



Peace diplomacies

Negotiating in armed conflicts

Vicenç Fisas

Vicenç Fisas Armengol (Barcelona, 1952) is the director of the School for a Culture of Peace at the Autonomous University of Barcelona. He holds a doctorate in Peace Studies from the University of Bradford (UK) and won the National Human Rights Award in 1988. He is the author of more than 40 books on peace, conflicts, disarmament and peace processes. He has published the “Yearbook of Peace Processes” since 2006, and in the past two decades he has participated in some of these peace processes. (<http://escolapau.uab.cat>).

SCHOOL FOR A CULTURE OF PEACE

PEACE DIPLOMACIES: NEGOTIATING IN ARMED CONFLICTS

VICENÇ FISAS

Icaria ♣ Más Madera

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To my mother and father,
who gave me life,
something too beautiful
if it can be enjoyed in conditions of dignity,
for anyone,
no matter where they are,
and on behalf of any idea,
to think they have the right to deprive anyone of it.

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INTRODUCTION

The world today is inevitably disconcerted and disoriented regarding a certain kind of armed conflict and acts of pure terrorism, which are revealing the limits of diplomacy and even military actions to at least stop the expansion and brutal behaviour of some armed actors, such as the Islamic State. Every day, the media show attacks with a huge impact, sometimes because they are selective but usually precisely because they are indiscriminate and particularly affect the civilian population. There is an expanding sense that we must be doing something wrong when terror proliferates everywhere, small children are trained to be murderers and terrorism is attractive for a sector of the population, even sectors close to us.

This kind of criminal conflictiveness, which today is clearly out of control and intractable for the time being, dominates our thinking about what armed conflict is in general, the most common kind on the planet. Although it is still brutal, armed conflict has characteristics different to the kind of violence mentioned above. Therefore, no matter how difficult it might be, it does have the possibility of being managed, at least in terms of its flow of physical violence. In other words, the majority of armed conflicts today can be the subject of negotiations and can enter a peace process that puts an end to the armed clash. Broadly speaking, and according to figures from June 2015, two

out of every three armed conflicts are already in the negotiation phase, which fills us with hope and poses a huge challenge to what we call “peace diplomacies”. There are conflicts for which we still have no answer because we can barely grasp them. However, the majority are manageable and as the decades go by, more and more conflicts that are entering the negotiation phase.

This book aims to share a few ideas on the necessary job of managing armed conflicts to eradicate the violence they bring with them. It begins with a look at the nature of contemporary armed conflicts, the complexity of many of them and the consequent difficulty addressing them in order to lower their levels of lethality and destruction, as well as their vast humanitarian impact. It then continues with a chapter that contains a reflection on the magical moment when, warriors (and this is a job historically dominated by men, perhaps because they have associated their virility with the use or threat of force) sometimes glimpse a new horizon of peaceful coexistence without having to use weapons. Without this previous visualisation, it is very difficult for a peace process with prospects of success to emerge. Otherwise, if there is a real desire to work on the unspeakable to stop the spirals of violence, there are enough experiences from which to learn how to build peace and transform societies for the better. The third chapter, which is based on the author’s experience, observation and reflection, pinpoints possible designs and architectures for launching and sustaining a peace process, in which many people or institutions have to take part, playing different and complementary roles, an issue examined in the fourth chapter, while also using the imagination and simple acts called alternative diplomacy which, if done strategically, enhance the more conventional byways of traditional diplomacy. The book ends with appendixes which carry clear messages: the majority of armed conflicts end up being resolved at a negotiating table; the existence of international courts is not incompatible with

achieving negotiated political agreements; bilateral ceasefires should be reached in order to negotiate; it is common for armed groups to turn into political parties and run in elections after a peace agreement; and finally, we should never forget that the most difficult thing is not writing a peace agreement but carrying it out.

I –ARMED CONFLICTS IN THE WORLD TODAY.

Without a doubt, the 20th century was the most lethal century in the history of humanity. A total of 110 million people perished in armed conflicts during that century, with two world wars that scattered the dead upon five continents (16 million deaths in the first and 36 million in the second) and a long Cold War which meant the export of death to the Southern countries, to the periphery, in what came to be called “proxy wars”, where the large powers resolved their struggles for interests through third countries (Angola, Mozambique, Afghanistan, Nicaragua, etc.). The 1980s was a time of “controlled insecurity”, with low-intensity wars, a profusion of guerrillas and a predominance of external factors in the development of the conflicts. In contrast, the next decade, the 1990s, was characterised by “widespread disarray”, with a blossoming of ethnopolitic conflicts, a weakening of the states and a predominance of civil wars. Wars between states, so typical in the past, had virtually disappeared.

Without counting the two world wars, the deadliest conflicts in the past century were the Korean War (2.9 million dead), the Cambodian genocide (2 million), the Nigerian civil war (2 million), the Vietnam War (2 million), the civil war in South Sudan (2 million), India’s invasion of Bangladesh (1.5 million), the civil war in Russia (1.3 million), the Spanish civil war (1.2 million), the Armenian genocide (1 million), the

struggles between Muslims and Hindus in India (800,000), the genocide in Rwanda (600,000), the war between Ethiopia and Eritrea (545,000) and the Iran-Iraq war (400,000). Other conflicts led to more than 100,000 deaths. Overall, the sum is catastrophic in terms of human beings' ability to regulate their disputes via peaceful means.

Will the 21st century follow in the same destructive footsteps as the previous century, or, to the contrary, are there reasons to believe that we have entered a new cycle in terms of conflictiveness? Fortunately, all signs point to the fact that the lethal experience of the 20th century will not necessarily repeat itself, despite the deaths amassed in the recent conflicts in Syria (around 250,000 deaths in four years), Iraq and Afghanistan. The figures from the Conflict Programme at the University of Uppsala¹ show that we have gone from having 51 armed conflicts in 1991 to 32 in 2003 and 2012, and then a resurgence of up to 40 conflicts in 2014, 11 of which were described as "wars" as they led to more than 1,000 deaths in one year. In 2014, only one conflict was between states, while 26 were intra-state and, even more importantly, 13 were internationalised conflicts, a phenomenon which is on the rise and deserves regional peace strategies. Following a different methodology, the Conflict Programme at the School of Peace Culture counted 25 cases of internationalised internal conflicts at the end of 2014, meaning that one of the parties in the dispute was from the outside or the clashes spread to the territory of other countries.² Therefore, we are not yet witnessing the disappearance of wars in any way, but in view of a steady downswing for two decades, we can interpret this as meaning that this social phenomenon of war can be dealt with by lowering its levels of violence, as has been happening for a relatively long period of time. Looking at half

1 *Journal of Peace Research*, July 2015.

2 School of Peace Culture, "Alert 2015! Report on conflicts, human rights and peacebuilding", Icaria editorial, 2015.

a century of conflicts, we see that in the 1960s, 80% of civil wars ended with the military victory of one of the sides. In the 1990s, this percentage dropped to 25%, and between 2000 and 2014, the percentage is at around 17.2%, although in the past five years the trend started to surge again. Therefore, with a broader perspective, we can claim that we are witnessing a new reality. We are still living in a conflictive world, but the conflicts are a different kind than three or four decades ago; they follow different patterns, and negotiation plays an even more important role.

Period in which peace agreements were signed					
1990-94	1995-1999	2000-2004	2005-2009	2010-2014	TOTAL
9	6	6	15	8	44
Period in which conflicts ended through the military victory of one of the sides					
4	1	-	2	4	11
% of conflicts that ended with a peace agreement					
69.2	85.7	100	88.2	66.7	80

Source: Database of the Peace Processes Programme of the School for a Culture of Peace (Appendix I of this book).

According to the database of the Conflict Programme at the School of Peace Culture, in mid-2015 there were 34 armed conflicts underway, meaning any clash involving regular or irregular armed groups whose goals are perceived as incompatible, in which the continuous, organised use of violence: a) leads to at least 100 deaths per year and/or a serious impact on the land (destruction of infrastructures or nature) and human safety (such as an injured or displaced people, sexual violence, food insecurity, impact on mental health and the social fabric or the disruption of basic services); b) aims to achieve objectives which are distinguishable from the objectives of everyday violence, usually associated with demands for self-determination and self-governance, or identity-based aspirations; or opposes the political, economic or social system of a state or the internal or international policy of a government, which in both cases

motivates the struggle to gain or erode power; or seeks control over the resources or the land. Based on this definition, we can identify 12 armed conflicts in Africa and 11 conflicts in Asia.

The average length of the armed conflicts currently underway in early 2015 is 15.8 years, although this figure should be nuanced by the higher number of armed conflicts underway today that have suffered from previous cycles of violence, such as Israel-Palestine, Iraq, Thailand (south), Sudan (south) and Afghanistan. In all the cases analysed, the state was one of the rival sides, although in many of the conflicts analysed there were frequent clashes among non-state armed actors and high levels of inter-community violence were recorded. By region, Colombia's conflict is the longest, at over 50 years, followed by the Asian conflicts (25.4 years), the African ones (10.4 years), the conflicts in the Middle East (6 years) and the European conflicts (2.7 years on average, although 9.5 years if we count the Kurdish conflict). Therefore, these statistics show that Asian conflicts are the most difficult to resolve, far more than the others.

Average length of conflicts existing in early 2015, in years					
Africa	Asia	Europe	Middle East	Colombia	TOTAL
10.4	25.4	9.5 (2.7 without Turkey)	6.0	50.0	15.8

Regarding the causes of the conflicts, we should note that according to figures from the School of Peace Culture, 58.3% of the armed conflicts are associated with demands for self-governance and identity issues. This kind of conflict is particularly relevant in Asia and Europe. On the other hand, there are many cases (2/3 of armed conflicts) in which the most important incompatibility is associated with opposition to a state's government or political, economic or ideological system. Other times, the main cause of the conflict is access to governance. In some of these cases, the armed groups did not

have enough strong-arm capacity to seize power, but they kept up their armed activities in a bid to erode the government, to keep their underlying demands active and visible, or simply to express their opposition. On the other hand, in several cases what motivated the armed action of insurgent groups was the goal of subverting the system (not only opposing the government). These groups started their armed struggle in the 1960s and are currently among the longest-standing in the world. In this same kind of conflict sparked by opposition to the system, there is a significant number of cases in which some of the rival sides have announced their intention to create an Islamic state or part of one (Algeria, Afghanistan, Philippines, Iraq, Mali, Nigeria, Pakistan, Russia, Somalia, Syria and Yemen).

For the media there only seem to exist a handful of armed conflicts: the one pitting Israel against Palestine (which has the greatest symbolic charge), the ones stemming from international intervention (Iraq and Afghanistan), both of which are in a non-terminal phase but are experiencing changes in their dynamic due to the gradual withdrawal of US troops and the presence of the Islamic State in Iraq and Syria. There are only occasional reports on the remaining conflicts, although some of them, such as the one in DR Congo, have indirectly led to the death of four million people due to the illness and hunger caused by the conflictive context in a failed, corrupt and disintegrated state. In other contexts, such as Pakistan, unmanned flights are the primary feature, with their attacks on civilians who were mistaken for the Taliban. In the wars in the Caucasus, the complicit silence of the international community conceals a situation of extreme human rights violations and repression. Therefore, it should come as no surprise that the countries where human rights have been violated the most are the ones in situations of conflict.

As mentioned above, almost all the current armed conflicts are intra-state, that is, they are happening within a country.

Wars between states have practically disappeared, and according to the University of Uppsala, in 2014 the only one recorded was the conflict between India and Pakistan over Kashmir. The School of Peace culture would add the conflict between Israel and Palestine. Therefore, the majority of 21st-century conflicts are internal, some of them civil wars, others limited to given zones within a country, rendering it extraordinarily difficult to gauge the scope of the conflict when there are zones that are not affected by it.

While in past wars national armies clashed with each other, in contemporary conflicts armed forces have to fight against a wide range of guerrillas or militias, the new actors of the 21st century. The fact that regular wars among armies have disappeared also signals the disappearance of the old codes of conduct in war. In contemporary conflicts, there are hardly any rules and anything goes, including the mutilation and decapitation of civilians, massive rapes of women, the execution of prisoners, pillaging villages, the wholesale destruction of entire neighbourhoods, the destruction of the cultural heritage, the use of anti-personnel mines and artefacts for indiscriminate purposes, and, in short, anything that triggers terror in the civilian population, which is the main victim. This dehumanisation of conflicts comes hand in hand with the pillaging of natural resources in regions rich in raw materials and strategic minerals, which serve to feed the war as the sustenance of armed groups and the mechanism through which they exchange natural riches for weapons in an infernal circle in which multinational corporations participate as they benefit from the lack of oversight in these regions and the absence of a state regulator. Unfortunately, many countries in conflict are rich in raw materials, and this is precisely why the conflict is taking place, a curse in which, once again, the civilian population is the main victim.

Armed conflicts in recent years			
Armed conflicts in December 2009: Algeria, Chad, Ethiopia (Ogaden), Nigeria (Niger Delta), Central African Republic, DR Congo (east), Somalia, Sudan (south), Sudan (Darfur), Uganda (north), Colombia, Afghanistan, Philippines (NPA), Philippines (MILF), Philippines (Abu Sayaf), India (Assam), India (Jammu and Kashmir), India (Manipur), India (CPI-M), Myanmar, Pakistan (Balochistan), Pakistan (northwest), Thailand (south), Russia (Chechnya), Russia (Ingushetia), Turkey (PKK), Iraq, Israel-Palestine and Yemen.			Total conflicts (December) 29
Years	New	Ended	
2010	Russia (Dagestan)	-	30
2011	Burundi Ivory Coast Nigeria (Boko Haram) Sudan (Kordofan and Blue Nile) Russia (Kabardino-Balkaria) Iran (northwest) Yemen (AQPA) Libya Syria Yemen	Chad Nigeria (Niger Delta) Ivory Coast (military victory)	37
2012	Mali	Philippines (MILF) Iran (northwest) Yemen	35
2013	-	Burundi Russia (Chechnya) Russia (Ingushetia)	32
2014	DR Congo (east-ADF) China (Eastern Turkestan) Ukraine Egypt (Sinai)	India (Manipur) Russia (Kabardino-Balkaria)	34
June 2015	-	-	34

Source: School for a Culture of Peace, "Alert! Report on conflicts, human rights and peacebuilding", 2011 to 2015, and "Barómetro", June 2015.

Among the conflicts that existed in 1999 and the ones that joined them in the six subsequent years, the lethality and political, economic, humanitarian, cultural, religious and social impact of the armed conflicts in Afghanistan, Pakistan, Iraq (the three longest-standing), Libya and Syria, are worth noting. Some of them are interconnected, and they have all had a huge destabilising impact on their region, with military interventions by third countries and the presence of extremely radicalised

Muslim groups. This is an explosive cocktail that is difficult to manage, and in some cases impossible to negotiate, at least for the time being. Knowing how to interpret the underlying issues in each of these conflicts, the deep-seated culture of their actors, the existing play of alliances, the limited effect of primarily aerial attacks due to the “zero casualties” syndrome of the attackers, and other factors, are a prime challenge for political decision-making centres all over the world, for non-military and military defence organisations, for academia, for research into peace and for peace, solidarity and human rights movements, not to mention for humanitarian organisations, which are totally overwhelmed by the number of deaths, injuries, displaced persons and refugees, casting doubt on the conflict-prevention policy, which was totally non-existent for these cases, and the humanitarian response when this prevention fails, which has come late and been totally insufficient.

Finding appropriate answers for this almost horizontal fan of countries in conflict, in a strategy that must surely have common features and broad international participation, is also a challenge for those who somehow participate in creating the conditions needed to begin a peace process. For the time being, humility is needed, along with the need to have a middle- and long-term view, not just short-term reactive actions. It would also be wise not to limit ourselves to the simplistic tack of “demonising” all the actors, despite the extreme cruelty of the groups or governments that are playing a leading role in these conflicts, as it is better to have a broader, more peripheral view in order to grasp what is happening and why. This is only a hypothesis, but perhaps the most strategic tack would be to control and lower the violence through inclusive negotiations in a few from these conflicts, adding the symbolic, contagious and reparative potential that resolving the conflict between Israel and Palestine could bring, or at least getting it on the right track. The United States has a great deal to say about this,

as does Russia in the future of Syria, since it was incapable to stopping the barbarism led by president Bashar al-Assad in the early stages of the conflict in Syria; indeed, even though Assad is an ophthalmologist, he refuses to see the lethal, criminal sweep of his decisions. If we add to this self-interested myopia the widespread inaction of what we erroneously call the “international community”, since it is hardly a community, we inevitably get the result we are witnessing today. Finally, we should not forget the fact that two-thirds of the armed conflicts today are already in the negotiation phase. We have the duty to support them so that they conclude with a peace agreement. Ultimately, this possibility will clearly help to better deal with the conflicts that seem intractable today.

However, the current failure of the way we are dealing with these conflicts should not negatively influence the numerous attempts to channel many of the remaining armed conflicts into the pathways of peace in order to reach agreements that will finally put an end to the violence.

In addition to the armed conflicts, in the sphere or global conflictiveness we should also consider situations of tension, meaning situations in which the pursuit of certain objectives or the failure to meet certain demands made by different actors leads to high levels of political, social or military mobilisation and/or the use of violence at a level of intensity that does not quite reach an armed conflict, but which may entail clashes, repression, coups d'états or any other kinds of attacks whose escalation could degenerate into an armed conflict in certain circumstances. According to the figures from the School of Peace Culture, in June 2015 there were 94 scenarios of tension in the world, most of them in Africa (37) and Asia (25). The opposition of political and social sectors to certain government policies was the leading cause of the tensions and sometimes sparked a harsh response from the authorities. Almost half of the conflicts (both armed and those pending resolution that do not

currently have an armed expression) are based on a given region's demands for self-governance, either to become autonomous or to flatly demand independence, as in Senegal, Sudan, Western Sahara, China, Myanmar, India, Thailand, Kurdish Turkistan, Chechnya, Kashmir and others. In these cases, the debate revolves around how to construct an intermediate political architecture that satisfies the identity-based demands. These conflicts are difficult to resolve, since they have to deal with centralised states and nationalisms that reject other expressions of regional nationalism. Furthermore, the widespread fear of shifting borders or dividing states hinders the negotiations in these conflicts, which tend to reach entrenched impasses.

