permanent ceasefire agreement when they are close to finalizing the political settlement (Chounet-Cambas 2011, 21).

Table 2. Effects of different ceasefire dimensions

2.1 Determinants of risk

Objective quality	Objective strength	→	Low risk
	Objective weakness	→	High risk
Subjective quality	Subjective strength	→	Low risk
	Subjective weakness	→	High risk
Political will	High political will	→	Low risk
	Low political will	→	High risk

2.2 Relationship between objective strength and subjective strength

Standard scholarly approach	Objective strength	→	Subjective strength
Spurious ceasefires have no subjective strength, regardless of objective strength	Objective strength	↛	Subjective strength
In preliminary ceasefires, parties generally prefer objective weakness	Objective strength	↛	Subjective strength
	Objective weakness	→	Subjective strength

2.3 Political will

Parties uncertain about negotiations do not want strong ceasefire constraints	Low political will	→	Weak objective design
Commitment to negotiations does not imply satisfaction with ceasefire design	High political will	↛	High subjective strength

2.4 Implementation

Effects of design in practice	Effective in practice	→	Greater political will and Greater subjective strength
	Ineffective in practice	→	Less political will and Less subjective strength

Notes: → indicates "contributes to"; ↛ indicates "does not contribute to."

led to the successful 2011 referendum for the independence of South Sudan. The conflict resolution purpose of the preliminary and permanent ceasefires was thus attained.

The preliminary ceasefires illustrate the logic, discussed earlier, of starting with an objectively weak design that is subsequently strengthened incrementally. In January 2002, prior to the Machakos Protocol, the parties signed the Nuba Mountains Ceasefire Agreement, a 6-month renewable ceasefire limited to a particular region. Shortly afterward, they signed an accord that protected noncombatant civilians and civilian facilities from attack and set up a small verification mission with international staff.[8] The preliminary ceasefire signed in 2002 after the Machakos Protocol required the parties to remain in their military positions and avoid taking offensive action while political negotiations were underway.[9] A 2003 addendum established the Verification and Monitoring Team comprising party representatives and foreign military observers.[10] Over the next 2 years, the parties developed modalities for longer-term ceasefire arrangements.[11]

---

[8] Agreement between the Government of the Republic of Sudan and the Sudan People's Liberation Movement to Protect Non-Combatant Civilians and Civilian Facilities from Military Attack, 2002.

[9] Memorandum of Understanding on Cessation of Hostilities between the Government of the Sudan and the Sudan People's Liberation Movement/Army, 2002.

[10] Addendum to the Memorandum of Understanding on Cessation of Hostilities between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), 2003.

[11] Agreement on Security Arrangements during the Interim Period, 2003; Agreement on Permanent Ceasefire and Security Arrangements, 2004.

The subjective strength of the preliminary ceasefires was tenuous but proved to be sufficient. On the one hand, the parties' relationship remained wracked by enmity and mistrust throughout the negotiations, which experienced several crises (Schiff 2017). The adversarial relations impeded the proper functioning of the ceasefire mechanisms (Institute for Security Studies 2004). There were numerous incidents of fighting and other ceasefire violations (Bello-Schünemann 2019, 7–9). A notable objective weakness of the agreements was their failure to deal decisively with the parties' proxy forces (Institute for Security Studies 2004, 7–10). This failure and the persistent clashes reflected the parties' uncertainty about achieving a settlement (Schiff 2017, 19–20). On the other hand, the preliminary ceasefires reduced the level of violence, constrained the parties, and contributed to creating a conducive climate for negotiations (interviewees 1, 2, 4; Bello-Schünemann 2019, 7–9).

The preliminary ceasefire agreements made a positive contribution because they were grounded in the parties' sense of a mutually hurting stalemate, reflected the will of the parties to negotiate a settlement, and were owned by the parties. A major reason for success was the fact that the ceasefire was designed by the parties themselves rather than by the mediators or technical experts (interviewees 1, 2, 4). The process of negotiating the design of the ceasefires was consequently as important as the content of the design in building the parties' confidence. The IGAD mediators and international partners helped to overcome deadlocks and crises, but their assistance and pressure did not detract from the parties' ownership of the agreements (Schiff 2017).

