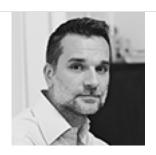# Ceasefires

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All peace agreements need to address the question of the cessation of violence and in most cases this is done through a ceasefire of some kind. Typically, conflict parties will seek to put in place mechanisms to immediately stop the violence and prevent its resurgence. These mechanisms will most often enjoy international support (in terms of political leverage and backing, as well as financial and technical support), with a view to support and accompany the former belligerents throughout the implementation of the said ceasefire. However, some peace agreements constitute a noticeable exception and are concluded in the absence of a ceasefire, as was the case for the Memorandum of Understanding signed between the zGovernment of Indonesia and the Free Aceh Movement (GAM) in 2005.

This reading pack defines ceasefires as "agreements, facilitated by a third party, that define the rules and modalities for conflict parties to stop fighting". However, observers and analysts will often refer interchangeably to "ceasefire", "truce" and "cessation of hostilities". To get to a ceasefire though, conflict parties, mediators and third-parties will more often than not go through an initial "cessation of hostilities" agreement. This contains some elements of a ceasefire, but is usually less formal and detailed, as can be seen in the case of the agreement applying to Syria in the spring of 2016. More recently, "codes of conduct" have started appearing as another mechanism to minimise and regulate the use of violence between warring parties. Until 2012, there was only one international precedent wherein conflict parties signed a mutual code of conduct applying to their troops, the 25-point "Ceasefire Code of Conduct agreed between the Government of Nepal and the CPN (Maoist)" in 2006, which featured some elements of a ceasefire. This approach was later used as a model in Myanmar, where international advisors helped the parties agree to common rules of engagement, general principles guiding their relationship with the civilian population and a joint monitoring framework.

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This brings us to two key questions for policymakers to consider when planning for a ceasefire: (i) what goes into a ceasefire agreement?; and (ii) how to ensure that the ceasefire links to other political achievements and longer-term security transformation objectives?

This latter point is of paramount importance. Ceasefires will only contribute to peace (beyond a reduction in levels of violence) in cases when the security progress can feed into a political process. This may entail a ceasefire oversight commission (usually referred to as a Joint Monitoring Commission or JMC) reporting to a political structure supported by a third-party mediator. More importantly, it implies the existence of a political process from the outset, in which conflict parties participate and to which they are committed. Recent ceasefire negotiation processes challenge the often accepted wisdom that local ceasefires may contribute to a change in perception and political willingness among conflict parties, which paves the way for a political process. Only when local ceasefires have been used as an implementation tool *once* a political agreement has been reached, are they credited with having an impact.

Conflict parties may consider ceasefires for tactical as well as strategic reasons. Understanding this reasoning is key to understanding what political compromise the parties may be willing to consider when negotiating the details of an agreement. Parties may need a pause to re-supply their fighters or may want to ascertain the other side's command and control over its troops, if not its political willingness to negotiate. Questions will arise as to the adequate representation at the negotiation table, whether the negotiators carry sufficient clout within their own party or are able to make relevant decisions on behalf of the conflict party they represent. An understanding of who negotiation teams report to, and how they are engaged is also key to ensuring buy-in.

Myanmar in the 1990s or Syria in 2014 are interesting examples of a state negotiating ceasefires with a view to reduce violence to a politically acceptable level and redeploy troops to other frontlines, while making no political concessions. In the case of Syria, the 2014 ceasefires were in fact truces that opposition forces and the local population were forced to follow after weeks of siege and starvation imposed by government forces. While humanitarian concerns were one of the principal drivers of these truces, humanitarian outcomes were minimal and temporary. In addition, these agreements entailed a partial disarmament of the opposition forces. As a result, these truces only "increased mistrust and uncertainty among parties and served to further entrench already-polarised positions" (Integrity 2014). This experience has informed how opposition actors have approached the 2016 agreement, which they see as a less ambitious "cessation of hostilities agreement".