Conflicts and peace processes in June 2015				
Conflicts and peace processes ending with a peace agreement in 2015		Sudan (Darfur) SLM-MM	1	
Armed conflicts underway	With consolidated peace process	Sudan (Darfur), South Sudan, Colombia (FARC), Myanmar (NCCT).	4	
	With interruptions in the process	Mali (north), Ethiopia (ONLF), Sudan (Kordofan-Blue Nile), Libya, Central African Republic, DR Congo (east), Afghanistan, Philippines (NPA), India (Assam), Thailand (south), Turkey (PKK), Ukraine, Israel-Palestine, Yemen (al-Houthists).	14	
	Without formal negotiations	Algeria (AQMI), Nigeria (Boko Haram), Somalia (al-Shabaab), Colombia (ELN), China (Eastern Turkestan), Philippines (Abu Sayaf), India (Jammu and Kashmir), India (CPI-M), Myanmar (KIA), Pakistan (Waziristan), Pakistan (Balochistan), Russia (Dagestan), Egypt (Sinai), Iraq, Syria, Yemen (AQPA).	16	
	Subtotal		38	

Former armed conflicts that are not resolved and still require negotiations	With consolidated peace process	Senegal (MFDC), India (NSCN-IM), Cyprus, Kosovo, Moldova (Transnistria), Armenia-Azerbaijan, Georgia (Abkhazia and South Ossetia)	8	
	With interruptions in the process	Sudan-South Sudan, Western Sahara, India-Pakistan, Philippines (MNLF)	4	
	Without formal negotiations	---	0	
	Subtotal		12	
TOTAL (June 2015)				%
	Ended in 2015 (until June)		1	2.1
	With consolidated peace process		12	25.5
	With interruptions in the process		18	38.3
	Without formal negotiations		16	34.0
	TOTAL		47	100

In the other half of conflicts, we find struggles to gain political power or make structural changes that allow a country to become democratic. Numerous guerrillas are fighting for this goal, although it is equally true that most of the armed groups today lack a specific ideology or political programme

and are motivated more by interests of political or economic power, often linked to the domination and control of illicit activities (drug trafficking or the trade in strategic raw materials).

It is a proven fact that many conflicts which have peace processes end up with deadlocks in the negotiations. The years go by and the conflict remains the same, without the mechanisms of dialogue bearing fruit. This deadlock is even more obvious in conflicts where a ceasefire has been achieved, and therefore where there is no significant violence or clashes, which leads to the question of whether the lack of violence with its consequent loss of media coverage is precisely the reason or one of the main reasons for this deadlock. Two of

these conflicts (Western Sahara and Cyprus) started in the mid-1970s, so they have been underway for 40 years. Except in the case of Western Sahara, which had to wait 16 years, all the others achieved a ceasefire within a brief period of time. They have all had external mediation, with the UN present in three of them, and the OSCE, the USA, Russia and the EU participating in two of them. In four territories (Western Sahara, Transnistria, Nagorno-Karabakh and Abkhazia) there is a debate over independence or a formula of self-governance expressed through a kind of autonomy which would allow the displaced population to return home. In the five territories analysed, confidence-building measures are important, either to alleviate the current situation or as the first step towards future decisions on the intermediate political architecture to be determined. In four cases (all except Cyprus), Russia plays a more or less decisive role, either from the UN Security Council or directly, which places it in a position of the utmost responsibility for finding definitive solutions. The mediations are not always effective, and they have been questioned in more than one case, which has sparked numerous crises in the negotiation process. It is worth noting that only two of the five conflicts (Western Sahara and Cyprus) are on the UN Security Council's agenda, albeit with totally opposing results. Finally, the commitment not to use force and to use exclusively peaceful methods is on the agenda of all the conflicts mentioned and is vitally important in order to lower the tensions that arise quite frequently in some of the sites.

Above we said that the culture of negotiation might gain ground in the first few decades of the 21st century, when peace processes are destined to be the main figures in the world of conflicts. Given that two-thirds of the armed conflicts underway today are in negotiations, it is important to know how these peace processes that try to put an end to these conflicts are faring. This is one of the goals of this book.

In the prologue to the 2010 “The State of the World” report published by the Worldwatch Institute, the founder of Grameen Bank, Muhammad Yunus, referred to the shift from consumerism to cultures of sustainability as one of the greatest cultural shifts imaginable. Almost 40 years since the publication of “The Limits of Growth”, the influential report by the Club of Rome, no one doubts that now it is both possible and necessary to base our future policies on the principles of sustainability, revealing that those who predicted precautionary practices and environmental care to guarantee the survival of humans decades ago were right. However, this paradigm shift has taken place in the midst of dynamics that are still catastrophic and damaging. But the change lies in the fact that no one can defend them now, even if they do persist, and that a future might come in which these dynamics are a thing of the past, although for this to happen humanity must become aware of its vulnerability as a species. A world in which billions of people have to survive on less than two dollars a day and where millions of people die of hunger as unbridled capitalism lines the pockets of speculators is a world condemned to conflict and disorder.

Yet another culture shift that might flourish in the forthcoming decades is the end of armed conflicts. By now, as a social institution created by humans, war has lost all legitimacy as a means of resolving conflicts, and it is increasingly perceived as an obsolete instrument of the past. And never before have we had as much preventative information to empower us act with the weapons of diplomacy at times of tension, when it is still possible to alter the destructive course of a spiral of conflict. Recalling Yunus’ words, and even appealing to Kant’s thinking, we could say that we are witnessing a categorical imperative, getting rid of war, in order to instate the reign of ongoing dialogue as a way of ensuring our friend Kant’s “perpetual peace”. Two hundred and twenty years have gone by since this illustrious philosopher wrote his futuristic work, but only

a few decades will be needed for humanity to articulate the mechanisms with which it can manage and transform conflicts to make a lasting, universal peace possible.

We are clearly at a time of transition towards this new world. One indicator of this transition is the fact that of the conflicts that have ended in the past 40 years (59), 44 were through a peace agreement (74.6%) and 11 a military victory (18.6%), which reaffirms the route of negotiation as the most optimal means of resolving conflicts. At the same time that we see these promising figures, we also have to deal with situations of extreme violence and political and humanitarian crises. In this book, we shall also analyse the conflictive contexts that have arisen in recent years, but we also aim to highlight the opportunities for intervention in these contexts, which could be turned into situation of possible – albeit imperfect – peace within a performative continuum that instates new realities and an evolution towards this necessary cultural shift which would inevitably affect the world of conflicts, so that human beings can be free of the threat of destruction.

II – WHEN WARRIORS VISUALISE PEACE

*“After the war there will have to be some great penance done for the killing.
If we no longer have religion after the war then I think there must be some
form of civic penance organized that all may be cleansed from the killing or
else we will never have a true and human basis for living.”*

Anselmo’ thoughts while watching the enemy from the snow,
in *For Whom the Bell Tolls*, by Ernest Hemingway

One of the inevitable jobs that any person who analyses armed conflicts has to do, especially if they are interested or involved in peace negotiations, is ascertaining the reasons that influenced the creation of the group and its choice to take up weapons, its evolution over the years, and the discourse it maintains today to justify its armed struggle or to enter a new terrain of peace-building. There is a long list of reasons to explain the pathways chosen by these groups at the start of a negotiation process, and they are usually political but also economic, ethnic, religious and even cultural, and oftentimes several of them simultaneously.

If any of these armed groups considers or agrees to enter a negotiation process, the counterpart (the government) and the facilitator (if external mediation has been chosen) must be totally confident that the armed group is willing to take a very difficult step in the future, namely setting down their weapons and, if so decided, entering politics with exclusively peaceful, democratic instruments. This observation is equally valid for governments, since when they enter into negotiations with armed groups they have to know that they must give way in something and pay a “political price”, a highly demonised term among those who think that peace should come at no cost. However, it simply does not.

Quite a few years ago, when my youngest daughter was only 14 years old, she gave me a drawing with the following slogan: "War without guns. Fight writers and poets". Only recently I found out that she had copied it from graffiti she saw on the street, but it does not matter. I have it hanging to the left of my computer, and it always reminds me of the challenge facing warriors, who are used to weapons, to continue defending their ideas by other means, as writers and poets do. Hence, too, the title of this chapter. I planned it in the form of a question: Can warriors visualise peace, with the necessary shift in mindset that this entails? Can warriors adopt the words of Nelson Mandela when he collected his Nobel Peace Prize: *"We speak here of the challenge of the dichotomies of war and peace, violence and non-violence, racism and human dignity, oppression and repression and liberty and human rights, poverty and freedom from want. We stand here today as nothing more than a representative of the millions of our people who dared to rise up against a social system whose very essence is war, violence, racism, oppression, repression and the impoverishment of an entire people"*?

In the history of peace processes, there are several examples of leaders or prominent commanders of armed groups who, usually in a longer or shorter process, have viewed the horizon with other eyes, have been awed by a sunrise or sunset and have been capable not only of admiring nature but also seeing the humanity behind every individual, even if he is their military enemy. This process is usually associated with an eye towards the future, and with the question of what has been achieved so far, sometimes for quite a few decades, through the use of weapons. An honest answer means quantifying the number of deaths on one's own side and on the other, the destructuring of communities, mass displacements and similar phenomena which are in no way creative but instead only destructive. This is the Gandhian question on the means that generate terror, hatred and repulsion, and it questions the fantasies about whether the

armed group is an expression of the people rising up in arms or whether it is the living representation of grassroots movements. It is extremely easy for the members of armed groups to fool themselves about this for a long time, treating social and grassroots movements as infantile, vulnerable projects which need the support of an armed group. Doing away with this false belief is not easy, but it is the necessary condition so that when negotiations begin it is the group itself, nothing else, that balances the assets, even if it has some degree of social support.

This entire reflection is relevant because all too often the exploratory motions to see whether the conditions are in place to start peace negotiations show us that some or all the parties involved actually do not want to or are not yet prepared to take the huge leap forward. Oftentimes, a negotiation can be a pretext to buy time, to strengthen militarily, to hide a diminished or lost military capacity and many other motives that will never be explained to the opponent. Unmasking this deceitful strategy, which ends up harming all sides, is crucial from the very start. And seeing what is true and false in the parties' first expressions is in no way easy due to the sophistication of the language used, designed to trick by using generic, abstract words or expressions that are devoid of content. In other words, there is no commitment for peace but war tactics and strategies via manipulating the offer to begin negotiations.

Going from a discourse that legitimises violence and armed confrontation to a new discourse that begins to demythify physical violence or war as a means of achieving political ends takes time. I shall cite two examples from totally different contexts. The first is the Basque pro-independence left (Abertzale) and the other is the Colombian guerrillas in the FARC. In the former, the organisation Batasuna went from being something like the armed wing of ETA, although not exactly, to being an organisation that publicly delegitimised the use of violence and adopted a nonviolent strategy to achieve its

political objectives. This transition, which was misunderstood by many Spanish political sectors, required a little over a decade. I had the opportunity to watch it very closely, to meet some of its main players and to analyse all of their words, either aloud or in writing, in interviews and public declarations. ETA, on the other hand, barely changed its discourse, or at least it was not convincing, meaning that the evolution or conversion of its political expression, Batasuna (with the different names it was forced to adopt) was what forced ETA to abandon its armed struggle through the total lack of grassroots support except for highly effective political pressure. This transition to the abandonment of physical violence has personal names, and strangely some of them have paid for it with prison sentences, something that is inconceivable in any other part of the world, where despite the pain and suffering caused during the years of violence, the merit of those who change their attitude and spearhead a peace process is recognised.³

The other example is the FARC in Colombia. From 1999 to 2002, it was negotiating with the government despite its impressive strength in terms of both military troops and territorial domination. The peace negotiations turned into a piece of theatre on a stage where power could be demonstrated, with a dreadful methodology that prevented reasonable agreements from being reached. It is likely, according to many people in Colombia and the diplomatic corps affected directly by the scene created for the event, that the FARC and the Colombian government at that time had no real desire for peace, with all this entails in terms of ceasing fighting, undertaking structural reforms and ultimately disarming the guerrillas. There was no bilateral ceasefire during the negotiations, and the FARC dominated the theatre of military operations. It was an utter disaster.

3 Fisas, Vicenç, *¿Llegó la hora? Propuestas de paz para el País Vasco*, Icaria editorial, Barcelona, 2010, 95 p.

However, in 2012, after several years of military defeats and the loss of many members of its Secretariat, new negotiations got underway in Cuba with a totally changed FARC that was much more realistic, aware that they would never gain a military victory (nor would the government), with less popular support and in a Latin America governed by the left through democratic means. The armed struggle of the Colombian guerrillas had become extraordinarily strange, outside of history, out of time. However, the most interesting part of the story is that several of its top leaders gradually began to realise this during the decade between 2002 and 2012. I also had the chance to monitor all the pronouncements of these leaders day by day during that decade. “Alfonso Cano”, the top FARC leader, who was pursued and ultimately murdered in cold blood in November 2011, totally unnecessarily since the FARC was disarming at that time, had this vision of the future. Furthermore, he had been recognised as having the wherewithal to lead his organisation along a new pathway, which took shape the following year in the start of formal talks in Havana, but by then without him. In the “Yearbooks of Peace Processes” from 2010, 2011 and 2012, which summarise the events from 2009 to 2011,⁴ I included each of the communiqués issued by FARC during those years, when it was totally clear how far advanced the organisation’s new political discourse was, despite the fact that it continued to wage its armed struggle in view of the lack of a bilateral agreement. In May 2009, the commander who later became the top leader of the FARC, “Timochenko”, stated that his organisation was fully committed to the quest for a negotiated political solution because they were convinced that the solution should not come through military confrontation. In July 2010, “Alfonso Cano” recorded a celebrated video which became famous for his plea to engage in talks and seek

4 Fisas, Vicenç, *Yearbook of Peace Processes* from 2010, 2011 and 2012, Icaria editorial, Barcelona.

a political solution to the conflict. The ELN guerrillas, in turn, also started their own process of demythifying war, especially after 2011, and began to use terminology that is common in education for peace, which was quite a contradiction since they were simultaneously maintaining their armed struggle and defending their right to an armed rebellion to the end. However, my goal is not only to expose their contradictions but also to note whether a discourse that finally translates into peace began to mature, without entering into contradictions and justifying the old and ill-fated principle of “combining all the forms of struggle”, which had such tragic consequences in Colombia.

Continuing in this same country, but now further in the past, we should recall the visionary attitude of Jaime Bateman Cayón, the head of the M-19 guerrillas, who defined himself in an interview as a “prophet of peace”. In April 1980, in an interview with the journalist Germán Castro Caycedo, he invited several politicians, scholars, literati and military officers to meet in Panama to discuss where the country was heading and whether there was any possibility of halting the war. As a core point, he suggested that the state of siege and the Statute of Security be lifted. Only under those conditions, he said, would his group be willing to shift to legal activity.⁵ Unfortunately, the government rejected the proposal. Upon Bateman’s death, those who followed him in command (Iván Ospina, Alvaro Fayad and Carlos Pizarro) continued waving the banners of political negotiation and peace. Pizarro finally signed the peace agreement in March 1990. Previously, he had had this ability to serve as a “guide” and to visualise peace, with the full conviction that the time had come to lay down weapons and instead engage in politics. M-19’s final route had a decisive influence on the peace project of the Colombian guerrillas, who laid down their weapons in 1992.

5 Villamizar, Darío, *Jaime Bateman. Biografía de un revolucionario*, Taller de Edición Rocca, Bogotá, 2015.

To pose an example of the opposite of this visualisation that the time has come to build a scenario without armed violence, even to combat the other types of violence that are equally or even more deadly, such as the kind caused by structural violence in numerous countries on the planet, I shall discuss an Asian guerrilla group which I prefer not to identify, which has been trying to negotiate with several governments of its country for decades, without any tangible results. I had the chance to speak with its negotiators ten years apart and I truly had the sense that in this intervening decade their discourse, an authentic apologia for the armed struggle, had not changed one iota. Why, then, make the effort to try negotiating again? The top leader of the group explained this unabashedly in a book he had written, where he explained that “negotiation is part of our war strategy”. After the last attempt, which also failed, to try to reopen negotiations, I wrote a letter to this leader with courteous yet clear language, perhaps overly clear, with the following reflection, ending with a question: *“Based on my experience of observing how all the peace negotiations in the world have fared in the past 20 or 30 years, I have reached the conclusion that the only negotiations that move forward and be successful are those in which from the very start the two clashing parties have both a clear desire and a profound conviction about reaching a final agreement, with the flexibility that this means throughout the process, and both parties are convinced that continuing the armed struggle will never be the way to reach an agreement. The historical time always comes in which the two parties reach the conclusion that political participation and the fulfilment of human rights are or should be two complementary pathways through which they can achieve political, social and economic transformations. It is a time when the use of weapons as an instrument of change ends up making no sense ... I wonder whether you have reached this time of conviction about the need to shift from an armed to a political struggle through negotiations, as the majority of armed groups in the world are doing.”*

As I assumed from the start, the letter received no response, confirming my suspicion that they were unable to openly state that they had not reached the conclusion that the time had come, after decades of armed struggle, to take the step towards politics as an instrument of transformation. Therefore, clarifying this point is the first step in knowing whether starting negotiations makes sense or not. I have spoken a lot about the attitude of armed groups, but the same holds true for the governments that have to negotiate with them. If they are truly willing and do not demand too many preconditions, the explorations will make progress and an agreement on how to carry out the negotiation will be reached, along with the topics to appear on the agenda of the talks.

Everything said so far is valid for negotiation attempts in which armed groups with a specific agenda and ideology and governments that are more or less democratic participate. However, I should warn that in more than half of the cases today and in recent times, those who have sat at a negotiation table have not met these requirements. Unfortunately, there are numerous armed groups that only want to take their share of the loot, be it economic, military or political, or that want to control the natural resources in a region. In these cases, they have neither ideologies nor praiseworthy or humanist underpinnings. It is a pure power struggle. Hence the considerable number of “peace processes” that actually are not peace processes at all because they do not entail the advent of democracy or greater freedom for individuals or improvements in their wellbeing and everything else that can be expected when weapons are silenced. What is more, in some cases the situation becomes even worse, and internal struggles to wrest control of the country or part of it emerge. And if we are honest, we have to recognise that the signing of an “agreement” does not necessarily mean the arrival of peace, which is a concept linked to social justice, good governance, respect for human rights and meeting the

population's basic needs, among other things.