The Naivasha Agreement envisaged a 6-year interim period of power sharing, after which a referendum on self-determination for South Sudan would be held. Aiming to make national unity attractive, the agreement established an interim government of national unity and adopted measures on territorial autonomy and wealth sharing. The permanent ceasefire arrangement in the agreement covered the redeployment of the Sudanese Armed Forces (SAF) and the SPLA, the status of other armed forces in Sudan, demilitarized zones, a joint commission for dispute resolution, the deployment of a peacekeeping force known as the UN Mission in Sudan (UNMIS), and the formation of Joint Integrated Units (JIUs) comprising members of the SAF and the SPLA.[12]

The permanent ceasefire design was based on the parties' decision to retain two armies during the lengthy interim period. This was a highly dangerous, and potentially fatal, design element. Khartoum's preference was to integrate the SAF and the SPLA, but this option was rejected by the SPLM/A (Barltrop 2008). Intent on achieving statehood for the South, the SPLM/A needed its army to deter the government from blocking the referendum and to defend the new state after the referendum. In the months leading up to the referendum, tensions rose sharply as the parties struggled to reach agreement on post-referendum arrangements, with government hardliners opposed to the imminent breakup of Sudan (Day 2018). Violent clashes peaked in this period, posing a risk of rapid military escalation (International Crisis Group 2010; Day 2018; Bello-Schünemann 2019, 7–9). The presence of the two armies on either side of the North/South internal border, which had not been clearly demarcated, was "like an almighty bomb waiting to go off" (interviewee 2; also Day 2018, 90). UNMIS was able to serve as a partial constraint and deterrent, but it was not equipped politically or militarily to prevent a return to war (interviewee 2).

The decision to retain the two armies led to a further problematic design element in the form of the JIUs. In the absence of an integrated national defense force, the JIUs were intended to maintain stability during the interim period and thereby avoid having to deploy the SAF and the SPLA in a stabilizing role. Given the mistrust

---

[12] Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army, 2005, chapter 6.

between the parties and the tension surrounding the referendum, however, the units failed to attain the necessary cohesion, discipline, and effectiveness (Verjee 2011). They were never properly integrated and did not maintain stability. Involved in several violent clashes between 2008 and 2011, they were responsible for the three most serious breaches of the permanent ceasefire (Verjee 2011).

The permanent ceasefire design was thus dangerously weak in terms of risk reduction. Yet, it was strong in terms of risk management. The Naivasha Agreement established a joint commission that ceasefire practitioners consider exemplary (interviewees 1, 2, 4). The structure encompassed the following components: a Ceasefire Political Commission comprising senior political and military representatives of the parties, as well as a top UN official; a Ceasefire Joint Military Committee (CJMC) comprising senior military officers from the parties plus the Force Commander of UNMIS; six area committees set up by the CJMC; and joint military teams at the lowest level.[13] These bodies were able to manage the violence and other ceasefire violations that occurred during the 2005–2011 interim period (interviewees 1, 2, 4). The ceasefire arrangements ultimately proved resilient because the parties remained committed to the negotiated settlement (interviewees 1, 2, 4; Day 2018).

Darfur Ceasefires, 2004–2006

In 2003, fighting broke out in Darfur as the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) mobilized against the political and economic marginalization of their communities (De Waal 2007a). The government responded with a ferocious counterinsurgency campaign that relied on local Arab militia known as the Janjaweed. Alarmed at the unfolding humanitarian disaster, the UN, the African Union (AU), and the United States pushed for a quick ceasefire. Mediation efforts led by Chad produced a series of preliminary ceasefire accords.[14] These were all spurious agreements, signed by the parties in order to avoid being perceived as spoilers (interviewees 5, 7). None of the parties was genuinely interested in ending hostilities, with the rebels buoyed by early tactical gains against the SAF, and the government certain it would eventually prevail at the strategic level (Flint and De Waal 2005). Like the Sudan process, the successive preliminary ceasefires became incrementally stronger but, unlike the Sudan process, this did not reflect the parties' growing confidence in the political negotiations. It simply reflected the desperation of the international community.