Ceasefires come in a variety of forms and length. They may be very local (Syria 2014), cover larger swaths of a given territory (the Nuba Mountains in Sudan 2002), apply to a whole territory but with the exclusion of some of the conflict parties (Syria 2016), or nationwide and without limitations. Specific examples are touched upon in the reading list below. A sustainable ceasefire agreement such as the one negotiated in 2002 in Sudan's Nuba Mountains will, at a minimum, be built around "4+2" areas. Practitioners and academics emphasise that agreements that combine as many of the below features, in as much detail as possible, lend themselves to "easier" implementation and are hence more likely to hold. The four core areas include:

1. A definition of the ceasefire itself (the area it applies to, when and how it enters into force) and what constitutes a violation. The latter has important repercussions at the implementation stage, when monitors look to establish whether particular incidents qualify

as violations. Increasingly, ceasefires extend to non-military acts and signal the international community's high concerns for the protection of civilians in conflicts.

2. De-escalation measures to minimise contact between the combatants in the field (Brickhill 2007; Haysom & Hottinger 2004). Ceasefires entail "lines of control" and may include demilitarised areas, buffer zones, and the parties moving their troops and weapons systems to defensive positions.

3. Detailed arrangements to monitor the implementation of the ceasefire, which will include provisions to report incidents, verify them and settle disputes. Armed peacekeepers or unarmed monitors often undertake this. The monitoring teams may be composed of national observers (for example, the "Bantay ceasefire" monitors in the Philippines), exclusively international observers – which tends to be the norm in peacekeeping missions – or a mix of both international and national members. Best practice points to the benefits of the latter scenario, involving the conflict parties themselves as national members of a ceasefire monitoring framework (as was the case in the Nuba Mountains and, subsequently, in Nepal).

4. Detailed maps and timeframes for implementation are increasingly forming part of ceasefire agreements, to pre-empt a range of issues which can arise at the implementation stage (please look at the reading 4 below, and specifically the annexes to the Nuba Mountains agreement);

In addition to these four core areas, 2 sets of additional clauses may be added:

1. Context-specific provisions related to the release of prisoners, demining, and access to humanitarian assistance in conflict zones.

2. Provisions which may outline how the ceasefire contributes to a broader peace process. The ceasefire agreement is part of a broader process to stop the violence as well as address the underlying causes of a given conflict. The latter will not be the purpose of a ceasefire agreement per se, and other negotiations and agreements will be needed to achieve it.

Key readings

Reading 1: Brickhill, J. (2007). *Protecting civilians through peace agreements. Challenges and lessons of the Darfur peace agreement.* ISS paper 138. Pretoria: Institute for Security Studies.
http://www.gsdrc.org/document-library/protecting-civilians-through-peace-agreements-challenges-and-lessons-of-the-darfur-peace-agreement-2/

The author, a former combatant who served as an adviser to the Abuja peace talks, explores the extent to which the security arrangements were only dealt with as a "technical matter." The paper is a brilliant reminder that conflict parties may need considerable amounts of training and coaching to fully understand the practical implications of what they may or may not commit to, and hence to effectively participate in peace talks. The paper contrasts this practical requirement with the lack of strategic patience that increasingly characterises international peace-making and diplomacy,

whereby the pace and benchmarks of a given ceasefire/peace process are often dictated by the international backers, and not the parties themselves.

Reading 2: Chounet-Cambas, L. (2011). *Negotiating ceasefires: dilemmas and options for mediators.* Geneva: Centre for Humanitarian Dialogue.
http://www.hdcentre.org/uploads/tx_news/36Negotiatingceasefires-MPS.pdf

This publication is an easy go-to manual. Written from the perspective of a practitioner, it looks at the challenges mediators face when supporting ceasefire negotiations, as well as options available to them. It contains a range of small case studies and captures useful lessons, including findings based on thorough academic research which is not available in the public domain such as an insight into Virginia Fortna's *Peace time: Ceasefire agreements and the durability of peace* (2004) on pages 9 -11.