There are “peace agreements” (sic) two or three pages long in which the parties forgive each other for their past sins and divvy up the power. Nothing else. I recommend a perusal of some of these agreements to see the abysmal differences between these “content-less pacts” and the ones that truly try to change scenarios.⁶ Without a doubt, the latter require more time, they sometimes seek societal participation and they encounter severe resistance in dominant sectors. In the first kind of agreement, no “guides” are needed, nor visionary warriors nor bold politicians with a capacity to transcend themselves; instead, ambition and power are the only requirements. Negotiations with these groups are merely bargains for favours and sinecures. Therefore, we shall focus on the second kind of negotiations, the only ones that are capable of creating the conditions needed to transform society and benefit the people. Here is where a methodology is needed, where past experiences must be taken into account and where a great deal of imagination must be applied to the effort to achieve a peace agreement.

6 Peace Accords MATRIX, <https://peaceaccords.nd.edu/>, United Nations Peacemaker, <http://peacemaker.un.org/>

III - DESIGN AND ARCHITECTURE OF PEACE PROCESSES: LESSONS LEARNED SINCE THE CRISIS⁷

This study aims to propose frameworks and models for the initial stages of negotiations, and make suggestions for their redesign that take into account the most common crises inevitably arising part way through the process. A range of variables will be used to analyse different methodologies and forms of mediation and facilitation, along with the kinds of actor that may be involved, resulting in some 120 recommendations. This work is based on the author's own experience both of monitoring the peace processes of the last 15 years and of being actively involved in a number of them.

Common options in the initial design of negotiations

Definitions and arrangements in peace processes

A **negotiation** is understood as being the process by which two or more opposing parties (either countries or internal actors

⁷ This chapter was originally published in English by the Norwegian Peacebuilding Resource Centre (NOREF) in April 2015. (http://www.peacebuilding.no/var/ezflow_site/storage/original/application/4408bde5007e7fe2698cdb-b81c4790e0.pdf). The author wishes to thank NOREF for its cooperation.

within a country) decide to discuss their differences within an agreed framework in order to find a satisfactory solution to their demands. This negotiation may be direct or facilitated by third parties. Formal negotiations usually have a prior or **exploratory** phase during which the framework (format, place, conditions, guarantees, etc.) of the future negotiation is established. A **peace process** is understood as being the consolidation of a negotiation once the thematic agenda (the list of substantive issues forming the object of negotiation), the procedures to be followed, the timetable and facilitation have been defined. Negotiation is therefore just one stage in a peace process. There are also, albeit rarely, **negotiations that take place without any “negotiating architecture”**, in other words, when a conflict is approached via a number of different directions or actors and within what may be either a more or less frequent timeframe but without one single methodology or dialogue. This is how the conflict in Ukraine was handled in 2014 and 2015, for example, particularly in February 2015 by Germany and France.

A “**ceasefire**” is understood as being the military decision to stop any fighting or use of weapons for a specified period while “**cessation of hostilities**” includes, in addition to a ceasefire, a commitment not to kidnap, harass civilians, threaten, etc.

Depending on the final objectives sought and the dynamic followed during the different stages of the negotiation, most **peace processes** can be categorised into one of the following five **categories or models**, although there are some examples of processes that combine more than one:

- a) Simple demobilisation and reintegration;
- b) Political, military or economic power sharing;
- c) Exchange (peace for democracy, peace for territories, peace for withdrawal, peace for recognition of rights, etc.);
- d) Confidence-building measures;

e) Forms of self-government or “intermediary political architectures”.

The model normally depends on the kinds of demand being made and the capacity of the actors to exert pressure or to make those demands (extent of the military, political or social symmetry), although the accompaniment and facilitation, the exhaustion of the actors, the support they receive and other less rational factors linked to leaders’ pathologies, imaginaries or historical inertia also have an influence. Occasionally, albeit rarely, and particularly if the process is a long-drawn-out one, it may be that it starts as one of the indicated categories (“a” for example) but the demands increase until the process turns into another more complex category. It is also important to recall that not all processes or their exploratory, dialogue and negotiation phases are conducted with true sincerity, since they often form part of a continuing strategy of war, either to win time, gain an international dimension and make their struggle more widely known, re-arm or even for other reasons.

Finally, it should be noted that what we commonly call a “peace process” is actually none other than a “**process to bring an end to the violence and armed struggle**”. The signing of a ceasefire and the subsequent signing of a peace accord is no more than the start of the real “peace process”, linked to a stage known as “post-war rehabilitation” or “**post-armed conflict**”, always difficult but which is really where decisions will be taken and policies implemented which, if successful, will enable the violence (structural and cultural) to be overcome and people to truly speak of having “achieved peace”.

The broad stages of a peace process

All peace processes require a great deal of time, as can be seen from the many years that often have to be devoted to initiating them and bringing them to fruition. In general, and

with very few exceptions, they follow a pattern of fairly well-known stages with the most time devoted to the negotiations. They commence with an initial exploratory phase, also known as the **pre-negotiation or exploration**, in which the people involved (“explorers”) gauge the conviction of the parties, i.e. whether they truly wish to commence a process of negotiation in which they will have to cede something. This is a decisive moment as negotiations can often take place without any real conviction on one side, either government or armed group. If this is the case, the negotiations will be doomed to failure. It is during the exploratory phase that the complete and absolute security of the future negotiators must also be considered, as there have been cases of representatives being murdered or attacked, and no-one will venture to establish a dialogue without full and clearly-defined guarantees as to their security. Moreover, certain guarantees must be sought with regard to fulfilling the commitments made at this stage, which includes agreeing the timetable and methodology to be followed, establishing a **pre-agenda or initial agenda** and clarifying the conflictive aspects around which there is basic disagreement or fundamental incompatibilities (the meta-conflict). This stage, in short, seeks to create confidence in the process, agrees the role to be played by third parties, rejects the imposition of plans (which are the basis of the negotiation itself) and results in each party recognising their adversary and granting them the necessary legitimacy to negotiate. Once the exploratory work has been completed, an “agreement on what needs to be agreed” is reached and the process can now move onto “how to do it”. The sum of all these steps forms what is sometimes known as a “**road map**” or initial framework of what needs to be done to bring the process to its successful conclusion. The roadmap is simply an outline of work, often with a diagram setting out the steps to be taken, that provides guidance to the process.

Once the **formal negotiations** have commenced, the parties need to make sure that the negotiators are valid, i.e. that they do indeed represent the main players with decision-making capacity. There is no room for minor players at the negotiating table, and so it is always necessary to start from an inclusive approach that gives a voice to actors who the other party may not want to talk to but who are key to resolving the conflict. There is clearly no point in inviting friendly, more accommodating, actors to the table if they are not your true adversaries. The main purpose of the negotiation is for opposing parties to sit down and talk with a view to achieving something of mutual benefit in what is known as a “**win-win**” scenario, foregoing zero-sum approaches in which there are winners and losers.

If the negotiations make satisfactory progress then the **issues on the substantive agenda** may be discussed (the procedure will already have been agreed in advance). As trust will have been created, personal relationships may also emerge that will enable agreements (even if only partial) and their respective protocols to be more easily achieved, thus enabling a **final agreement** to be reached. This will specify how it is to be implemented and by whom. This leads us, finally, to the **implementation agreements**, verification methods and ways of resolving the possible disagreements that may arise in the final stages.

In the **usual scheme of progress**, then, one starts with initial direct or indirect, formal or informal contacts. Exploratory steps with a little more content, whether formal or informal, can lead to the start of a more or less formal “dialogue”, or directly to a “formal negotiation”. The difference between “dialogue” and “negotiation” is very subtle, and these processes can sometimes be the same. It depends on the emphasis that one of the parties wishes to place on the process, as the public disclosure of the fact that a “negotiation” has been commenced with one’s “opponent” always has a political cost that the parties will need to gauge.

Informal indirect **contact**
 Formal indirect **contact**
 Informal direct **contact**
 Formal direct **contact**
 Informal **explorations**
 Formal **explorations**
 Informal **dialogue**
 Formal **dialogue**
 Formal **negotiations** (Formal process)

The time needed for negotiations

One of the most hotly discussed issues at the start of a peace process and which, once negotiations are underway, may be a cause for crisis, is the optimum duration of the negotiations. Governments often set conditions or take a firm stance with regard to achieving rapid negotiations that can be completed within their term of office. A comparative analysis of 13 completed negotiations shows, however, that it is **not always possible to reach a rapid agreement**, and that periods ranging from 4 (Nepal) to 21 years (Northern Ireland) are more usual, bearing in mind that a number of cycles or attempts are necessary in some cases. A classic discussion in this regard is the situation of Colombia and the FARC, where the president initially indicated that the negotiations had to be completed within a year, a statement that later had to be amended a number of times given the reality of the situation, for which a period of at least three years was more prudent.

	Period of negotiation	Years	Mediation	Main reason
El Salvador	1984-1994	10	UN	Democratisation of the country
Guatemala	1985-1996	11	UN	Democratisation of the country

Northern Ireland	1987-2008	21	-	Self-government
Angola	1988-2002	14	Portugal, Russia, USA	Political power sharing
South Africa	1989-1994	5	-	Democratisation of the country
Liberia	1990-2003	13	ECOWAS	Political power sharing
Tajikistan	1992-1997	5	UN	Political power sharing
Sierra Leone	1994-2002	8	UN	Political power sharing
South Sudan	1998-2005	7	IGAD	Self-government
Burundi	1998-2008	10	Tanzania South Africa	Political power sharing
Indonesia (Aceh)	2000-2005	5	HDC Finland	Self-government
Nepal	2002-2006	4	-	Democratisation of the country
Philippines (MILF)	2001-2014	13	Malaysia	Self-government

Source: Fisas, Vicenç, *Yearbook 2015 on Peace Processes*, School for a Culture of Peace, 2015

The **total time a negotiation** takes normally depends on two factors: first, the number of **cycles needed to reach an agreement** (more than one cycle needs to be held if an agreement has not been reached at the end of the first cycle and a deep crisis ensues, forcing the process to begin again - possibly after a lengthy period of time and even possibly with a new methodology and new accompaniers); and, second, the **pace and frequency of the rounds of talks** in a particular cycle.⁸ A

8 A “cycle” is a series of meetings or “rounds” that take place regularly. When the negotiations break down, a period of time needs to pass (possibly a number of years) before starting a new cycle, which will again consist of a number of meetings or rounds. For example, between 2005 and 2007, the Colombian ELN held a “cycle” of meetings with the Colombian government, in Cuba, consisting of 8 meetings or “rounds”. Each “round” lasted 2, 3 or 15 days. In 2007, the negotiations broke down and thus also the cycle, and it was not until 2013 that further exploratory talks commenced which, if successful, will enable a new “cycle” to commence, with a particular number of “rounds” as yet unknown.

monthly frequency (as in the case of the FARC in Cuba or, at one point, the negotiations between Sudan and what was to become South Sudan) will always give better results than a frequency, for example, of every 11 months (as in the extreme case of the Philippine NDF, doomed to continual failure at such a dilatory pace), every 6 months (Senegal-MFDC) or every 3.7 months (average in the last cycle for the Western Sahara). This can be seen from the following table. It should be noted, however, that the complexity of the agenda and other circumstances (which we consider later) mean that some negotiations require almost 100 rounds (there were 80 rounds with the NSCN-IM in Nagaland), while others may need just 10 or 20. It depends on many variables. The following table does not show negotiations that were previously conducted and then paused for a long period of time, breaking the cycle. The table thus refers only to the last cycle or attempt. In any case, **the best thing is to agree an intensive pace of talks** (as previously mentioned, once a month is the best option) and to block out all external factors linked to the political and military confrontation. **A round tends to last between 3 and 15 days**, depending on the availability of the parties and the complexity of the agenda.

Intensity of rounds of talks (situation in December 2014)				
Country	Armed Group	Cycle of last negotiation analysed	No. of rounds	Average frequency of rounds
Mali	MNLA	12/2012 – 12/2014	(3 in November 2014)	Irregular
Senegal (Casamance)	MFDC	4/2012 – 12/2014 Exploratory phase	5 (minimum)	Every 6 months
Sudan (Darfur)	JEM (Bashar)	10/2012 – 10/2013	5 (minimum)	Every 2 months
Sudan (Darfur)	JEM (Ibrahim)	4/2014 – 12/2014	6 (minimum)	Every 1.3 months
Sudan (Kordofan and Blue Nile)	SPLM-N	12/2013 – 12/2014	4 (minimum)	Every 3 months

South Sudan	SPLA-IO	1/2014 – 12/2014	8	Every 1.5 months
Sudan- South Sudan	---	9/2012 – 12/2014	8	Every 2.6 months
Western Sahara	Polisario Front	8/2009 – 9/2012	10	Every 3.7 months
Colombia	FARC	9/2012 – 12/2014	31	Every 0.9 months
Colombia	ELN	12/2005 – 8/2007	8	Every 2.5 months
India (Nagaland)	NSCN-IM	1997 – 12/2014	80	Every 2.5 months
Burma	UNFC	1/2013 – 12/2014	8	Every 2.9 months
Philippines	MILF	12/2009 – 1/2014	29	Every 1.7 months
Philippines	NDF	2/2011 – 12/2014	4	Every 11 months
Thailand	BRN	3/2013 – 12/2014	7	Every 3 months
Cyprus	(Not an armed conflict)	2014		In May 2014, the two communities decided to meet every 15 days
Moldova (Transnistria)	(Not an armed conflict)	12/2011 – 12/2014	8	Every 4.5 months
Armenia-Azerbaijan	(Not an armed conflict)	2014		The two presidents met three times in three months
Georgia (Abkhazia and South Ossetia)	(Not an armed conflict)	2008-2014	30	Every 2.4 months

Mediation

Eighty percent (80%) of the negotiations taking place in 2014 made use of external mediation, whether from neighbouring countries, countries with a long tradition of facilitation (Norway, for example), regional organisations (African Union and the OSCE, for example), specialist centres (Community of Sant'Egidio, HD Centre for Humanitarian

Dialogue, Crisis Management Initiative, etc.), individual countries, a group of countries established as a “troika”, “quartet” or “contact group”, the United Nations, or even remote countries that offer some confidence to the armed group entering into negotiations.

As will be seen further on, **the correct choice of facilitating persons, countries or organisations is essential for a good start, although never an absolute guarantee that this facilitation will work for the whole process.** Mistrust can often arise, along with accusations of bias, verbal disagreements, abandonment, proposals for sudden changes, etc., which call for a complete redesign of the negotiating framework and its accompaniers. As of the end of 2014, the situation was the following:

Facilitation in 2015	
Mali	Algeria
Senegal (Casamance)	Community of Sant'Egidio
Ethiopia (ONLF)	Kenya
Sudan (National Dialogue)	AU, Troika (USA, United Kingdom, Norway)
Sudan (Darfur)	AU, Chad, Berghof Foundation
Sudan (South Kordofan and Blue Nile)	AU (Thabo Mbeki)
Sudan-South Sudan	AU (Thabo Mbeki), UN (Francis Mading Deng)
South Sudan	AU, IGAD (Seyoum Mesfin), Tanzania, CMI (Itonde Kahoma), Ethiopia
CAR	Gabon, International Contact Group, Kenya, Community of Sant'Egidio, HD, Chad, Congo
DR Congo (FDLR)	Uganda, Community of Sant'Egidio
Libya	UN (Bernardino León), Algeria
Western Sahara	UN (Christopher Ross)
Colombia (FARC)	Norway, Cuba (guarantors)
Colombia (ELN)	Ecuador, Brazil, Norway (guarantors)
Afghanistan	Qatar, China, Pakistan
India (Assam)	-
India (Manipur)	-

India (Nagaland)	-
India-Pakistan	-
Philippines (MILF)	Malaysia
Philippines (MNLF)	Indonesia, OIC
Philippines (NDF/NPA)	Norway (Elisabeth Slåtsum)
Thailand (south)	Malaysia (Aksara Kerdpol, Datuk Seri Ahmad Zamzamin Hashmin)
Burma	-
Cyprus	UN (Espen Barth Eide)
Kosovo	Troika (Russia, USA, EU), UN (L. Zannier)
Moldova	OSCE (Radojko Bogojevic)
Turkey	-
Ukraine	OSCE (Heidi Tagliavini), Contact Group (Russia, OSCE, Ukraine), Germany, France, EU (Federica Mogherini), USA
Armenia-Azerbaijan	Minsk Group of the OSCE (France, Russia and USA)
Georgia	UN, OSCE, EU, Russia
Israel-Palestine	USA, Egypt

Crisis situations in recent years

The annual monitoring conducted through its Yearbooks by the Peace Process Programme of the School for a Culture of Peace has enabled a **cumulative total of 116 reasons for crisis to be listed over the 2010-2013 period** (those for 2014, broken down by country, are given in the following chapter). Some of them are repeated across a number of years, indicating that there are recurrent problems and concrete processes that are having persistent difficulties. Crises are therefore **not always fleeting but may be structural or due to an unresolved defect in the negotiation design**. The following table lists these reasons, without repeating cases that occurred more than once over the four-year period, and highlighting those that are **related to the design of the process and/or mediation, i.e. 41 cases, or 35.3%** (a little more than a third). This enables

us to conclude **that there is a high probability of risk in the early stages of the process, i.e. the design stage**, which normally takes place during the **exploratory phase**. This table enables us to **anticipate the kinds of problem that can arise in a negotiating process**. It may therefore be useful, for a given situation, to consider in advance the possible crises that could arise during the process, thus enabling a **preventive strategy** to be designed aimed at avoiding these situations.

**Reasons for crisis in the exploratory phase of recent negotiations⁹
(2010-2013)**

- Imposition of preconditions
- Differences between the subjects to be decided on in the initial phase
- Disputes between countries in terms of leading the negotiations
- Disagreement with the government negotiator
- Declaration of one of the parties as “persona non grata” to the representative of the regional mediating body
- Withdrawal of mediator
- Criticism of mediator
- Rejection or mistrust of facilitator or mediator
- Unease at the mediation of a third country
- Reduction or expansion of the frequency of rounds of talks
- Criticism of the negotiating model
- Rejection of a ceasefire at the start of negotiations
- Imprisonment of members of the negotiating team or team of consultants
- Non-recognition of the other party’s representatives
- Demand for an end to the violence or abandonment of armed struggle at the start of the negotiations
- Disagreement over where to hold the meetings
- Demand for international accompaniment
- Ban on negotiators travelling
- Refusal to dialogue with a government in exile
- Overlap with a peace accord signed with another group in the region
- Disagreement over the format of the negotiations and the countries to be involved
- Infiltration of secret negotiations
- Demand for greater involvement from a neighbouring country
- Murder of a mediator
- Prior requirement for clarification of political positions

⁹ Linked to the design of the process and/or mediation.