The most prominent preliminary ceasefire was the N'djamena Agreement, which called for an immediate cessation of hostilities in anticipation of political negotiations. This agreement was the epitome of objectively weak design. It did not establish the details of the disengagement and separation of forces, instead deferring the matter to a ceasefire commission; it failed to resolve a critical dispute over the cantonment of rebel forces; and there were consequently two versions of the document, without a common text (De Waal 2007b). It was clear that the parties lacked consensus on ceasefire design and thus lacked ownership of the N'djamena Agreement. This was confirmed by extensive ceasefire violations (Human Rights Watch 2006, section III).

---

[13] Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army, 2005, chapter 6, annexure 1, part 1.

[14] Abéché Ceasefire Agreement, 2003; N'djamena Agreement on Humanitarian Ceasefire on the Conflict in Darfur, 2004; Addis Ababa Agreement with the Sudanese Parties on the Modalities for the Establishment of the Ceasefire Commission and the Deployment of Observers in Darfur, 2004; Abuja Protocol between the Government of Sudan, the Sudan Liberation Movement/Army and the Justice and Equality Movement on the Improvement of the Humanitarian Situation in Darfur, 2004; and Abuja Protocol between the Government of Sudan, the Sudan Liberation Movement/Army and the Justice and Equality Movement on the Enhancement of the Security Situation in Darfur in accordance with the N'djamena Agreement, 2004.

In 2005, the AU began the final round of mediation for a political settlement and permanent ceasefire. Yet the parties still did not perceive a mutually hurting stalemate (Nathan 2006). Despite the absence of ripeness, the UN, the AU, and donors pressurized the mediators to produce a peace agreement by a stipulated date (Nathan 2006). The "deadline diplomacy" resulted in the DPA, which included permanent ceasefire arrangements. The overall objective quality of these arrangements was strong, covering the separation and assembly of forces, demilitarized zones, international monitoring, peacekeeping, and dispute resolution bodies.[15] There were two objective weaknesses, both related to unrealistic expectations: that Khartoum would disarm the Janjaweed and that the AU's peacekeeping force in Darfur, the African Mission in Sudan (AMIS), would perform ceasefire functions it did not in fact have the capacity to undertake (International Crisis Group 2006).

Subjectively, the permanent ceasefire design was very weak. Many of the rebel leaders did not fully understand the design and feared that it would not protect them from government perfidy; Khartoum, on the other hand, considered the rebel groups to be too fragmented, and their leadership too weak, to adhere to the envisaged ceasefire (interviewees 5, 7). Most importantly, the ceasefire lacked ownership by the parties and was a spurious agreement. The rebels complained vociferously that the DPA had been imposed on them by international actors and that it was a product of "intimidation, bullying and diplomatic terrorism" (Nathan 2006, 4–8). The mediators themselves concluded that "there is neither good faith nor commitment on the part of any of the Parties" (African Union 2006). In May 2006, the DPA was signed by the government and one of the SLM/A factions. JEM and the other SLM/A faction refused to sign. The DPA failed to end the conflict.

Despite the failure of the preliminary and permanent ceasefires, they had a number of positive effects. The UN Security Council and the AU Peace and Security Council used the N'djamena Agreement as a basis for holding the parties accountable for continuing hostilities and human rights abuses (De Waal 2007b, 1041). The agreement also paved the way for the deployment of AU ceasefire monitors and AMIS. The ceasefire design contained in the DPA survived the collapse of the peace agreement and laid the foundation for designing the UN-AU Hybrid Operation in Darfur (UNAMID), which replaced AMIS in 2007 (De Waal 2007b, 1053). UNAMID restrained local perpetrators of violence and thereby reduced the number of one-sided civilian killings by the government and rebels (Phayal 2019).