Reading 3: Haysom, N. & Hottinger, J. (2004). *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.
http://peacemaker.un.org/sites/peacemaker.un.org/files/DosAndDontofCeasefireAgreements_HaysomHottinger2010.pdf

This publication is a classic "ceasefire read," written by seasoned mediators. Initially produced for an East African audience, it has since been used for training in many settings, including Nepal and Sri Lanka. It is worth noting that Julian Hottinger and Jeremy Brickhill (mentioned above), in addition to Jan Erik Wilhelmsen and Jeffrey Mapendere, are the ceasefire practitioners with the most significant comparative expertise in this line of work.

Reading 4: Nuba Mountains ceasefire agreement. (2002). Full text and annexes: http://bit.ly/1TB0nJT

If you were to only read one ceasefire agreement, then this should be it. Dating back to 2002, it remains the best ceasefire agreement available in the public domain, with the appropriate level of detail for anticipating implementation challenges. The full-text version contains all annexes, including the role and objectives of the Joint Military Commission – the cornerstone of all ceasefire implementation frameworks. In this agreement, the Commission involves the parties themselves who have primary responsibility for the monitoring and verification of the conflict, 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).

Reading 5: The Public International Law & Policy Group (2013). *Ceasefire drafter's handbook, an introduction and template for negotiators, mediators and stakeholders.*
http://publicinternationallawandpolicygroup.org/wp-content/uploads/2013/10/PILPG-Ceasefire-Drafters-Handbook-Including-Template-Ceasefire-Agreement.pdf

This handbook has been used as training material in various contexts, including in support of simulation exercises organised by PILPG. It includes sample language related to core provisions of ceasefire agreements. The handbook should be read in light of Brickhill's paper: best to be used to train parties and help them design technical and political solutions acceptable to them, rather than to be mistaken for the perfect tool to tackle a primarily technical endeavour.

Reading 6: Zaw Oo, M. (2014). *Understanding Myanmar's peace process: ceasefire agreements.* Catalyzing reflection paper 2. Bern: SwissPeace.

http://www.swisspeace.ch/fileadmin/user_upload/Media/Publications/Catalyzing_Reflections_2_2014_online.pdf

The presence of multiple armed groups in a conflict brings with it particular challenges. This publication builds on the author's earlier work analysing the ceasefires negotiated in Myanmar in the 1990s, and contrasts them with the ceasefires negotiated post-2011, in terms of process and effect. The 1990s ceasefires specifically offer an interesting illustration of how the government engaged with bilateral negotiations, and used a process of "divide and rule" as a very effective conflict management tool at the time.

Reading 7: Integrity. (2014). *Local truces in Syria*. Report submitted to the Conflict Pool in April 2014. London: Integrity Global.

This report draws on primary data to analyse the local truces negotiated in Syria in early 2014, and contains brief case studies of Homs, Barzeh, Mu'adamiyya, Yarmouk and other locations. It looks at the dynamics that characterised the negotiation and implementation of these local agreements, and then assesses the extent of their humanitarian impact and contribution to broader political achievements. The report is not available in the public domain.

Questions to guide reading

1. Should a ceasefire be a pre-requisite for peace talks? Or, should conflict parties offer one another guarantees of political talks before renouncing violence?
2. Should a ceasefire only be about stopping the killing or does it need to be linked to a broader process of sustainable political settlement? Are there situations in which keeping the violence to a lower "manageable" level is the only possible outcome of a ceasefire negotiation?
3. Do ceasefires favour political status quo on the side of the state?
4. Is external intervention always necessary to provide leverage and amicable pressure for one or several of the conflict parties to agree to a ceasefire negotiation? How does one ensure that international backers and conflict parties support the efforts of a given mediation team?
5. How does a ceasefire (an interim security arrangement) feed into the mid- to long-term requirements of disarmament of militias and security sector reform?