Refusal of a country's armed groups to conduct separate negotiations¹
 Demands for freedom of movement for an armed group's negotiator
 Rejection of external mediation
 Refusal by one of the parties to hold a new round of talks
 Refusal to grant a general amnesty to members of an armed group
 Rejection of the mediating body or mediation format
 Mediator's bias
 Detention of lead negotiators from the armed opposition
 Failure to release some lead negotiators from the armed opposition
 Lack of trust
 Refusal to share negotiations with other groups
 Lack of valid spokesperson
 Lack of freedom of movement for negotiators
 Lack of guarantees of negotiators' safety
 Requirement for the presence of mediators in the negotiations
 One party in a coalition government disagreed with the negotiations

Recommendations aimed at commencing the exploratory phase with a good negotiation process

Based on the above table, common sense shows that the parties¹⁰ involved in agreeing the design of the negotiation process in the **exploratory phase** should bear the following aspects in mind:

- The first and overall objective of an exploratory phase is to reach the **compelling conclusion that both parties are fully prepared to put an end to the armed confrontation** and to reach sufficient common positions in order to sign, in the final stage, a peace accord, on the premise that everyone will come out as a winner and no-one will lose everything, the classic **“win-win” scenario**.¹¹

10. This refers to the opposing parties (government and armed group) and not the facilitators, who can make suggestions, in some cases, but not take decisions.

11 If one of the parties does not trust in the good intentions of the other, an agreement to begin negotiations will not be reached. If external facilitation has already been agreed in this exploratory phase, this third party can be of great help in establishing whether there is a real will on the part of both parties to negotiate seriously.

- To reach this first conclusion on the sincere willingness of the parties, there is a need to **observe and analyse the non-verbal communication and “underlying culture” of the actors**, their fears, their dreams, their deep-rooted ideals, their basic needs, their age and sex, their family circumstances, their military and negotiating history, their concept of “peace”, their vision of systemic issues, their international relations, the importance of their support base, their social and community dimension, their level of popular acceptance, etc.
- As an exercise, it is interesting to take a look at photos of how delegation members look or act towards each other, whether they are smiling or are serious and formal, if they greet each other with affection and humanity or refuse to say hello, whether they eat together or separately. These observations, which may change over the months or years of contact, can notably influence **confidence building and whether risky steps are taken**. The case of the FARC and Colombian government negotiators in Havana is a case in point.
- It is common for one of the parties to send out “**smoke signals**” (insinuations which may or may not be clear) as to their willingness to commence an exploratory dialogue. Both parties need to be alert and assess the real meaning of these possible approaches.
- It is advisable to analyse the **positive role that diasporas can play**, as many leaders of armed groups are living in exile in another country, and the first contact may be made from there.
- During the exploratory phase, it is often advisable to **spend time clarifying the “meta-conflict”**, in other words, each party’s concept and interpretation of the origins and development of the conflict. **Reaching a minimum number of points of agreement** (which is probably the most that can be expected at this stage), **will help in sharing a minimum “meta-peace”**, i.e. what each party

understands as “peace”. In this regard, it should be recalled from the above that, in some negotiations, there are some governments who want no more than to disarm the armed group, possibly accompanied by a Disarmament, Demobilisation and Reintegration (DDR) programme but without addressing the structural causes of the conflict. It should, however, be noted that most armed groups currently in existence do not have a political programme that includes socio-economic reforms and are content to participate in political, military and economic power sharing (sharing of the “booty”). Because of the above, **all government delegations and external facilitators needs to know precisely what the armed group in question wants out of the process**. Getting this wrong means immediate failure in the attempt to negotiate.

- The exploratory phase needs to be **confidential** and protected from internal and external pressure on the part of people who may want to know “what’s going on”. This aspect must be addressed at the start of the exploratory phase. If confidentiality is agreed then the issue of **avoiding any infiltration** by one of the parties must be taken seriously because this always creates a great deal of “noise” and misinterpretation. Many armed groups would prefer more transparency in this phase but this creates difficulties in terms of ensuring the flexibility of initial positions which, if made public, could be criticised by the parties’ support bases. **One must not “play to the gallery”**, or send only messages of strength, toughness and immovability to “one’s supporters”, as this attitude runs counter to the very nature of the negotiation process, which involves making mutual concessions.
- An agreement needs to be reached as to whether or not a party can place **preconditions** on commencing the exploratory phase. Ideally, there should be no preconditions at the start although, as this phase proceeds, both parties may **agree**

initial undertakings in order to build confidence and enter the next stage, that of the “formal negotiations”, with a greater degree of trust and less pressure.

- Many negotiations fail in their initial phase because one of the parties, normally the government, imposes a unilateral ceasefire or cessation of hostilities on the armed group as a precondition. **Ideally, the ceasefire should be bilateral**, whether from the start or middle of the process or in the final phase. This aspect needs to be clearly specified in the exploratory phase. It should also be noted that a ceasefire is often flouted and this serves as an excuse for breaking off negotiations, sometimes permanently. Hence the importance of the **negotiations being shielded from the course of the war** from the start. It is desirable that the parties agree not to leave the table for whatever reason.
- The **political level required of the negotiators** needs to be clarified to ensure they are able to take initial decisions even though both parties will need to consult either the Head of State or Government (in the case of the government delegation) or the highest political or military leader of the armed group on a number of occasions. **If there is no valid representative, the process will fail.** Very often, in the first and highly tentative stages of the exploratory phase, people of a lower level participate who are unable to take decisions but only to pass them on to their superiors. Later, however, high-ranking individuals need to be involved. An imbalance in the decision-making capacity of the two delegations, as was the case in the initial meetings with the ELN in 2013, can temporarily paralyse the exploratory phase. In this regard, it is essential that **both parties recognise each other as legitimate representatives** in the dialogue from the start, however distant they may be politically and however terrifying their past may be.
- Very early on, the parties must come to an agreement

as to whether they want or need **external mediation** or, in contrast, if they prefer direct negotiations, without intermediaries, as in India's historic position with regard to the dispute over Kashmir with Pakistan, in which it has never accepted outside mediation. In the first case, when third-party facilitation is accepted, **the parties need to carefully evaluate the pros and cons** of choosing a particular country, regional or international organisation or concrete person. **"Forced facilitation"** by a superpower, a body or country with great influence, **must be avoided at all costs**. There are often hordes of offers, some generous, others self-serving and which it is best to dismiss, at least as regards the role of facilitator. **It is highly inadvisable, given the experience of many different processes, to have "multiple facilitators" or an approach that involves many accompaniers**, as this creates confusion as to the role each of them is to play. If it is agreed that a country or organisation will intervene as official facilitator, then **the capacity of the people allocated to the process** by said countries or organisations also needs to be considered because it will be these people and teams that have ultimate responsibility for professionally steering the negotiations in the right direction. In any case, **it is important that the two parties share the same conviction that the person chosen is the most appropriate at that time**.

- **External mediation, in whichever phase, must be neutral and impartial**, it must not express preferences towards either party even if it has them, and must **fulfil its mission of helping the parties themselves to progress towards a consensus** on the issues raised.
- A well-known and high-ranking person (president or former president, for example), does not necessarily have the **practical knowledge to handle negotiations**. Experience in this field is of considerable value.

- If **serious difficulties emerge with the person conducting the facilitation in the exploratory phase**, the problem needs to be addressed with the utmost honesty and as soon as possible, in order to decide whether to change the person or the whole team. There have been situations in which one of the parties has ended up calling the facilitator “persona non grata”. There are also facilitators that lack patience and who give up on their task very early on, when patience is of the utmost importance. Being involved in an exploratory phase or a formal negotiation is not the same as attending a hospital “emergencies” department, it is more like attending therapy. **It is always best to change rather than to continue with poor facilitators or simply with a person who does not enjoy the trust and respect of both parties.** It is also clear that it is not at all positive to keep changing facilitator, as this could suggest that the **problem lies not with the facilitation but with the positions of the parties, which are often “intransigent”**. The case of the Western Sahara is typical of a peace process in which no-one wishes to take responsibility for the historic lack of progress made in the negotiations. It may be that the facilitators are not particularly capable but the problem does not always lie with them.
- The time lag between meetings has been shown to increase in line with a sense of failure. It is therefore **advisable that both parties agree to meet at a certain frequency**. When this is not possible, for whatever reason, and the rounds of **meetings are postponed significantly (silences of six months or a year, for example)**, it may be better to **end the cycle and wait a certain time before starting again**, perhaps with a new approach, methodology, accompaniers and rules of play. Breaking a cycle is serious and counterproductive and **the parties need to be aware of the price they will pay for this.**

- It is necessary at whatever stage of the process, including the exploratory phase, to **guarantee the security and physical integrity of all team members**. There are numerous examples of captures, murders and disappearances of people involved in negotiations, particularly from the armed groups. The State must make a commitment clearly and in writing not to arrest any of the members of the negotiating team, and this means lifting arrest warrants and other similar aspects. The members of a negotiating team must, at all stages, be able to travel freely to the agreed meeting places. There is in this regard a **problem of groups affected by the existence of lists of terrorists**, in the EU and USA primarily, which explains why, in Europe, many of the negotiations with these groups can only take place in Norway or Switzerland, countries that are outside the EU.
- It has, on a number of occasions, been necessary to **release people from prison so that they can form part of a negotiating team**, whether on parole, under house arrest or by some other means. There are also just a few (albeit interesting) examples, such as the case of the ELN in Colombia, whereby a government has allowed a **“peace office” to be established inside a prison so that the imprisoned leaders of an armed group** can participate in the exploratory phase or formal negotiations. **Many of the initial contacts with an armed group begin in prison or in the countries in which one or more of their leaders are exiled.**
- **The country and place where the initial meetings are to take place** will need to be agreed during the exploratory phase. Subsequently, also by mutual agreement, **the country and place of the formal negotiations will need to be agreed**, which may be different from the exploratory phase. They may take place in the country of origin of the facilitators (for example Norway in the case of the negotiations with the Philippine NDF) or of the guarantors

or observers (case of Cuba for the FARC, currently).

- At the formal stage of the negotiations, as opposed to the **exploratory phase**, which **requires a simple outline**, it is advisable to consider the accompaniment for the process. This aspect will be analysed later, with reference to the “toolkit”.
- During the exploratory phase, **the broad components of the negotiation agenda are established**, without entering into the details. If one of the parties does not agree to the agenda then the negotiations cannot commence.
- **In countries with more than one armed group, consideration must be given from the start as to whether the talks initiated with one group might interfere with what has already been agreed with another (MILF and MNLF in the Philippines, for example) or, in contrast, if what has already been agreed with one group (Colombian FARC, for example) will place conditions on the negotiating agenda with another (ELN, in the same country).** It would seem advisable to consider (which is different to copying) what has already been agreed with one group to see if it would be fully or partially accepted by the other. In some countries, admittedly very few, **it has been the case that various armed groups have wanted to negotiate at the same time and within the same framework** (current case of Burma) rather than separately, which necessarily requires **cross-referencing and unifying the agendas of the armed groups and creating an “umbrella” organisation** to protect and represent all the groups, with a view to ensuring a more viable negotiation. The opposite situation has also arisen, whereby armed groups have flatly refused to participate in joint negotiations with other groups, requiring a dispersion of teams, agendas and methodologies that is difficult to handle. During 2014, for example, the AU mediator in the peace process in the Sudanese regions of South Kordofan and Blue Nile, Thabo

Mbeki, stated that “one process, with two paths” was taking place in Sudan, referring to the fact that parallel negotiations were also being held in the Sudanese region of Darfur and that both negotiations needed to be “synchronised”.

- During the exploratory phase, **agreement needs to be reached as to whether or not the principle of “nothing is agreed until everything is agreed” is to be followed** or, in contrast, whether each point agreed will be valid on its own, and may even be implemented during the course of the negotiations. **An intermediary position may be agreed whereby the former principle is adopted but excluding humanitarian issues**, such as a ceasefire, partial mine clearing, compliance with international humanitarian law or aspects related to human rights, as was the case in the El Salvador peace process.
- **Recommendations for controlling crises that may arise during the formal negotiations**
- We have already referred to the crisis factors that may arise in the exploratory phase, so we will now turn our attention to **common crises that arise during the course of the formal negotiations**. Some of these may already have emerged during the exploratory phase, if any controversial issues were discussed at that point. The following table lists 75 different crises that occurred over the 2010-2013 period.

Crises arising during formal negotiations, 2010-2013

Differences and disagreements between the substantive issues on the agendas of the parties

Intransigent positions

Negative influence of a neighbouring country, downplaying the importance of the negotiations

Guarantees of safety of a leader of the armed opposition

Refusal of an armed group to disarm

Temporary withdrawal of one or all of the parties from the negotiation process

Failure to release prisoners
 Failure of armed groups to withdraw
 Demand for a ceasefire or cessation of hostilities
 Breakdown or violation of ceasefire
 Slow implementation of peace agreement
 Lack of financing to fulfil the peace agreement
 Murder of leaders by members of a dissident group
 Murder of leaders of the armed opposition
 Discrepancies in the amnesty of leaders of an armed group
 Confrontation between members of the State over the peace process
 Unilateral decision-making
 Kidnappings
 Requirement to hold political negotiations before disarming
 Arrest of leaders or consultants of an armed group
 Armed clashes between the government and the armed opposition group
 Government's economic crisis
 Lack of democratic reforms
 Refusal of one of the parties to participate in an incident prevention body
 Lack of political dialogue
 Distrust of the government or armed group's goodwill
 Requirement to release imprisoned members
 Situation of the prisoners of an armed group
 Conducting of military exercises and operations
 Failure to withdraw government troops from a zone controlled by an armed group
 Refusal to withdraw heavy artillery from a buffer zone
 Accusations that a third country is supporting dissidents from an armed group
 Lack of agreement over prisoner exchanges
 Solitary confinement in prison of the head of the armed group
 Disagreement over whether a new Constitution is needed
 Requirement to recognise the Constitution
 Difficulties in obtaining support that would enable the Constitution to be amended
 Arms purchases during the negotiations
 Human rights violations in the occupied territories
 Internal divisions within an armed group
 Marginalisation of one faction of the armed group
 Differences over the status of a region
 Increased military activity by the armed group
 Military attacks by a third country
 Calls for a referendum
 Differences over the continuity of sanctions
 Disagreement over commitments not to use force
 Disagreement over the date for holding a referendum

Prohibition of an armed group
 Refusal to accept cooperation between opposition groups pursuing a unity government
 Refusal to release collaborators of an armed group
 Refusal of an armed group to become a border guard
 Plans by a third country to locate military facilities on disputed territory
 Requirement to withdraw military troops from a region
 Disagreements over territorial waters
 Disagreement over the return of refugees
 Insecurity in the country
 Delays in implementing disarmament and reintegration programmes
 Existence of terrorist lists
 Promises of development and job creation unfulfilled
 Coup d'état
 Political power vacuum
 Refusal to extend a truce to other regions
 Arrest of opposition members
 Failure of one of the parties to give an opinion on the peace proposal
 Clashes with paramilitary groups
 Border clashes
 Occupation by foreign forces
 Constitutional limitations
 Court judgements
 Overruling of electoral results
 Ban on representative opposition parties
 Settlement of occupied territories

The following recommendations can be drawn from this list of crisis factors, based not on mere speculation but on real conflicts that have emerged during the course of formal negotiations (where such negotiations have been made public), regardless of their level of transparency or lack thereof.

- On commencing the stage of “formal negotiations”, **the parties need to ratify everything agreed in the exploratory phase**, in order to avoid any doubt or new interpretations. Everything must be put in writing and, **if possible, in the presence of observers/witnesses.**

- The public announcement of the start of negotiations with an armed group may generate dissent and deep **opposition on the part of some political, economic or military sectors**, often because they have benefited from the existence and continuation of the armed conflict or simply because they do not believe it possible to achieve peace through negotiations, despite the fact that 80% of the conflicts that have ended over the last 30 years have done so in this way. The government therefore needs to draw up an authentic **“text” on the advantages of ending the armed conflict**, as do all the social sectors involved in negotiating an end to the armed conflict. It is important in this regard to enjoy the **cooperation of the media**.
- A negotiation can quite easily last two presidential terms and so any new president will need to **ratify what has been agreed by the previous government**, to ensure that it remains valid during the second presidential mandate. It should be noted that partial agreements reached during the first presidential term do not have the status of law.¹² They are simply commitments made by a particular government.
- Entering into negotiations, with all the risks this entails, means that the **government should speak with just one voice and one rhetoric, favourable to the negotiations**, avoiding bad experiences in which some ministers, particularly the Minister of Defence, maintain a contradictory position, probably to avoid upsetting the military. **The message broadcast to the public must be clear and unified.**
- Although the broad agenda points or “framework agreement for the negotiations” are normally agreed during the exploratory phase, **it is during the negotiation phase that each of the sub-points or substantive issues on this**

¹² Until the final peace agreement is signed, the agenda points that have been approved during the negotiations have no validity. This is often explicit in the diplomatic principle of “nothing is agreed until everything is agreed”.

agenda are made concrete, negotiated and approved. If any changes need to be made to the items on the agenda, adding an aspect, for example, or changing the order in which the issues are to be discussed, this must always be mutually agreed and not imposed.

- **The preamble or recitals that precede the agenda points to be discussed must never replace or add to the substantive issues on the agenda.** They are simple references that set the frame for the agenda, put it into context and give it some meaning, nothing more, as in any UN Security Council Resolution. This preamble has to be drafted by joint agreement between the parties but does not form part of the agenda.
- **The discussion of the agenda is the central point of any negotiation.** It is the section that requires most time and devotion, and is also the weakest link because starting positions are normally very different, and concessions will need to be made throughout the negotiations, until a point of mutual agreement is reached. Further on, we will refer to the **existence of negotiation structures that can help this discussion to take place in the most effective and least time-consuming way.**
- Half of all armed conflicts are disputes over territorial control, with demands for independence or self-government. Experience shows that **an armed group normally ends up renouncing independence for some form of advanced autonomy**, i.e. with significant power. In these kinds of negotiations, **the parties have to be able to consider different options for “intermediary political architectures”** (autonomy, co-sovereignty, commonwealth, asymmetrical federalism, etc.), and this requires a widening of the viewpoint of both parties and the exercise of political realism. In any case, the final solution must enjoy all guarantees of being fully implemented.