South Sudan Ceasefires, 2014–2015

In December 2013, 2 years after attaining independence, South Sudan experienced an outbreak of fighting between soldiers loyal to President Salva Kiir Mayardit and others loyal to the recently ousted Vice President Riek Machar Teny. The violence escalated rapidly to the level of civil war, a culmination of political and ethnic tensions that had long plagued the SPLM/A. Mediation commenced immediately under the auspices of IGAD.

IGAD and other international actors pressed the government and the SPLM-in-opposition to quickly conclude a preliminary ceasefire accord (Vertin 2018). In January 2014, the parties complied, signing the Agreement on Cessation of Hostilities. IGAD hoped that this move would reduce tension and build momentum toward negotiations for a settlement (IGAD 2020, 15). However, the ceasefire had no chance of holding since the parties did not perceive a hurting stalemate (Apuuli 2015; Vertin 2018, 8–9; IGAD 2020, 20–21). On the one hand, the government's control of the capital, Juba, was not threatened by the opposition forces, and its military capacity had been greatly enhanced by support from Ugandan troops. On the other hand, Machar was buoyed by defections from government forces and by

---

[15] Darfur Peace Agreement, 2006, chapter 3.

the ceasefire accord's requirement that Uganda should withdraw its troops (Apuuli 2015, 125, 132–33). The parties were subsequently pressurized into signing four agreements by which they "recommitted" themselves to the Agreement on Cessation of Hostilities (Verjee 2015). These, too, were spurious agreements. Hostilities intensified and spread across the country (Apuuli 2015; Bello-Schünemann 2019, 20–25; IGAD 2020, 20–21).

In August 2015, after several rounds of IGAD-led mediation, the parties signed the comprehensive political agreement known as ARCSS. The permanent ceasefire arrangements embedded in this agreement included the separation, assembly, and cantonment of forces; a joint military commission; a monitoring and verification mechanism; and the demilitarization of Juba. ARCSS was another spurious agreement. It was concluded as a result of external pressure and deadlines rather than the parties' willingness to end the conflict and, as battle lines stabilized and a de facto partition emerged, there remained no mutually hurting stalemate (Vertin 2018; IGAD 2020). In the months following the signing of ARCSS, there were delays in setting up the ceasefire monitoring bodies, there were violent clashes throughout the country, and in July 2016 the agreement collapsed when fighting broke out in Juba and quickly spread beyond the capital.

The spurious nature of the ceasefire agreements was strikingly apparent in Kiir's public comments. In 2014, at talks in Addis Ababa, he signed an agreement reaffirming the preliminary ceasefire but later claimed that the Ethiopian Prime Minister Hailemariam Desalegn had threatened to arrest him if he refused to pen his signature (Apuuli 2015, 131). Kiir signed ARCSS shortly after the United States had tabled a draft UN Security Council resolution raising the prospect of an arms embargo and targeted sanctions if the government failed to finalize the deal (Vertin 2018, 14). He lambasted ARCSS as an "imposed" and "divisive" agreement, complaining that he had been subject to intimidation and threats (Kiir 2015). He registered a long list of reservations, many of them regarding the envisaged demilitarization of Juba and the ceasefire monitoring and verification bodies (Government of the Republic of South Sudan 2015). He objected to the demilitarization plan as an infringement of sovereignty and a "clear testimony that there is not genuine agreement" among the parties; he concluded that "the element of fear and not peace is highly predictable" (Kiir 2015).

In addition to its subjective weakness, the objective design of the permanent ceasefire was very weak. In terms of risk reduction, the most serious flaw concerned the demilitarization of Juba. During the ARCSS negotiations, the parties could not agree on the extent of the demilitarization. Both sides wanted to retain sufficient troops as a means of protection and deterrence. It was only 3 months after signing ARCSS that they finally agreed on retaining a combined total of roughly 5,000 soldiers in the capital (Verjee 2016). Locating a relatively large number of enemy troops at short distance from each other, with no interposition force between them, drastically heightened the risk of clashes and escalation (Verjee 2016; interviewees 1, 2, 6, 8).

The objective weakness in risk prevention was compounded by risk management flaws. One of these was the exclusion of the military chiefs of staff from the ceasefire implementation architecture. According to ARCSS, the Joint Military Ceasefire Commission would be staffed by the parties' deputy chiefs of general staff who would report to the commanders in chief (being the political leaders of the parties).[16] The chiefs of staff were bypassed in this arrangement; consequently, and purposively, they had too much freedom of action (interviewee 1). In addition, the parties failed to fully operationalize the commission and a joint operations center that was meant to coordinate security in Juba (Verjee 2016; interviewees 1, 6).

---

[16] Agreement on the Resolution of the Conflict in the Republic of South Sudan, 2015, chapter 2, section 3.

Hence, there were no adequate mechanisms for emergency communication and de-escalation in response to the initial provocations in the capital.

Conclusion

This article has drawn on the insights of ceasefire practitioners to develop a conceptual framework that explains intra-state ceasefire strength and risk in terms of three dimensions, namely the design's objective quality, its subjective quality, and the will of the parties to end the conflict through negotiations. Each of these dimensions is negatively associated with risk. Strong political will, strong subjective design, and strong objective design reduce the level of risk, whereas weak political will, weak subjective design, and weak objective design heighten the risk. We have also argued that spurious ceasefire agreements and preliminary ceasefire agreements constitute major exceptions to the standard scholarly thesis that objectively strong design generates subjectively strong design and ceasefire durability.

The parties' lack of ownership of a ceasefire agreement leads to the firm prediction that the agreement will be unsustainable. More generally, the consequences of subjective and objective weaknesses cannot be predicted with any certainty since they affect risk in a probabilistic way and interact with each other. Whether objectively strong elements can compensate for subjective weakness and whether subjective strength can compensate for objective weaknesses depend on the will of the parties and the nature of the weaknesses in the context of each ceasefire. Ceasefire outcomes also depend on the political outcome of peace processes. The durability of a permanent ceasefire is ultimately contingent on the durability of the negotiated settlement, while the durability of a preliminary ceasefire is contingent on progress in the negotiations to forge a settlement.

As illustrated by the case studies of ceasefires in Darfur, South Sudan, and Sudan, the ceasefire design's objective quality can have significant positive and negative effects unrelated to its subjective quality. Even if a ceasefire agreement fails, it can constrain the parties to some extent by providing for the deployment of third-party monitors and peacekeepers and by giving international actors a basis for holding the parties accountable for human rights abuses and violence against civilians. On the other hand, objectively weak components can create or heighten risk regardless of the parties' satisfaction with the arrangements. Examples from the case studies include the retention of two large armies within the same national territory for a lengthy period, forming joint military units that lacked cohesion and discipline, failing to deal with irregular forces, conferring unrealistic functions on a peacekeeping mission, accepting a dangerous cantonment arrangement, and designing a flawed structure for a joint military commission.

The perspective of ceasefire practitioners is not always shared by other actors involved in promoting, facilitating, and designing ceasefire agreements. These actors include mediating organizations, mediators, donors and other external partners, and the conflict parties themselves. This article has highlighted a number of critical policy issues for this audience: the importance of designing ceasefires with the aim of reducing and managing risk; the necessity to avoid templates and instead tailor the design to the political, military, and geographic circumstances of each conflict; the benefit of drawing on the expertise of ceasefire practitioners; and the imperative of cultivating and facilitating the conflict parties' ownership of the design. Although widely endorsed as a matter of policy, the imperative of ownership of peace processes and outcomes is not adhered to consistently. There remains a tendency for international actors, motivated by humanitarian concerns in the midst of large-scale violence, to push the parties to conclude premature ceasefire agreements (Brickhill 2018, 25, 33–34). The case studies of Darfur and South Sudan highlight the complicated results of this.