- **A requirement to disarm prior to commencing the negotiations makes no sense.** Disarmament can only be proposed in the final stages of the negotiation process. Processes in which there is no negotiation of an agenda are different, as the only thing being agreed is the demobilisation and disappearance of a group, normally very small, in exchange for an amnesty, return to their places of origin and, in some cases, participation in a reintegration programme.
- Negotiations may take place in an **internal context of great insecurity**, with attacks, political or economic crises, democratic weakness, widespread corruption, repression, the presence of paramilitary groups, social protest, looming elections, a ban on opposition parties, etc., and this can affect the negotiations because of the demoralisation it causes. **The parties need to sincerely consider whether they are in a position to continue to negotiate**, or if it would be better to call a temporary halt until the environment improves. If this is the case, they may agree that the next cycle will continue at the point where they left off.
- **The presence of an armed group on terrorist lists can be a disadvantage** to making progress in a negotiation, insofar as it limits the mobility of the negotiators. It is advisable to **propose their “delisting”**, i.e. the **conditions under which a group could be removed from terrorist lists**.
- If, an armed group in a ceasefire situation is not banned then consideration must be given to the effect that **banning them in the middle of the process** would have on the negotiations, with the likelihood that this would include the arrest of one or more of their leaders. In this case, **the group may make continuing the negotiations conditional on the freedom of these individuals**.
- **In negotiations between countries, in particular, unnecessary provocation should be avoided**, such as conducting military manoeuvres off the coast of one of the

countries involved. Continued threats, of whatever kind, whether real or symbolic, are counterproductive to creating conditions favourable to the negotiations.

- **There have been cases where, following many attempts to negotiate, neither of the parties has changed its initial position**, which thus becomes totally intransigent. This may even lead one of the parties to abandon the negotiations, or the facilitator to call a halt to the negotiating cycle. Such has been the case, for example, in the Western Sahara. In these cases, once a number of years has passed with no progress (5, 10 or 15 years, for example), it is **best to end the negotiations in their current format**, as it has been clearly inefficient, and **not to recommence discussions until one of the parties places something new on the table** that would justify resuming the talks, in a new cycle and probably with a new format and even new mediation, where appropriate.
- All observations made with regard to the **necessary physical safety of the people involved in the negotiations** during the exploratory phase are also valid here, and these people also need to be able to have every opportunity to **move and travel to the places of negotiation**. Unfortunately, there have been cases of executions or kidnappings of negotiators.
- At the start of or during a negotiation, **factions of the armed group** will often emerge that are **opposed to the negotiations** for whatever reason (culture of war, profits of war, inability to do anything else, fear of losing authority, etc.), and they become “spoilers” or saboteurs of the process. In this regard, and particularly when there are many dissenters, it is advisable to **introduce a “unifying” figure**, a person with responsibility for bringing the factions or marginalised groups back into the fold or, at least, attempting to reach a common agenda. This figure may be internal or external to the armed group. It will very

often be a person who enjoys the trust and respect of all dissenters. This is not always possible to achieve, in which case a number of negotiations may end up taking place simultaneously. There is also a place for **“incentivising” figures**, normally countries with economic resources, or regional or international bodies with financial means. Should economic sanctions be in place or a group be on a terrorist list, the withdrawal of this may be an important trump card that can be played as an incentive.

- Both in the exploratory phase and in the formal negotiations, **the armed group’s negotiating team may include people currently being held in prison, and their release may be demanded. It may also be the case that, during the negotiations, members of the negotiating delegation are imprisoned**, forcing the government to **consider a number of options**: firmly refuse to release these individuals, with the risk of boxing themselves into a corner; release certain prisoners solely for the purpose of attending the negotiations and then returning to prison; release certain individuals on parole, with a written commitment not to use arms in the future, or agree to house arrest. There are numerous examples of such cases.
- One measure that favours a climate of negotiation is if the government **improves the prison conditions of prisoners from armed groups**.
- An interesting precedent was set with the Colombian ELN guerrilla force, for whom consecutive governments have allowed some guerrilla prisoners, acting as guerrilla spokespersons or contacts, to set up a **“peace office” in prison**, with access to the Internet, telephone, meeting room and so on. This has enabled **a prison space to be turned into a zone of negotiation or exploration**.
- **When an armed group’s spokesperson is in prison, it is advisable to allow them visits from members of their**

group or similar, as this can help to consolidate any future negotiations. This facility depends on what progress is being made in the current talks. If they are going well, it is easier for a government to accept this recommendation. It is also important in terms of the political wing and the armed wing having the same position. During 2014, for example, there were monthly meetings in Turkey between the leader of the PKK guerrilla group, Öcalan, and Kurdish deputies who were acting, in turn, as intermediaries between Öcalan and the highest Kurdish politico-military leaders with bases in northern Iraq. Öcalan had previously spent long periods in solitary confinement.

- In some negotiations, the armed group has **teams of consultants or advisors** who may be members or supporters of the armed group, or simply centres specialising in handling negotiations, helping one or all parties to be realistic or giving advice on how to resolve any crises. The parties to the negotiation **must be clear on the role of these teams**, which may be very formal or, equally, totally informal. There are cases, such as in the Philippines with regard to the NPA armed group and its negotiating team, the NDF, in which a number of these consultants were arrested and held in prison. Both parties must agree in writing the role these people will play and whether they are to be released to participate in the rounds of talks, and they must renew this commitment at every cycle of negotiations.
- As already mentioned, a recurrent cause of crisis is the government's demand that the armed group should declare a unilateral ceasefire before commencing negotiations, a condition that is not normally accepted as it places one of the parties in a situation of greater vulnerability. **Ideally, the two parties should agree a bilateral ceasefire**, if possible at the start of the negotiations and, if not, part way through, when some trust has been built. This may be with or without

internal or external verification but with a real and sincere commitment not to take the opportunity of this agreement to re-arm or take offensive positions. **It is always advisable that verification mechanisms are put in place, which may be joint.** A joint verification team is responsible for analysing any complaints regarding violations of the ceasefire, and has the power to take decisions to resolve this situation.

- Given the possible difficulty of “selling” a bilateral ceasefire agreement to some sectors of public opinion, there is a possibility (which has, in fact, been tried and tested) that the parties could agree to a “**de-escalation of the conflict**”, with zero deaths, which would imply a “**tacit bilateral ceasefire**”.
- Whenever possible, depending on the geographical nature of the conflict and what control the parties have over specific areas, it is advisable to assess whether a “**buffer zone**” or “**separation zone**” **can be created**, with a several kilometre-wide demilitarised area along the border in which there are no heavy weapons. In some cases, as a condition for continuing the negotiations, the armed group has demanded that the Armed Forces withdraw from their zone of influence, something that is difficult to fulfil until there has been a long ceasefire and the negotiations are at an advanced stage.
- In conflicts with a regional dimension, **the support given to armed groups by neighbouring countries must be analysed and neutralised**, as many armed groups use neighbouring countries as “refuges” in which to lie low and from which to launch surprise attacks. Many negotiations require the **active involvement of neighbouring countries in order to achieve peace**.
- In many cases, the negotiations will be strengthened if the parties implement **confidence-building measures (CBMs)** such as prisoner exchanges, establishing humanitarian corridors, enabling communication between divided families, etc.

- Public opinion and governments always view an armed group's unilateral decision to **take measures in line with international humanitarian law** positively. These can include conducting mine-clearing operations, for example, and refraining from kidnapping, harassing civilians, recruiting minors or sexually abusing women, etc. These measures generate a great deal of confidence and increase their legitimacy to propose social, political and economic change.
- Given that it has been a cause of breakdown in a number of negotiations, **it is not advisable for the government to demand the relocation of armed groups into identifiable areas at any time, nor the identities of members** of the armed group to be revealed. This requirement creates a great deal of mistrust and vulnerability, and is not necessary in order to implement a ceasefire or move forward in the negotiations. Such a demand led, for example, to the breakdown of the Colombian government's negotiations with the ELN in 2007.
- **All negotiations have an economic cost**, and this increases in line with the time spent and the number of people involved. Very often, this cost is covered by the mediating countries or organisations, "friendly countries" or observer countries. The donors, however, need to be very careful in this regard, as there are numerous precedents in which **negotiations have turned into big business for the participants**. In the negotiations between Sudan and South Sudan in 2014, the negotiating teams were receiving 2,00 dollars a day per person plus the costs of a luxury hotel (320 dollars a night), bar and night club. Such malpractice needs to be avoided from the start.
- In the final stages of the negotiation, **the parties will need to agree on the legal position of the people to be demobilised** and other actors (soldiers in particular) accused of crimes during the period of conflict. Although

it is common to declare an amnesty following the signing of a peace accord, **the application of transitional or restorative justice has become established in some countries.** While the opinions of the victims must always be listened to and considered, it must ultimately be for the parties to the negotiation alone to decide how to resolve the **dilemmas of the inevitable exercise of truth, justice and reparation, three areas that will not necessarily be of the same intensity,** with the aim of getting the armed groups to put down their weapons.

- One recurrent theme of confrontation is whether, once the negotiations are at an end, **the Constitution should be amended or a new constitutional assembly formed.** The parties should not leave this issue to the last but nor should they discuss it at the very beginning, without knowing how the negotiations will go on the different agenda points. It is also common for a government to demand, as a precondition for negotiating with an armed group, that the Constitution should not be touched. Experience shows, however, that **it is best not to make this aspect a “red line” but to leave some margin for manoeuvre,** particularly when the armed groups date back to before the current Constitution came into effect.
- There are cases (the Philippines with the MILF, for example) of a Constitutional Court declaring a recently signed peace process inadmissible, thus forcing a rethink of the final phase in order to **find a legal solution to the process.**
- **The parties must, during the negotiating phase, consider whether or not they will put the final agreement to public consideration, via a referendum.** This is not usual, and to do so is not without risk, as in the case of Guatemala, but to do this and win strengthens the transparency and democratic legitimacy of the agreement.
- Following a peace accord, there is always a **reform of the**

security apparatus, resulting in a significant reduction in the numbers and budget of the Armed Forces (the so-called “disarmament dividend”), the **delinking of the police from military tasks**, and reforms of military legislation. Sectors of the Armed Forces often resist these reforms amid fears that they may lose their privileges but **defence and security policies need to change deeply following the end of an armed conflict. All these issues have to be on the negotiation agenda**, otherwise there will in contrast be a scaling-up of military activity following the peace accord, a possibility that must be ruled out at all costs.

- If the negotiations go well and a peace accord is reached, it is usual to then proceed to a **DDR process**, of which there are multiple variants for each of the three aspects. In this regard, **the parties must agree the kind of DDR that will take place at the end of the process, along with all the details**, as many processes fail due to this stage not having been sufficiently agreed or implemented, either for political, military or economic reasons, and the agreed timetable not followed. All DDR processes must dignify the ex-combatants’ return to civilian life (or partial reintegration into the Armed Forces or police, in some cases), and never demonise or stigmatise them. The State must, with all necessary internal and external support, ensure that this stage takes place correctly and within a reasonable timeframe, with the active involvement of the communities and places of origin of the demobilised individuals and of the socio-economic fabric of the places where they are to be received, if they are to be settled in another area.
- During the stages of DDR, in some countries, such as Colombia, the term “**surrender of arms**” has been used by the armed group (the FARC in this case), an apparent subtle use of language that in actual fact conceals an intention not to hand arms over to the Armed Forces and government,

considering this a humiliating act, but instead preferring to stop using the arms for a time and then hand them over to an international commission, without photographers or journalists, as was the case in Northern Ireland. This possibility requires a bilateral ceasefire agreement, whether explicit or tacit. Military operations simply do not take place and the combatants remain in their barracks. Although this option may prove difficult for the government to accept, it is an option that should not be discounted because the aim is actually for the arms to be rendered inoperable, out of use, “decommissioned” and, if possible, destroyed.

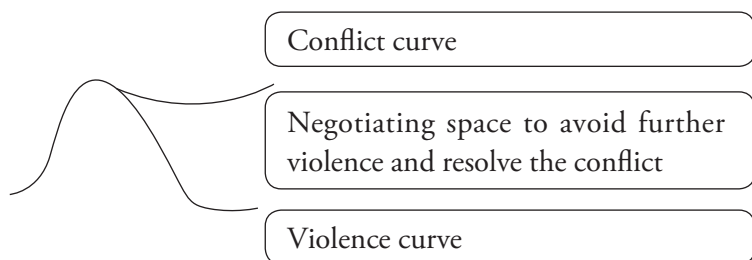
- Although the “**post-armed conflict**” phase is not formally included in the negotiations, given the enormous number of peace processes that have subsequently failed to implement what was agreed, or have done so only partially or with great delay, it is advisable **during the negotiation phase to agree the mechanisms for verifying compliance with the agreements signed**, whether internal, external or joint. If not, there is a risk that further violence will erupt, other than what was at the root of the armed conflict and more closely linked to organised crime. Very often, particularly in peace processes that involve structural change, political, economic or military pressure groups can emerge after the signing of the accord that reject or hinder fulfilment of the agreements because there are no national or international verification mechanisms.
- Implementation of the negotiated agreement may come at a high economic price. In this regard, **before requesting external support or calling a donors’ pledging conference, an analysis needs to be made of what the direct and indirect actors in the conflict can contribute financially**. It must be recalled that the end of an armed conflict, in most cases, enables the release of a sum of money previously devoted to military aims and which, in

some countries, may be as much as 2% of GDP, an amount that should be channelled fully into implementing the peace accords. In the Colombian case, for example, the guerrillas' assets should first be quantified, along with the value of the lands taken by the guerrillas and paramilitaries, the contributions of national and multinational companies to the paramilitary groups, what the State could contribute through "peace funds" and the already stated "disarmament dividend", etc.

- Following on from the above, there is no point, either at an advanced stage in the negotiations with an armed group or after signing a peace accord, in the government deciding to buy heavy weapons of high value (as in the case of Colombia in 2015) that would prevent military expenditure from being reduced in times of peace.

Recent Crisis

This section provides an overview of the main crises that occurred during 2014 in 29 different contexts, both open armed conflicts and other currently unarmed conflicts but which were armed in the past and for which negotiations aimed at reaching a peace agreement have not been completed. This mix is already a warning that **a ceasefire or a de-escalation of military activity is not always synonymous with achieving peace, the completion of a peace process or the final resolution of the conflict**, which may extend over time until the negotiations come to a satisfactory conclusion. The decline or even disappearance of physical and armed violence therefore does not necessarily mean that the conflict is at an end, as can be seen from the following diagram, valid for processes such as in the Western Sahara, Moldova (Transnistria), Cyprus and others.



Listing the crises for just one year by country sheds light on the **enormous number of factors that can negatively influence the way negotiations develop, along with the idiosyncrasies of each case.** In addition to **factors more commonly found in all negotiation contexts**, processes may thus be affected by very specific factors. Given that there are often “**models**” or “**reference points**” for **many negotiation processes**, i.e. other peace processes that demonstrate similarities in terms of the nature of the conflict or the kind of actor or methodology chosen, these can be drawn upon (rather than copied) and their useful aspects adapted to the situation at hand. These methodological aspects will be considered in another section. The following table shows, by country, the kinds of crisis, as indicated in the previous section.

Main crises in 2014	
Mali	• Existence of multiple armed actors. • Disagreement re. other groups participating in the negotiations. • Government not keeping its commitment to release prisoners. • Lack of coordination and overlapping attempts at external facilitation. • Escalation of violent clashes. • Pressure from third countries. • Request from an armed group to hold negotiations outside the country. • Non-participation of some armed groups in the negotiations. • Federalism vs. decentralisation. • Risk of wanting to reach a hasty agreement. Final outcome: First framework agreement to resolve the conflict in 2015.

Senegal	• Divisions within the armed group. • Multiplication of internal intermediaries. • Request by one faction of the armed group to hold negotiations outside the country. Final outcome: No significant change.
Ethiopia (Ogaden)	• Arrest of two negotiators in the mediating country. Final outcome: Unresolved.
Somalia	• Virtual paralysis of the Somali government. • Constant disputes between the prime minister and president. • Internal tensions within al-Shabaab (the armed group).
Sudan (national dialogue)	• Multiple armed actors and politicians in the dialogue. • Arrest of opposition leaders. • Government's desire not to delay the elections • Criticism of the government for not wanting a government of national transition. • Government's demand that the "National Dialogue" last no more than three months. • Delay in signing a cessation of hostilities due to the partisan needs of the government. • Possible government ploys to divide the opposition. Final outcome: Unresolved, but with possible progress in 2015.
Sudan (Darfur)	• At the meeting between the government and Gabriel Ibrahim's JEM, at the end of the year, the government delegation only wanted to discuss security issues, while the JEM had a longer agenda. • Insufficient capacity of the AU negotiating team. Final outcome: Unresolved.
Sudan (South Kordofan and Blue Nile)	• Accusations that the government did not want to stop the humanitarian crisis or resolve the political crisis. • Accusations from the government that the armed group was bringing up issues unrelated to the war. • Government mistrust of the AU's mediation. • Differences with the government over whether a ceasefire should be reached in the regions before holding the "National Dialogue". • The government was in favour of finding partial solutions while the SPLM-N wanted a general agreement. • The SPLM-N wanted a peace agreement to be reached in Darfur as well before participating in the National Dialogue. • The SPLM-N criticised the government for wanting them to hand over their arms before a political agreement had been reached. Final outcome: Unresolved.

South Sudan	• Violations of the ceasefire. • Disagreement over release of prisoners. • Arrest of senior commanders of the armed group. • Differences between leaders of the armed group and the IGAD's mediating team. • Requirement to withdraw foreign troops. • Escalation of the violence. • Differences over the creation of a federal system of government and constitutional reforms. • Insulting remark made by IGAD mediator to the government and armed group. • Threats of sanctions by the facilitator. • The Government of South Sudan criticised the three countries of the Troika (United States, United Kingdom and Norway) for wanting regime change. • Change of host country for the mediation (Tanzania replaced Ethiopia) and strengthened mediation through Finland and the CMI. • Accusations between the armed groups of not wanting peace. Final outcome: Change of mediation.
Sudan – South Sudan	• Proliferation of small arms • South Sudan's protest at the decision that Abyei region should be included in the 2015 elections. • Lack of local government and public order. Final outcome: Unresolved.
Central African Republic	• Low level of the armed group's representatives. • Internal struggles to represent the armed groups. • Divisions in civil society. • Divisions over whether the national dialogue should be conducted in the country or outside. • Condition made by one armed group to negotiate only if the country is divided. • Internal divisions within the armed group. • Doubts over the efficacy of peacekeeping operations. • Change of mediation, with diplomatic crisis at the last minute between CAR and Kenya, due to the holding of meetings with opposing militia, in the Kenyan capital, without informing the CAR government in advance. Final outcome: Change of mediation not agreed, uncertainty as to the immediate future.
DR Congo	• Mistrust due to the unclarified death of the leader of an armed group. • Doubts over the real willingness of an armed group to disarm. • Requirement on the part of a government that an armed group should not demand a political negotiation to disarm. • Ban on the leader of an armed group attending negotiations abroad. Final outcome: Unresolved.

Libya	• Lack of dialogue between the two governments and parliaments existing in the country. • Very low turnout for the parliamentary elections. • Rivalry between countries willing to provide facilitation. • Military combat in the middle of the negotiations. • Inclusion of some armed groups on the UN list of terrorist groups. • Decision of the Constitutional Court to declare the parliamentary elections illegitimate. • Attack on a UN representative by an armed group. • Constant cancellation of talks organised by the UN. Final outcome: Unresolved.
Western Sahara	• Possible disillusionment of one of the parties with regard to UN mediation. Final outcome: Unresolved.
Colombia	• Government's refusal to sign a bilateral ceasefire with the FARC. • Suspicions that, in the future, the police would no longer report to the Ministry of Defence. • Statements by the president that there would be no reform of the forces of law and order as a result of the negotiations with the guerrillas. • Doubts over the FARC's interpretation of "surrender of arms" and whether they would agree to commence a classic DDR process. • Party political accusations over the possible secret signing of agreements. • Threats against human rights defenders, union members and demobilised combatants. • Interception of the communications of the negotiating delegations. • Chance capture by the FARC of a general, with a discussion on whether they were "holding" him or had "kidnapped" him, which led to a temporary suspension of the negotiations. • Warning from the International Criminal Court on the application of transitional justice. • Government's rejection of international oversight of the ceasefire and hostilities unilaterally decreed by the FARC. • Excessive duration of the exploratory phase with the ELN and excessive length of time in initial meetings. • Differences over the agenda and concepts of "peace" and "social participation" between the government and ELN. • Differences between the ELN and the government regarding "methodological criteria" for the initial talks. • Capture by the army of a member of the ELN's negotiating team. Final outcome: Unilateral steps by the FARC to consolidate the negotiations and clarification of the progress made in the exploratory phase with the ELN.

Afghanistan	• Divisions within the Taliban. • Government disagreement with unilateral decision-making on the part of the US. • Arrest of a Taliban leader who was acting as an intermediary. • Enormously volatile political context, with difficulties in forming a government. • Insecurity. Final outcome: Unresolved but with possible new mediation in 2015.
India (Nagaland)	• Resignation of a government spokesperson. • Hostilities between Naga factions. • Government's refusal to allow Naga leaders to attend a unification meeting. • Government's refusal to negotiate with all groups simultaneously. Final outcome: Negotiations only with the NSCN-IM.
India-Pakistan (Kashmir)	• Violations of the ceasefire. • Deep unease on the part of the Indian government after a Kashmiri separatist leader was received by the Pakistan government. • Attack in the Indian zone of Kashmir. Final outcome: Unresolved.
Pakistan (Waziristan)	• Murder of kidnapped soldiers. • Differences between Taliban factions. • End of ceasefire. • Terrorist attack on school. Final outcome: Unresolved.
Burma	• Demand by armed groups that the political dialogue should run parallel to the ceasefire. • Initial disagreement with the formation of new inclusive Armed Forces. • Government's refusal to accept a more inclusive agreement as it did not recognise the small armed groups. • Armed Forces attack on a KIA training centre. • Differences over the issue of federalism. Final outcome: Possible agreement at the start of 2015.
Philippines	• Delays in the government's approval of the Fundamental Law of Bangsamoro. • In the middle of the year, the President's Office presented various amendments to the Law, resulting in the MILF's disagreement. • Possible existence of a MILF faction opposed to disarmament. • The government ended the "special path" for negotiations with the NDF. • The government accused the NDF of making proposals through the media and not directly to the government negotiating team. • The NDF stated that it was impossible to reach a peace agreement with the current government, as it considered it too conservative. • Internal divisions and struggles for leadership of the MNLF. • MNLF criticism of the government for having ignored it during negotiations with the MILF. • Differences between the MNLF's and the MILF's approach. Final outcome: Possible new negotiations with the NDF in February 2015, and difficulties in negotiating with the MNLF.

Thailand (south)	• Military strategy of encouraging desertions. • Lack of unification of armed groups' demands. Final outcome: Military control of the negotiations, which has created mistrust.
Cyprus	• Influence of Cyprus's economic crisis on the negotiations. • Temporary breakdown in the negotiations due to differences over oil exploitation rights in the area. Final outcome: Possible resumption of negotiations at start of 2015.
Kosovo	• Internal tensions led to the holding of early elections. • Delays in forming a new government. Final outcome: Unresolved.
Moldova (Transnistria)	• Impact of the conflict in Ukraine, and deterioration in the relations between Russia and the West. • Pressure on schools in Transnistria that were providing education in the Moldavian language. • Delays in the rounds of talks. • Criticism from Moldova for not having been informed of the Russian representative's visit to Transnistria. • Russian reprisals following the EU/Moldova Association Agreement. • Possibility that USA may establish a base near the Romanian capital • Fear of a loss of Moldova's neutrality. • Fear of the unification of Moldova with Romania. Final outcome: Unresolved.
Turkey (PKK)	• Delaying tactics on the part of the government with regard to the negotiation. • Interference from Turkish elections in summer 2015. • Impact of the delicate situation of the Kurds in Syria. • Accusations from PKK of Turkey's alleged support of ISIS. • Law and order problems. • Lack of negotiating experience on both sides. Final outcome: Possibility of commencing formal negotiations, with new methodology.
Ukraine	• Struggles for political and economic power. • Rivalry between regional political and economic institutions. • Russian occupation of Crimea due to its military / strategic value. • Opposition to Russia's aspiration to create a Russian-speaking space. • Ukrainian government's desire to join NATO. • Early militarisation of the conflict, despite diplomatic initiatives. • Presence of mercenaries and irregular forces. • Sanctions against Russia and Crimea. • Military manoeuvres on both sides. • Return to language and threats from the Cold War era. • Insecurity in the supply of Russian gas. • Rejection of federalism by the Ukrainian government. • Refusal to recognise the elections held in eastern Ukraine. • Cancellation by the Ukrainian government of concessions and commitments previously made for the east of the country. • Russia's concealed provision of arms to rebels in the east.

Ukraine	• Mutual accusations of a failure to respect the ceasefire. • Ukraine's abandonment of its status of neutrality. • President Putin signed a new military doctrine that considered the advance of NATO to be one of the main dangers to national security. Final outcome: Unresolved.
Armenia-Azerbaijan	• Increased incidents and fighting along the ceasefire line. • Increased rearmament and militarisation of both countries. Final outcome: De-escalation of tensions.
Georgia (Abkhazia and South Ossetia)	• Violations of air space. • Social and political crisis in Abkhazia. • Demand by Abkhazia and South Ossetia for the issue of displaced persons to be kept off the negotiation agenda. • Abkhazia's request to change the format of and agenda for the negotiations. • Disagreements between Abkhazia and the EU with regard to the mechanism for preventing and responding to incidents. • Mistrust between Georgia and Russia over Russia's signing of a treaty with Abkhazia, which increased this latter's dependence. • Russian refusal to sign an undertaking not to use force. Final outcome: Unresolved.
Israel-Palestine	• Recognition of Israel as a Jewish state. • Hamas' rejection of the possible presence of NATO troops on Palestinian territory. • Israel's policy of building settlements in the West Bank and East Jerusalem. • Israel's opposition to Palestinian membership of various international treaties. • Failure to release Palestinian prisoners held in Israeli prisons. • Israel's refusal to negotiate with Palestine. • Escalating conflict in the Gaza Strip. • Presentation to the UN Security Council of a draft resolution on behalf of Palestine to revive the negotiations with Israel. The Security Council did not approve the proposal. • Threats against Palestine for gaining membership of the International Criminal Court Final outcome: Unresolved

Source: Fisas, Vicenç, *Yearbook 2015 on Peace Processes*, School for a Culture of Peace, 2015.

Proposals for a redesign of both methodology and actors in the wake of crises

The serious nature of some of the crises that occur during negotiations, or sometimes the mere fact that the very dynamic of the negotiations requires **unanticipated action to be taken**, often means **the initial format needs to be redesigned** to

adapt it to the changing needs, and this should always be done by mutual agreement between the parties. In the negotiations with the FARC in 2014, for example, disarmament and gender **sub-commissions** had to be created in the form of **parallel working groups** which, on finishing their work, presented their conclusions to the plenum (the formal negotiation meeting). This helped save time, particularly on highly complex issues related to disarmament or the “surrender of arms”. Civil society participated in various ways, in addition to those already planned at the start (interactive web), such as regional working committees and the International Victims’ Forum.

By calculating the probability of a crisis arising, it is possible to **consider in advance some corrections to the initial work plan that may prove necessary**, so that they can be initiated as soon as they are needed. As previously noted, if many years of fruitless work under the same format call for a totally new design, then this decision has to be made even though it will never be completely risk-free. The following are some actions that can be taken:

- Due to oversight or initial difficulties, some of the actions specific to the exploratory phase may not be discussed until the stage of “formal negotiations”. In this case, **if recommendations were not made for some issues during the initial stage then this has to be done subsequently**.
- **Introduce the concept of a facilitator**, if there has not previously been one and it is thought that this might help to improve the negotiation.
- **Change the status of “guarantor” or “observer” to “facilitator in times of crisis”**, as was the case at the end of 2014 with Norway and Cuba, guarantors in the negotiations with the FARC. Faced with the crisis due to the capture of a general, the parties decided that these two countries would change their status in times of crisis.

- **Forego the mediation of third countries, if the experience has been highly negative** in this regard and the parties prefer direct dialogue.
- **Change mediating country or person**, if the final assessment of their handling of the process over a number of years is not positive, even if it is not their fault. In this case, care needs to be taken that there is not a **proliferation of candidates wishing to take the lead in the mediations**, as was the case in Libya in 2014-2015.
- **Change one or more individuals within the negotiating teams of the two parties** if their behaviour, character or rhetoric is perceived as hostile by the other party.
- **Increase or reduce the number of members of each negotiating team**, depending on the backlog of work and size of the agenda.
- **Create the status of “friendly countries”** in the peace process, with a detailed explanation of their tasks. It is not advisable for these countries to have any clear public proximity to or economic or geopolitical interest in either of the parties, as this would prevent them from enjoying the necessary impartiality.
- **Create “parallel working groups”** through which to move the most complex issues forward.
- **Change the country in which the negotiations are taking place**, if this might create new positive expectations and act as an incentive to all parties.
- **Invite independent people and experts on particular issues on the agenda** to make recommendations that could help find common ground.
- **Organise meetings with the armed groups, in another country, to strengthen their negotiating capacity.** For example, in 2014, the Berghof Foundation held a meeting in Berlin with the different leaders of the armed groups in Sudan forming part of the SRF coalition, and who

undertook to participate in any political process that would lead to peace in the country.

- **Leave the issues that are blocking the negotiations to the end.**
- In times of crisis, the **armed groups** have to assess the importance of taking **unilateral steps to build greater confidence** in the process and, at the same time, increase their legitimacy. In this regard, they make take steps related to complying with international humanitarian law (releasing kidnap victims, handing over child soldiers, mine clearing, etc.). This also includes the possibility of declaring a temporary ceasefire and/or cessation of hostilities.
- In extreme circumstances, although it is not at all desirable, the **negotiation cycle may be halted (while maintaining close contact with all parties and neighbouring countries, either directly or indirectly) if none of the parties are willing to bring anything new to the table and the negotiations have been stalled for a number of years.** For example, following the last round of visits to the Western Sahara region, in October 2013, the UN special envoy stated that a new session of formal meetings between the parties would not be organised until there were expectations that the dialogue would move forward.
- When a cycle of negotiations breaks down, in the case of two countries in conflict, **the negotiations can temporarily be replaced with other diplomatic measures**, such as trade, culture, sports, music and art, etc., **with the aim of maintaining the channels of communication open** and avoiding the political temptation to “paint the other party an enemy”.
- Returning to the case of the Western Sahara, during a breakdown in the cycle of negotiations, it can be useful to **temporarily replace the rounds of talks with a written exercise of questions and answers to the parties on the issues at the root of the conflict.** In January 2014, the UN Secretary General’s personal envoy met with working

groups recently formed by the parties in Rabat and Tindouf to confidentially submit questions formulated specifically for each of them. The questions were deliberately difficult and aimed at getting the parties to venture beyond the easier issues, introducing them to different conversations and encouraging them to show flexibility as they began to consider alternatives to their initial positions and seek elements of a compromise solution. After a few months, the Polisario Front stated that it was not in agreement with this exercise. Something similar was conducted by the School for a Culture of Peace over the 2000-2003 period, in complete confidence, with all parliamentary groups of the Basque Country (from the Popular Party to Batasuna), with good results. The exercise came to a halt when Batasuna was banned and placed on the EU list of terrorist groups.

- **Simplify the framework of participating actors, if this is causing confusion as to the tasks to be carried out by each one**, although this is no guarantee that the process will improve. The case of the Sahara is proof of this. The outline of this process is a simple one: sole mediation of the UN, and different alliances between the two actors. Morocco, with the support of three permanent members of the Security Council (USA, France and the United Kingdom) and the Polisario Front, with the support of Algeria. This is often not the case, however. There are situations where there is a proliferation of special envoys (from the UN, EU, AU, other important countries, etc.), countries offering themselves as new facilitators or hosts for a further phase of negotiations, organisations holding seminars or meetings to help improve the negotiations, etc., all at the same time and in relation to the same conflict. It is always good for the process to be accompanied, but only as far as is necessary.
- There is a completely different stakeholder table, with a great **profusion of actors** of all kinds. **This framework**

is also not a positive one because it creates confusion and there are serious difficulties in getting all actors to sit down at the same table. This is the current case in Libya, where there is a competition among various countries to lead the peace process. At the start of 2015, there were two possible mediation teams in Afghanistan. One was a troika formed of China, Afghanistan and Pakistan, the other a group of countries from the region, known as the “6+1” and formed of the USA, Russia, China, India, Pakistan, Iran and Afghanistan. This group has already met twice.

- **Clarify who the government facilitators are** and what their decision-making capacity is. In Senegal, in 2014, there was a great deal of confusion in this regard.
- **Create pauses in the negotiations in order to refocus** on what has been achieved so far and start afresh.
- Do not forget the positive impact of **including women in the negotiating teams or as facilitators**, as they tend to have a greater capacity for empathy and for de-escalating tension.
- **Talk to former leaders of other armed groups who have successfully signed a peace accord** in order to exchange experiences.
- Promote, albeit confidentially, a **direct meeting between the highest authorities of the country and the leader of an armed group**. Getting to know each other personally and being able to directly express their points of view may help to reduce the initial “preconditions” of either party and make their positions more flexible. In 2014, a meeting took place in Hiroshima, Japan, between the President of the Philippines, Benigno Aquino, and the leader of the MILF, Murad Ebrahim.
- **Release, if only on parole, prisoners who carry political weight** within an armed group so that they can participate in the negotiations.

- Agree on the **creation of a Truth Commission**, if this has not already been done.
- **Encourage government investment in areas controlled by the armed group**, as a confidence-building measure and an incentive to negotiate, with the knowledge and approval of the armed group.
- **Invite the main regional and international bodies, particularly the UN, to express their satisfaction at the commencement of or good progress in negotiations.** This is also a good incentive and enhances the self-esteem and international recognition of those participating in the process.
- Assess the positive impact that a **political amnesty** might have on the course of the negotiations.
- **In border disputes, the mediating body can propose co-sovereignty over or the neutrality of a particular geographic area.** In October 2014, for example, the UN Secretary General's special envoy, Francis Mading Deng, proposed a new agreement for Abyei, an oil-rich border town between Sudan and South Sudan, which was to be declared a neutral region, warning of the need for each of the affected countries to resolve their internal conflicts and giving guarantees to the Misseiriya community.
- **Create a fund for the full reparation of the victims of the conflict**, once they are known. In Colombia in 2014, the FARC proposed that this fund should be set at 3% of GDP. The dilemma here lies in establishing responsibility for contributing to this.
- Create a **special commission to study the situation of political prisoners**, as a confidence-building measure for the armed group.
- **Agree whether the final peace accord should be submitted to a referendum or not.** This is a hot topic of discussion in the negotiations with the FARC in Colombia. In the Philippines, in 2014, it was agreed to hold a referendum for the areas affected by the agreement with the MILF.

The actors' "toolkit"

As already mentioned, there are extremely simple models with which to initiate negotiations, but there are also other much more complex ones, as different actors get involved. This is particularly the case in conflicts of long duration. **No model is able to guarantee anything, however, and it is always a challenge to ascertain and build a "specific" process at any given time**, especially as this may change as particular circumstances arise that require the model to be reviewed.

The number of negotiations taking place, and their wide variety of structures, means we can produce a kind of "toolkit" in which actors can find the advice they need at any given time. The challenge is not to make a carbon copy of a model that may or may not function well for a given conflict but to **find the model that is most suitable and appropriate for the case at hand**. It is a matter of building a "unique jigsaw" for a specific negotiation in the knowledge that there are more pieces that can be added to the initial layout. It should also be recalled that not all solutions to the crises that may arise in a negotiation process will necessarily be found in the "toolkit". Occasionally, we have to **use our imagination and "serendipity" to propose new things, clearly adapted to the specific conflict in question**. One recent example can be seen in the failed attempts to find a solution to the conflict in Ukraine in 2014. Initial responsibility lay with the EU High Representative for Foreign Policy and the OSCE special envoy but the process was stalled until the highest level of Franco-German diplomacy took conflict resolution into their own hands, resulting in an agreement on 12 February 2015.

Let us return, however, to considering the different options that have been used in terms of players involved, as given in the following table, referent of 2015.