Given the wide variation in ceasefire design, purposes, and outcomes in other conflicts around the world, the problems associated with spurious agreements, and the conceptual framework as a whole, could usefully be refined through further comparative research.

References

AFRICAN UNION. 2006. "African Mediators Propose Enhanced Ceasefire Implementation in Darfur." *Sudan Tribune*, March 12. Accessed January 2, 2023. https://sudantribune.com/article15055/.

ÅKEBO, M. 2016. *Ceasefire Agreements and Peace Processes: A Comparative Study*. London: Routledge.

———. 2019. "'Coexistence Ceasefire' in Mindanao." *Peace & Change* 44 (4): 468–96.

APUULI, K. 2015. "IGAD's Mediation in the Current South Sudan Conflict: Prospects and Challenges." *African Security* 8 (2): 120–45.

BARA, C., G. CLAYTON, AND S.A. RUSTAD. 2021. "Understanding Ceasefires." *International Peacekeeping* 28 (3): 329–40.

BARLTROP, R. 2008. "The Negotiation of Security Issues in Sudan's Comprehensive Peace Agreement." Country Study No 2, Center for Humanitarian Dialogue, Geneva.

BEARDSLEY, K. 2011. *The Mediation Dilemma*. Ithaca, NY: Cornell University Press.

BELLO-SCHÜNEMANN, J. 2019. "Sudan and South Sudan: Violence Trajectories after Peace Agreements." ISS East Africa Report No 22, Institute for Security Studies.

BRICKHILL, J. 2018. *Mediating Security Arrangements in Peace Processes: Critical Perspectives from the Field*. Zurich: ETH Press.

BUCHANAN, C., G. CLAYTON, AND A. RAMSBOTHAM. 2021. "Ceasefire Monitoring: Developments and Complexities." Accord Spotlight, Conciliation Resources, London.

CHOUNET-CAMBAS, LUC. 2011. "Negotiating Ceasefires: Dilemmas and Options for Mediators." Mediation Practice Series 3, Centre for Humanitarian Dialogue, Geneva.

CLAYTON, G., S. MASON, V. STICHER, AND C. WIEHLER. 2019. "Ceasefires in Intra-State Peace Processes". CSS Analyses in Security Policy No 252, Centre for Security Studies.

CLAYTON, G., L. NATHAN, AND C. WIEHLER. 2021. "Ceasefire Success: A Conceptual Framework." *International Peacekeeping* 28 (3): 341–65.

CLAYTON, G., AND V. STICHER. 2021. "The Logic of Ceasefires in Civil War." *International Studies Quarterly* 65 (3): 633–46.

COLLINS, R. 2008. *A History of Modern Sudan*. Cambridge: Cambridge University Press.

DAY, A. 2018. "Preventive Diplomacy and the Southern Sudan Independence Referendum (2010–11)." In *Capturing UN Preventive Diplomacy Success: How and Why Does It Work?*, edited by L. Nathan, A. Day, J. Honwana and R. Brubaker, 88–108. Tokyo: United Nations University.

DE WAAL, A. 2007a. *War in Darfur and the Search for Peace*. Harvard: Harvard University Press.

———. 2007b. "Darfur and the Failure of the Responsibility to Protect." *International Affairs* 83 (6): 1039–54.

FLINT, J., AND A. DE WAAL. 2005. *Darfur: A New History of a Long War*. London: Zed Books.

FORSTER, R. 2019. "Ceasefires". In *The Palgrave Encyclopedia of Global Security Studies*, edited by S. Romaniuk, M. Thapa and P. Marton, 1–8. Cham: Palgrave MacMillan.

FORTNA, V. 2003. "Scraps of Paper? Agreements and the Durability of Peace." *International Organization* 57 (2): 337–72.

———. 2004a. *Peace Time: Cease-Fire Agreements and the Durability of Peace*. Princeton, NJ: Princeton University Press.

———. 2004b. "Does Peacekeeping Keep Peace? International Intervention and the Duration of Peace after Civil Wars." *International Studies Quarterly* 48 (2): 269–92.

GOVERNMENT OF THE REPUBLIC OF SOUTH SUDAN. 2015. "The Reservations of the Government of the Republic of South Sudan on the 'Compromise Peace Agreement on the Resolution of the Conflict in South Sudan'." Accessed February 18, 2022. http://carleton.ca/africanstudies/wp-content/uploads/GRSS-reservations.pdf.

HAYSOM, N., AND J. HOTTINGER. 2004. "Do's and Don'ts of Sustainable Ceasefire Arrangements." Seminar Presentation. Accessed January 4, 2023. https://peacemaker.un.org/sites/peacemaker.un.org/files/DosAndDontofCeasefireAgreements_HaysomHottinger2010.pdf.

HUMAN RIGHTS WATCH. 2006. "Imperatives for Immediate Change: The African Union Mission in Sudan." Human Rights Watch Report No 18(1A).

IGAD (INTERGOVERNMENTAL AUTHORITY ON DEVELOPMENT). 2020. "Lessons for IGAD Mediation from the South Sudan Peace Talks, 2013–2015." IGAD, Djibouti.

Institute for Security Studies. 2004. "Insecurity in South Sudan: A Threat to the IGAD Peace Process." Situation Report, June 8.

International Crisis Group. 2006. "Darfur's Fragile Peace Agreement." Briefing 39.

———. 2010. "Sudan: Defining the North–South Border." Africa Briefing 75.

Karakus, D., and I. Svensson. 2017. "Between the Bombs: Exploring Partial Ceasefires in the Syrian Civil War, 2011–2017." *Terrorism and Political Violence* 32 (4): 681–700.

Kiir, S. 2015. "Statement of H.E. President Salva Kiir Mayardit to the Nation on the Agreement of the Resolution of the Conflict in the Republic of South Sudan." Accessed January 1, 2023. https://sudantribune.com/wp-content/uploads/2015/09/pdf_20150915_statement_of_h._e._presidentsalva_kiir_mayardit.pdf.

LeRiche, M., and M. Arnold. 2013. *South Sudan: From Revolution to Independence*. Oxford: Oxford University Press.

Mahieu, S. 2007. "When Should Mediators Interrupt a Civil War? The Best Timing for a Ceasefire." *International Negotiation* 12 (2): 207–28.

Mattes, M., and B. Savun. 2009. "Fostering Peace after Civil War: Commitment Problems and Agreement Design." *International Studies Quarterly* 53 (3): 737–59.

Nathan, L. 2006. "No Ownership, No Peace: The Darfur Peace Agreement." Working Paper No 5, Crisis States Research Centre, London School of Economics.

Palik, J. 2021. "Watchdogs of Pause: The Challenges of Ceasefire Monitoring in Yemen." *International Peacekeeping* 28 (3): 444–69.

Phayal, A. 2019. "UN Troop Deployment and Preventing Violence against Civilians in Darfur." *International Interactions* 45 (5): 757–80.

Potter, A. 2004. "Ceasefire Monitoring and Verification: Identifying Best Practice." Background Paper Prepared for the Mediators' Retreat, Oslo, June 10–11, HD Centre, Geneva.

Schiff, A. 2017. "Beyond Push and Pull: The Sudan Peace Process as a Case Study." *International Negotiation* 22 (1): 33–61.

Sesay, M. 1996. "Bringing Peace to Liberia." In *The Liberian Peace Process 1990–1996*, ACCORD Series, edited by J. Armon and A. Carl, 9–26. London: Conciliation Resources.

Sticher, V. 2022. "Healing Stalemates: The Role of Ceasefires in Ripening Conflict." *Ethnopolitics* 21 (2): 149–62.