Elements	Examples
Government structures	
Presidents or prime ministers involved	South Sudan, CAR, Afghanistan, Turkey (PKK), India (with regard to Pakistan), Pakistan (with regard to India), Pakistan (Waziristan), Cyprus, Ukraine, Armenia, Azerbaijan, Moldova, Georgia (Abkhazia and South Ossetia), Israel, Palestine
Peace Commissioners / Advisors / Special Envoys	Senegal (Casamance), Colombia, Afghanistan, Pakistan (with regard to India), India (with regard to Pakistan), Philippines, Azerbaijan (for the conflict of Nagorno Karabakh with Armenia), Israel, Palestine
Other official negotiators	Sudan (South Kordofan), South Sudan, Afghanistan, India, Burma, Philippines (a person with a team for every armed group), Thailand, Cyprus, Serbia-Kosovo, Transnistria, Turkey (PKK), Georgia, Palestine
Ministers for Reconciliation / Union / Reintegration / Conflict resolution	Mali, India, Moldova, Georgia
Other ministers	Thailand, Israel
Regional Governors	Sudan (South Kordofan), India (Assam, Nagaland)
Other government representatives	Mali
Intelligence Services	Thailand, Turkey (PKK)
Peace agreement monitoring offices	Sudan
Other government or State structures	Senegal (ANRAC), Morocco-Sahara (Economic, Social and Environmental Council/ CESE, Consultative Commission for Regionalisation / CCR), Burma (Myanmar Peace Centre, Nationwide Ceasefire Coordination Team), Moldova-Transnistria (expert committees), Pakistan (Parliamentary Committee)
Academic centres	Sudan (Future Studies Centre, with regard to the conflict with South Sudan), South Sudan (Centre for Strategic Studies)
Armed groups' structures linked to the negotiation	
Coordinating bodies	Mali, Sudan (Darfur), Burma, Thailand (south)
Group leaders	Senegal (Casamance), Ethiopia (Ogaden), Sudan (Darfur), Sudan (South Kordofan and Blue Nile), South Sudan (SPLA/AIO), CAR, Rwanda (FDLR), Libya, Afghanistan (Taliban), India, Pakistan (TTP), Turkey (PKK), Ukraine (east)
Formal negotiators	South Sudan (SPLM/AIO), Western Sahara (Polisario Front), Colombia (FARC, ELN), Philippines (NDF, MILF, MNLF)

Active diasporas / exiles	Senegal (Casamance), Ethiopia (Ogaden), Rwanda (FDLR), Western Sahara (Polisario Front), Colombia (FARC, ELN), Philippines (NDF), Turkey (PKK)
Allied countries	Nearly all have these
The mediation space	
UN mediation (personal envoys or special representatives)	Sudan-South Sudan (SESG, UNISFA), Libya (SRSG), Western Sahara (PESG, SRSG), Cyprus (Special Advisor)
Regional mediating bodies	AU (Sudan, Sudan/Darfur, Sudan/South Kordofan and Blue Nile, Sudan-South Sudan) AU-UN (Sudan/Darfur) IGAD (Somalia, South Sudan) OSCE (Moldova, Ukraine, Armenia-Azerbaijan, Georgia (Abkhazia, South Ossetia)) EU (Ukraine)
Mediation of groups of countries	Sudan (Troika: USA, United Kingdom, Norway), CAR (International Contact Group), Moldova (5+2 Format: Moldova, Transnistria, OSCE, Russia, Ukraine + USA, EU), Armenia-Azerbaijan (Minsk Group: USA, France, Russia), Georgia (Geneva Process: UN, OSCE, EU, Georgia, South Ossetia, Abkhazia and Russia)
Mediation of countries (including Colombia's guarantors)	Germany (Ukraine) Algeria (Mali, Libya) Brazil (Colombia) Cuba (Colombia) China (Afghanistan) Ecuador (Colombia) Egypt (Israel-Palestine) United States (Israel-Palestine) France (Ukraine) Gabon (CAR) Kenya (Ethiopia, CAR) Malaysia (Philippines, Thailand-south) Norway (Colombia, Philippines) Qatar (Afghanistan) Russia (Ukraine) Sudan (Libya) Uganda (DR Congo)
Mediation of specialist centres	HD Centre for Humanitarian Dialogue Community Sant'Egidio (Mali, Senegal, Rwanda/DR Congo) Crisis Management Initiative (South Sudan)
Peacekeeping missions or similar	UN: Mali (MINUSMA), Somalia (UNPOS, UNSOM), South Sudan (UNMISS), Sudan-South Sudan (UNISFA), CAR (MINUSCA), DR Congo (MONUSCO), Libya (UNMIL), Western Sahara (MINURSO), Afghanistan (UNAMA), India-Pakistan (UNMOGIP), Cyprus (UNFICYP), Kosovo (UNMIK) AU: Somalia (AMISOM), CAR (MISCA) EU: CAR (EUFOR-CAR), Kosovo (EULEX) Others: Moldova (Joint Peacekeeping Forces: Russia, Moldova, Transnistria)

UN accompaniment	Somalia (SRSG), South Sudan, DR Congo (SESG, SRSG), Colombia (UNDP), Burma (observer, SESG), Kosovo (SRSG), Israel-Palestine (UNSCO)
Accompaniment of regional bodies	AU (Mali, South Sudan, Libya, Western Sahara) EU (Mali, Somalia, Philippines, Kosovo, Armenia-Azerbaijan) ECOWAS (Mali) OCI (Mali, Philippines, Thailand-south) CEEAC (CAR) Arab League (Libya, Israel-Palestine) OAS (Colombia) ASEAN (Burma) OSCE (Kosovo) NATO (Kosovo) European Parliament: (Turkey/PKK)
Accompaniment of groups of countries	Somalia (International High-Level Partnership Forum on Somalia), South Sudan (Troika: USA, Norway, United Kingdom), DR Congo (International Conference on the Great Lakes Region), Western Sahara (Group of Friends: USA, France, Spain, United Kingdom and Russia), Philippines (Third-Party Monitoring Team), Kosovo (Troika: USA, EU, Russia), Georgia (Incident Prevention and Response Mechanism: Georgia, Abkhazia, Russia and EU), Israel-Palestine (Diplomatic Quartet: UN, EU, USA, Russia)
Accompaniment of groups of countries, government bodies and civil society	Somalia (High-Level Task Force), Philippines (International Support Group to the Negotiation Process: Japan, United Kingdom, Turkey, HD Centre for Humanitarian Dialogue, The Asia Foundation, Muhammadiyah, Conciliation Resources, Community of Sant'Egidio), Kosovo (diplomatic academies in Kosovo and Vienna)
Accompaniment of countries	Germany (Sudan, Sudan/Darfur, Afghanistan, Armenia-Azerbaijan) Saudi Arabia (Afghanistan, Philippines, Israel-Palestine) Belgium (Sudan/Darfur) Brunei (Philippines) Congo (CAR) Cuba (Colombia) Chad (Mali, Sudan/Darfur) Chile (Colombia) China (South Sudan, Sudan-South Sudan, Burma) Denmark (Somalia) Dubai (Afghanistan) Spain (Libya) United States (Senegal, Sudan-South Sudan, India-Pakistan) Ethiopia (South Sudan, Sudan-South Sudan) Finland (Burma) France (Sudan/Darfur, Israel-Palestine) Gambia (Senegal) India (Afghanistan) Indonesia (Philippines, Thailand-south) Iran (Afghanistan)

Accompaniment of countries	Italy (Libya) Japan (Burma, Philippines) Kenya (Sudan-South Sudan) Malta (Libya) Mauritania (Mali) Niger (Mali) Norway (Philippines) Netherlands (Philippines) Qatar (Sudan/Darfur, Libya, Philippines) United Kingdom (Afghanistan) Russia (Afghanistan) South Africa (South Sudan) Sweden (Thailand-south) Switzerland (Western Sahara, Israel-Palestine) Tanzania (South Sudan, DR Congo) Turkey (Somalia, Libya, Philippines, Armenia-Azerbaijan) Venezuela (Colombia)
Accompaniment of academic centres	Asia Foundation (Philippines) Berghof Foundation (Sudan, Sudan/Darfur) Beyond Borders (Turkey/PKK) Carter Center (Sudan-South Sudan, Israel-Palestine) Centre for Conflict Studies and Cultural Diversity (Thailand-south) HD Centre for Humanitarian Dialogue (Burma, Philippines, Thailand-south) Centro de Pensamiento y Seguimiento al Diálogo de Paz (Centre for Thought and Peace Dialogue Monitoring) (Colombia) Community of Sant'Egidio (Philippines) Conciliation Resources (Philippines, Armenia-Azerbaijan) Crisis Management Initiative (Afghanistan, Moldova, Ukraine, Armenia-Azerbaijan) Eurasia Foundation (Armenia-Azerbaijan) Fondation pour la Recherche Stratégique (Foundation for Strategic Research) (Afghanistan) International Alert (Armenia-Azerbaijan) International Centre on Conflict and Negotiation (Georgia) International Peace Research Institute (Turkey/PKK) Muhammadiyah (Philippines) Pax Christi (Armenia-Azerbaijan) Payap University's Institute of Religion, Culture and Peace (Thailand-south) UNDP (Colombia) Saferworld (Armenia-Azerbaijan) USIP (Armenia-Azerbaijan)

Accompaniment of NGOs and other structures	Senegal (Council of Elders for Peace in Casamance, Mon Ku Mon), Sudan (Democracy First Group), Colombia (Consejo Nacional de Paz/National Peace Council), India-Assam (All Bodo Peace Forum), India-Nagaland (Forum for Naga Reconciliation), Turkey (Group of Wise Men, Abant Platform)
Accompaniment of political groups	India-Pakistan (APHC Coalition), Pakistan-Waziristan (Jamiat Ulema Islam-Sami, Jamat-e-Islam), Turkey/Kurds (HDP, DTP)
Accompaniment of churches	Senegal (Bishop of Ziguinchor), India-Pakistan (OCI), Philippines (Philippine Ecumenical Peace Platform), Thailand-south (The Inter-religious Council for Peace)
Accompaniment of women's groups	Senegal
Accompaniment of businessmen, financial bodies and donors	Senegal (CRAES), India-Pakistan (World Bank), Burma (Peace Talk Creation Group), Burma (Peace Donor Support Group: Norway, United Kingdom, EU, Japan, Switzerland, USA, Australia)
Accompaniment of individuals	Burma (Aung San Suu Kyi)

On the basis of the above, we can draw the following conclusions:

- **At government level, many negotiations rely on the leadership of a country's president or prime minister, who directs the negotiation process in a highly personal manner.** There are now few cases where peace commissioners or advisors lead the negotiations, with the president's blessing, unlike 10 years ago or so when there were more than 15 examples. In these cases, the commissioners (or similar posts of responsibility) always tend to have a negotiating team, although with highly varied profiles in terms of their decision-making capacity.
- If a country has a number of armed groups at the negotiation stage, **it is normal to have a different negotiating team for each group**, although ultimate responsibility rests with just one person appointed by the country's president.
- On some occasions, the person responsible for the negotiations may be a **minister, a governor** (particularly in

regional conflicts) **or other public official.**

- With the exception of the Philippines, the vast majority of people responsible for government negotiations are **men.**
- **There are scarcely any official organisations or bodies monitoring the peace accords,** which considerably weakens the level of guarantees and confidence that the agreements will be fulfilled. **The most sensible thing would be to have such an organisation,** if possible with the involvement of regional or international bodies.
- With regard to the negotiating structures of the armed groups, **there are at least three countries in which the groups have joined together in a coordinated body in order to negotiate.** This is a good example of the **need to simplify and link agendas,** in order to facilitate the negotiations.
- The most common situation, as in government structures, is that the **leaders of the armed groups are the ones who participate directly in the negotiations.** It is less common for these groups to have a negotiating team that does not include their highest leaders.
- The **negotiations with the FARC of Colombia,** in Cuba, is a less common but probably quite sensible example whereby **the level of political and military leadership within their delegation increases as the negotiations progress and new issues are addressed** that require the presence and opinion of new people.
- We must not forget the **positive role that diasporas can play,** in terms of making **exploratory contact** with exiles who have decision-making capacity over some groups or, at least, influence within them.
- The **countries allied to a government or armed group in conflict** may be wide-ranging but **it is important to know who they are in order to be able to sound out their possible involvement** in the first approaches or to consolidate an already advanced process. An ally does not always behave

as a “spoiler” in the process although there is a risk of them behaving as such. Nonetheless, these influential countries may be an advantage during the negotiations in terms of ensuring their continuity and good implementation.

- In terms of the **mediation space**, this offers multiple opportunities for a **great diversity of actors** who can help in the initial stages and in ensuring the good progress of the negotiations.
- **The United Nations** takes part in few negotiations formally although **it tends to be very active in terms of its good offices**. Where it does lead negotiations, this is through personal envoys or special representatives of the Secretary General. The overall results have not been particularly positive in recent years.
- In terms of the involvement of **regional bodies**, the **African Union is the most active**, due to its involvement in the different Sudanese conflicts, **while the European Union rarely steps in** to lead a negotiation.
- The **OSCE** has played a difficult role as mediating body as it is responsible for a number of **processes that have been at a standstill for some years**.
- There are various cases where the **negotiations have been in the hands of a group of countries: via “troikas”, “quartets”, “contact groups”, etc.** The experience is not positive when one or more of the member countries is not impartial and is, instead, **allied to one of the parties**, particularly in conflicts between countries. These groups of countries are most active as “accompaniers” to a process but not leading it.
- In 2014, around **17 countries were participating as facilitators** or guarantors in public negotiations. This is therefore the most commonly used method. There are countries, such as Norway or Switzerland, that intervene discreetly in some processes.
- Mediation through **specialist centres** (HD, CMI,

Community of Sant'Egidio, etc.), **is often confidential**, and so the statistics in the table are not complete.

- There are quite a few **peacekeeping operations** that provide **support for negotiations**, or take responsibility for the final phase but never take charge of the actual facilitation. Most of these operations are under the mandate of the UN, **which provides political accompaniment to some peace processes**.
- There is a wide range of **regional bodies accompanying negotiations**.
- The Philippine negotiations with the MILF enabled **cooperation between countries and NGOs as accompaniers** of a negotiation process (with the MILF, concretely) to be put to the test. It is an experience that will need to be evaluated in 2015, in order to draw conclusions and see if this model may be of use in other processes.
- Around 40 **countries have accompanied ongoing negotiations in some way**, with different degrees of intensity. Most noteworthy in 2014 were the cases of Germany and Turkey. It is advisable to **specify the kind of cooperation** that these countries can provide.
- A minimum of 20 **academic or specialist centres** have participated publicly, accompanying some of the stages of negotiation processes. The HD Centre for Humanitarian Dialogue (Switzerland) and CMI (Finland) are the most active. These and other centres have also provided their services confidentially. They can play an important role at times when there is a need to **re-channel the process due to a serious crisis**, by generating new ideas, considering a concrete theme on the agenda in more depth, conducting comparative studies or gathering proposals from society.
- There are **also organisations linked to civil society, Churches, businessmen or donor countries** who can help create a favourable environment for the negotiations or strengthen the post-armed conflict stage.

- Finally, **on a very few occasions, prestigious public figures get involved**, acting in a personal or individual capacity to accompany a negotiation or provide their good offices.

Final recommendations

- Although there is no “perfect model” for negotiating the end to an armed conflict or conflict that had an armed phase in the past, the methodologies and designs used in numerous negotiations over the last few years, along with their subsequent moments of crisis, enable a number of **recommendations to be made, both to prevent these crises and to resolve them, either fully or partially.**
- All negotiations need to take many different but possibly well-known factors into consideration in their design. As every conflict is different from the last, **the negotiations also have their own personality.** The people involved in their initial design must consider all these factors, including the involvement of all parties to the conflict.
- The most notable aspect required before work can begin on a negotiation process is **the need to be fully assured that all parties believe the time has come to negotiate**, knowing that the price will be one of flexibility and mutual concessions.
- There are enough examples to be able to advise on a **certain frequency of rounds of talks, as well as the kind of facilitation or accompaniment** best suited to these negotiations.
- The initial framework must have the **flexibility to be redesigned** should the need arise, without necessarily parting with the basic principles of a good negotiation.
- Given that it represents one of the main reasons for crisis, **it is advisable to reaffirm every so often whether the negotiating model and its facilitators are appropriate or if they need to be reconsidered.** Faith in the abilities, reliability

and professionalism of the mediating body is essential.

- It is worth remembering that **the negotiation phase is only one stage in a peace process**, and that this also includes a final stage in which the agreements are implemented, and which is often a cause of failure. To prevent this, **the final agreements need to be realistic, viable and achievable**.

IV – ROLES IN A PEACE PROCESS

We should thank Chris Mitchell for the first proposal on how to systematise the roles of mediation, which I shall develop in this essay by adapting them to a peace process. Our point of departure involves clarifying a popular misconception, which is the assumption that mediation is an act performed by a single person (Bill Clinton in Israel and Palestine, Nelson Mandela in Burundi, Kofi Annan in Syria and Christopher Ross in Western Sahara, just to cite a few examples). What I am going to explain here, following Mitchell's proposal, is that mediation is a process in which multiple actors participate by playing different roles, all of them complementary, and that the more complete the map of functions is, the better the process fares. What is commonly called a mediator is actually just one figure in the process, the core figure, it is true, whom we know as the facilitator, but in reality this person does not act alone but instead needs a series of other people who play equally necessary roles in the peace process.

Mediation is the intervention of third parties in a conflict in which two or more actors have an initial incompatibility, and this third party tries to help the conflicting actors to find a satisfactory solution to the problem by themselves. The facilitator does not provide a solution but helps them to find one through the right techniques and procedures. We should also note that mediation is not needed in all conflicts because

sometimes the clashing parties can also talk and negotiate directly, without the need for third parties. However, the aid of third parties is enlisted in more than half of the conflicts.

When we talk about mediation in a peace process, we are therefore referring to the actions of different people in the three basic stages in a peace process: the pre-negotiations, the negotiations and the implementation of the agreements. Certain figures may take part in each of these stages, each of whom plays a specific role. They are usually individuals, but sometimes they can be centres, organisations or bodies.

Creating the atmosphere

Starting a negotiation when opinion is contrary or indifferent is more difficult than if there is the right atmosphere, that is, public opinion in favour of negotiations or a peace process. This favourable attitude helps the government to begin a rapprochement with the armed group, or the armed group to make the gestures needed so that the government agrees to negotiate. However, this atmosphere does not emerge on its own, spontaneously; instead, it must be created patiently and strategically. People or organisations in favour of negotiations have to create a supportive public opinion through opinion articles, demonstrations and public acts. This participation by civil society not only creates the right atmosphere but also helps to shape the agenda and negotiation times, which will enable certain issues to be considered. People who generate opinions through the media are the primary ones in charge of creating this atmosphere that is sensitive to and in favour of rapprochement, counterbalancing the voices from the sectors against any negotiations, which always exist and can be quite influential at times. The goal is to generate the opinion that it is possible, the time is right, it is necessary and an attempt must be made. To do so, many actors are

needed, including artists. Concerts for peace have been held countless times to not only encourage the common folk to support a peace process but also stimulate the government and armed groups to start talks.