Touval, S. 1995. "Ethical Dilemmas in International Negotiation." *Negotiation Journal* 11 (4): 333–37.

United Nations (UN). 2012. *Guidance for Effective Mediation*. New York: United Nations.

———. 2022. *Guidance on Mediation of Ceasefires*. New York: United Nations Department of Political and Peacebuilding Affairs.

Verjee, A. 2011. "Sudan's Aspirational Army: A History of the Joint Integrated Units." SSR Issues Papers No 2. Centre for International Governance Innovation, Waterloo, Canada.

———. 2015. "Chronology of Cessation of Hostilities and Ceasefire Agreements, 2014–15." thoughtsonthesudans blog site, August 17. Accessed March 23, 2022. https://thoughtsonthesudans.wordpress.com/2015/08/17/chronology-of-cessation-of-hostilities-and-ceasefire-agreements/.

———. 2016. "After Juba, July 2016." thoughtsonthesudans blog site, July 13. Accessed March 23, 2022. https://thoughtsonthesudans.wordpress.com/2016/07/13/after-juba-july-2016/.

———. 2019. "Ceasefire Monitoring in South Sudan 2014–2019: 'A Very Ugly Mission'." Peaceworks No 150, United States Institute of Peace.

Vertin, Z. 2018. *A Poisoned Well: Lessons in Mediation from South Sudan's Troubled Peace Process*. New York: International Peace Institute.

Walter, B. 1997. "The Critical Barrier to Civil War Settlement." *International Organization* 51 (3): 335–64.

Werner, S., and A. Yuen. 2005. "Making and Keeping Peace." *International Organization* 59 (2): 261–92.

Wiehler, C. 2021. "Deciding on the Tit for the Tat: Decision-Making in the Wake of Ceasefire Violations." *International Peacekeeping* 28 (3): 416–43.

Zartman, I.W. 2001. "The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments." *The Global Review of Ethnopolitics* 1 (1): 8–18.

Appendix A

List of Interviewees

The authors interviewed the following experts by Zoom and followed up with email correspondence. A draft version of this article was sent to the experts for comment. All the interviewees requested non-attribution of their remarks; hence, they are not

identified in the narrative. With one exception, they consented to disclosure of their names. Listed in alphabetical order:

- Rabab Baldo, Senior Gender Advisor to the IGAD Special Envoy for South Sudan. Interviewed on May 4, 2020.
- Mulugeta Gebrehiwot Berhe, former security arrangements expert on the UN Standby Team of Senior Mediation Advisors and adviser to peace processes in Sudan and South Sudan. Interviewed on April 21, 2020.
- Major General Majier Deng, Director of Joint Verification Monitoring Mechanisms and Peacekeeping in the government of South Sudan and the government's chief negotiator on security issues for the 2018 peace agreement for South Sudan. Interviewed on April 16, 2020.
- Kenneth Gluck, former chief of staff of the African Union–UN mediation team for Darfur, Deputy to the Special Envoy of the UN Secretary-General for Yemen, and Deputy Special Representative of the UN Secretary-General in the Central African Republic. Interviewed on April 17, 2020.
- Nicholas Haysom, former Special Representative of UN Secretary-General for Afghanistan and Somalia, Special Envoy of the UN Secretary-General for Sudan and South Sudan, and Special Advisor to the UN Secretary-General on Sudan. Interviewed on May 1, 2020.
- Emmily Koiti, a youth and women network leader who served on the South Sudan monitoring and evaluation mechanism for the peace agreement and participated in the negotiations for the agreement. Interviewed on April 23, 2020.
- Jeffery Mapendere, former security arrangements expert on the UN Standby Team of Senior Mediation Advisors, advisor to the South Sudan ceasefire monitoring and evaluation commission, and adviser to peace processes in Afghanistan, Central African Republic, Darfur, Nepal, Somalia, South Sudan, and Yemen. Interviewed on April 22, 2020.
- One other interviewee, who requested anonymity because of his post at the time of the interview. Interviewed on May 6, 2020.