The exploration

A negotiation can begin directly when the parties take the decision to do it because they believe that the time has come. However, oftentimes the previous intervention of a third party, the explorer, is needed, who discreetly listens and weighs each party's willingness to enter pre-negotiations. The explorer fulfils a vital role in the process because they have the ability to approach both parties involved and determine whether or not the time has come to begin the process. This is a confidential and little-appreciated job because the person who acts as an explorer tends not to appear in the official history of peace processes.

Whoever performs this role must have the ability to contact one of the parties or, if possible, all of them, because in this way they can act as a messenger; that is, they can tell each party that the other is ready and willing to begin negotiations or pre-negotiations. To do so, they have to know how to contact the parties, either the leaders directly or the people near the leaders who have access to them. In some cases, the person who acts as the explorer can also actually influence the opinion and decision-making of the actors with whom they are talking. By sounding them out, they can influence the creation of a posture more favourable to starting talks, or convince one party that the other is now prepared and willing. To do so, they need good information, and this information can only be obtained through direct contact. An explorer can also serve as an intermediary; that is, they can carry messages from one party to the other, always confidentially. In this case, they are not acting on their own account but at the request of one of the parties.

The preparation, the training

The members of armed groups have spent many years of their life in the mountains, countryside or jungle, far from real life. They are skilled at the use of weapons, but they lack training in vital things that people who live a normal life have. When negotiating, armed groups tend to lack the knowledge needed to properly discuss the topics on the agenda. To remedy this, it is common for the country in question to authorise the members of the armed group to travel abroad in order to receive training in a series of issues (economics, parliamentary life, armed forces, democratic institutions, public management, municipalism, etc.). For example, the guerrillas from El Salvador travelled to Spain to take courses organised by the Spanish government. The guerrillas from Mozambique did the same in Italy. In both cases, this was done with discretion. With more fanfare, the Colombian guerrillas from the FARC travelled around Europe in the early 1990s to learn about the democratic institutions of several countries. In 2012, the delegates from the Philippine guerrillas MILF visited Catalonia to learn about the regional experience of autonomous communities. New ideas for negotiation arose from this trip, such as including the demand for a public defender. Sometimes what are called “friendly countries” are in charge of this training.

The organiser

When the parties have reached the conviction that they want to engage in talks, sometimes the figure of the organiser is needed, who formally performs the job or publicly requests the start of talks. This can be a prestigious person or an organisation (the Church or a region or international organisation). The organiser can also provide a physical venue where the talks can be held, although this is not strictly necessary. Organising talks

always gives the negotiations a sense of formality. The actors in a conflict frequently meet with the organiser, who often also plays the key role of facilitator.

The facilitation

What is commonly called a mediator is actually a facilitator. This is the key figure in the mediation process because it is the person who will be present in all the phases of the mediation, attend all the meetings and help the parties to find a solution. It can be a prestigious person; in this case, it is common for the mediator to be surrounded by a team of technicians, professionals to help them in their job of mediating. The facilitator is limited to presiding over the meetings, but the real work will be done by the team of assistants. The facilitator is the one who is the most visible in the process, the most public figure and the one who, if successful, will be praised for their actions. It is the person who appears in the final photograph. But, as mentioned above, their job would be impossible without the participation of all the actors that take part in the mediation process.

Many peace processes are plunged into crisis because they did not choose the right mediator or because one of the parties has a falling out with the mediator. There can also be crises over the facilitation model, that is, over the technical aspects of the process. Therefore, it is important to choose the right person and the right procedure.

To be the facilitator, a series of conditions must be met: knowledge of the problem, perseverance, neutrality, impartiality, patience, empathy and imagination. The facilitator has to have the ability to keep the parties seated at the table, even at the most difficult times, and the ability to suggest proposals that allow impasses to be overcome. The facilitator never imposes solutions but instead limits themselves to helping the parties to find them. This is related to viewing the glass as half-full; that

is, stressing the progress that has been made and showing the parties this. When needed, the facilitator should suggest a break so that ideas can be refreshed or a dead-end can be avoided.

It is important for the facilitator to have precise knowledge of the conflict in which they are mediating. Mohamed Sahnoun, an Algerian diplomat who took on the role of special envoy for the UN Secretary General for Somalia in the early 1990s, gathered together the top Somalia experts in the world to teach him about Somalia's culture, economy, politics and society. In this way, he was able to design an action plan based on the unique features of the Somali people. Unfortunately, his honesty and sound groundwork cost him the job.

The witnesses

Many negotiation processes are interrupted or enter into crisis because of disagreements between the parties in the course of the process. This is quite common, and in the worst-case scenario it can lead to a rupture in the negotiations. Sometimes the same issue is interpreted differently by the parties, which leads to misunderstandings. In order to avoid misinterpretations, it is recommendable to have the figure of the outside observer in talks to act as the witness or overseer of the process. The observer has the ability to clarify to the parties the meanings of the points on which they cannot reach an agreement. In 2002, for example, the government of Indonesia and the GAM guerrillas reached a dead-end due to the differences in the way they interpreted the cessation of hostilities to which they had agreed.

The figure of the witness in negotiations helps the parties to clarify their proposals and staves off meta-conflicts, that is, problems of meaning. At any given time, the witness can say whether a given thing was said or not and thus clarify the different interpretations of what has been said at the negotiating table. Thus, they guarantee that the process unfolds as smoothly as possible.

The witness does not act as a mediator or facilitator but instead simply serves to clarify matters. Their goal is transparency in the communication between the parties. If there is a formal mediator or facilitator, they can also serve as a witness because they are present at all the meetings.

More than half of the negotiations in the world today have the figure of the mediator-facilitator, which are the witnesses of what happens. However, the parties may decide to have another set of eyes and enlist the aid of an outside observer, who will attest to what is said and agreed. The other half of the negotiations are direct negotiations between the parties. In this kind, which has no mediation, there may not be a witness, as in the first six rounds of talks between the ELN and the Colombian government in Havana between 2005 and 2007. When there are witnesses but no mediators, there may also be an outside observer with the participation of the Friendly Countries or the International Contact Group. Regarding Friendly Countries, the parties may seek the presence of a professional, such as Álvaro de Soto in the second face-to-face meeting between the Cristiani government of El Salvador and the FMNL in October 1989, held in San José, Costa Rica. Later, Álvaro de Soto became the mediator. This kind of role was also played by the Centre for Humanitarian Dialogue in the talks between the Spanish government and ETA held in Geneva in 2005 and 2007. The Caracas agreement (1991) and Tlaxcala agreement (1992) in the peace process in Colombia between the Simón Bolívar Guerrilla Coordinator (made up of the FARC, the ELN and the EPL) and the Colombian government, had an international word witness (Emilio Figueredo Planchart).

Another variation is the participation of civil society, as in the state of Assam in India, where the People's Consultative Group acted as the facilitator and witness of the talks with the ULFA guerrillas. Observers from Colombian civil society took part in the talks between the Colombian guerrillas and

the country's government in Caracas and Tlaxcala, including Nelson Berrío, Álvaro Vasquez del Real, Rafael Serrano Prada and Miguel Mottoa Cure.

The Church often acts as a witness. The Bishop-Ulama Conference (BUC) has been asked to serve as a witness several times recently and as the Advisor on Religious Matters in the peace process between the Philippine government and the MILF guerrillas. A professional politician can also act as a witness, sometimes a head of state or president, such as Bill Clinton in July 2000 in Camp David, who was the attester in the negotiations between the Israeli Prime Minister Ehud Barak and the president of the Palestinian National Authority, Yasser Arafat.

In some peace processes, the role of Friendly Countries is to simply monitor the process or to participate more actively in the negotiations. For example, in Colombia, Mexico and Venezuela were the witnesses and attesters of the peace process and disarmament of the EPL and the indigenous movement Quintín Lame in 1991. Finally, another kind of participation is exemplified by the International Contact Group, such as the kind used in the Philippines in the talks between the government and the MILF guerrillas, where a group made up of several NGOs made up of the Centre for Humanitarian Dialogue (Geneva), The Asia Foundation (USA), Muhammadiyah (Indonesia) and Conciliation Resources (London) participated in all the meetings. This group also included diplomats from Japan, the United Kingdom, Turkey and Saudi Arabia.

In short, in the negotiation rounds it may be very useful to have the figure of the witness, as the overseer or attester of what happens at the negotiating table. Even though they do not have the right to take the floor in the course of the talks, they do have the authority to later express their opinion to the parties, especially when they cannot agree on what they have said.

Incentives

When a negotiation takes place at a difficult time, it is a good idea to enlist the participation of an organisation or a country that can offer political or economic incentives to unblock the process. The European Union has played this role several times, and numerous countries have offered economic resources in exchange for continuing the negotiations, or with the promise of providing these resources once a peace agreement has been reached. For example, in 2012 the Norwegian government offered more than 60 million euros for the development of the Karen people (Myanmar), which stimulated the negotiations being held at that time between the Karen guerrillas and the government of Myanmar. Another incentive is promising to remove an armed group from the list of terrorists if they sign a cessation of hostilities. In 2012, in Myanmar, one incentive was to allow offices representing the different ethnic armed groups to be opened. A visit by the United Nations Secretary General to the negotiating parties can also be a good incentive. In India, one incentive for moving ahead in the negotiations with the armed group ULFA in 2001 was the release of its imprisoned leaders.

Generating ideas

All negotiations go through difficult times when the facilitator has to gauge whether it is a good time for a break in order to regroup. To do so, they can resort to third parties, usually scholars, or specialised centres to develop new ideas. An academic centre like the School of Peace Culture, for example, summoned the negotiator of the Frente Polisario, the delegates of the King of Morocco, the representative of the UN facilitator, the African Union and the European chancelleries with experts on the Arab word and formulas of self-governance in order to try to generate new ideas at a time of impasse in the

negotiations on Western Sahara, which were later taken by the United Nation facilitator in this conflict. The witness of peace talks does not have the right to take the floor but can make suggestions in a written document which they make available to both parties. This is what Kristian Herbolzheimer did, the representative of Conciliation Resources in the International Contact Group, who was monitoring the negotiations between the MILF guerrillas and the Philippine government. The representatives of this guerrilla group visited several countries in order to gather experiences from other negotiations. This is quite common in peace process.

The unifier

When preparing for peace negotiations, it is common for an armed group to undergo one or several divisions and to split between those who are in favour of and against negotiations. This can, in turn, be the source of further divisions, as happened in Darfur (Sudan), where at first there were two armed groups and a year later there were at least 13, rendering negotiations impossible. In this case, the figure of the unifier is needed, a person who tries to unify if not all the groups at least their agendas so that there are as few as possible and it becomes feasible to carry out successful negotiations.

The guarantor

It is common for a drawn-out conflict to lead to a great deal of mistrust between the parties. For this reason, all peace processes should be accompanied by the figure of the guarantor, who guarantees that the parties fulfil what they have agreed to. Obviously, fulfilment of the agreements is the responsibilities of the conflicting parties, but it is positive for a third actor to accompany them and monitor the agreements. The guarantor

must have some power, so it cannot be just anybody. It can be a regional or international body. The guarantor brings security to the process. Sometimes, such as in the negotiations between the FARC and the Colombian government, the guarantors (Norway and Cuba) also act as observers.

The verification

In the course of the negotiation, measures are taken, such as a ceasefire or a cessation of hostilities, which must be verified. To do so, the participation of civilian and military experts from several countries is needed to attest to the fact that the agreements are being fulfilled. This is a technical job, so some training is needed. Sometimes United Nations staff takes care of this job. It is also necessary to verify fulfilment of peace agreements, so people are needed to join the verification teams on political, economic, police, military and other issues. These teams are often mixed, that is, they are made of people from the armed group, the government and third countries. Verification teams should investigate complaints of violations of the agreements, and they should provide mechanisms to resolve these problems. Therefore, they must have the authority to issue sanctions.

Conclusion

All the roles mentioned above should participate in a peace process. They are usually different people, and working in one role is incompatible with taking on another. Only occasionally can a person do two jobs at once. In the pre-negotiations, the exploratory phase, it is a good idea to define which people or institutions will take on these roles, and it is important to clarify how decisions are going to be taken when appointing these actors. The success of the negotiation depends on this being done correctly and choosing them well.

V. ALTERNATIVE DIPLOMACIES IN CONTEXTS OF CONFLICT

In any one of the stages of peace processes (exploratory contacts, initial informal dialogues, formal negotiation, peace accord, fulfilment of the agreements), or in negotiations in contexts of a socio-political crisis, there exist a series of actions that pertain to conventional and official diplomacy, but which are frequently accompanied by initiatives of a highly diverse kind, almost always of an imaginative nature, in which other non-official players also tend to take part. Although they are related to “multi-track diplomacy”, it would perhaps be more appropriate to call them “alternative diplomacies”, which are frequently confidence-boosting measures (CBM), and which help to ensure that the process works better, and even make it possible to unblock certain difficult negotiations.

What follows below are some of the initiatives set out in the Peace Process Yearbooks published by the Autonomous University of Barcelona’s School for a Culture of Peace, and which covers the period 1995-2015.

Crossing point diplomacy

- In January 2007, the Turkish-Cypriot authorities of Cyprus demolished a controversial footbridge in Nicosia, the divided capital of the island, constructed in 2005. Instead of the

footbridge a crossing point was opened that communicates the two communities - an addition to the five other crossing points already existing on the island since 2003. In April 2008 the crossing point in Ledra Street in Nicosia was reopened. As a positive symbolic gesture, the leader of the Turkish Cypriot community, Mehmet Ali Talat, crossed over to the Greek Cypriot part of Ledra Street, in a gesture aimed at promoting reconciliation. During the crossing, which had not been announced, Talat bought Greek music and sent a message of friendship. In 2010 a new crossing point was opened in the northwest of the island.

- In 2011, the Egyptian authorities decided to reopen the Rafah border crossing that connects with the Gaza Strip, as part of the efforts aimed at consolidating the reconciliation between Palestinians.

Diplomacy of the elders

- In January 2008, a group mediators made up of three Oromo elders met in Amsterdam with the leaders of the armed group OLF, and signed an agreement to hold peace talks with the Ethiopian Government, accepting in principle the Constitution.

Congratulation diplomacy

- In August 2004, the Nagaland armed group NSCN (IM) made the gesture of congratulating the India population, for the first time, on the occasion of Independence day.

Women diplomacy

- At the end of 2007, 122 women from Turkey, many of them singers, writers, academics and journalists, initiated

a campaign in favour of peace, consisting of sending messages over the internet that were an alternative to the war discourses. The organisers called on men to initiate a similar campaign.

- In February 2008 the first political party whose programme was the defence of the rights of women was set up in Afghanistan. The party, called National Need, was headed by the member of parliament Fatima Nazari, who indicated that her party had 22,500 members throughout the country.
- In November 2008, as a new example of the confidence-boosting measures initiated in Cyprus by the two communities, the spouses of the leaders of both sides met in the north of the island.

Transportation diplomacy

- In 2005, India and Pakistan established a bus route to unite the two Kashmirs, suspended 60 years ago.
- In June 2005, Georgia, Russia and Abkhazia met in Moscow, under the auspices of the United Nations, to discuss the reopening of the railway line that unites Sochi with Georgia and Russia.
- In 2008, India and Pakistan decided to double the number of weekly flights that unite the two states, as well as increasing the number of destinations connected and the number of airlines authorised to carry out these flights.

Sports diplomacy

- In March 2005, the government of India invited the president of Pakistan to attend a cricket match held in India between the two countries.
- In 2008, as a confidence-boosting measure, the different factions of the armed group NSCN from Nagaland (India),

agreed on a cease-fire to play a “Naga reconciliation” football match. The teams were made up in a mixed way of the combatants of the armed groups and militants from organisations of the Naga civil society. The match, the second of this kind, was designed to foster reconciliation between the different Naga organisations.

- Diplomats from Armenia and Turkey met in July 2008 in Switzerland to make progress in the normalisation of the relations between the two countries, blocked since Armenia’s independence in 1991. As a symbolic gesture, the Armenian president invited his Turkish counterpart to attend the World Cup football match between Turkey and Armenia that took place in the Armenian capital in September 2008. In 2009, the presidents of Turkey and Armenia were present together at another football match.
- The Moldavian prime minister and the leader of Transnistria held an informal meeting in August 2010 in the framework of a football match held in the capital of Transnistria, Tiraspol. In July 2011, the Moldavian prime minister and the leader of Transnistria met in the capital of the separatist region within the framework of a football match.
- In 2011, the Indian prime minister invited his Pakistani counterpart to be present at a cricket match that the two countries were contesting in India. The Pakistani prime minister invited Indian prime minister to travel to Pakistan, and expressed his desire for a similar match to take place on Pakistani territory.

Energy diplomacy

- In 2005, India and Pakistan discussed the construction of a gas pipeline that would run between Iran and India, and that would cross Pakistan and ensure the energy supply to both countries.

Telephone diplomacy

- In October 2005, and after the earthquake that affected the area of Kashmir administered by Pakistan, the latter and India restored telephone communications, cut off for 15 years.
- In 2007, the president of Burundi and Agathon Rwasa, leader of the armed group FNL, exchanged mobile phone numbers in order to accelerate the implementation of the agreement to cease hostilities.

The diplomacy of continuous meetings

- In August 2008, the president of Burundi and the leader of the FNL group, Agathon Rwasa, decided to meet twice a week to set up a commission that would meet whenever there was a problem in the negotiations.

The diplomacy of visits

- From 2004 on, Burma began a process that was led to the freeing of political prisoners before or after the periodic visits of the special envoy of the Secretary General of the UN, the special reporter on human rights and political leaders of different countries.
- In February 2006, and probably linked to the visit made by the presidents of France and the United States to India, the Indian prime minister announced the holding of a conference in which Kashmir politicians and separatist leaders would participate, with the aim of expanding the dialogue on the peace process.
- In November 2007, a delegation of the armed Ugandan group LRA succeeded for the first time in ensuring that the government would accept the idea of the rebel group visiting the capital of the country, where it met with

political groups and the president himself.

- In August 2007, the Israeli prime minister, Ehud Olmert, and the Palestinian president, Mahmoud Abbas, met in Jericho, in Palestinian territory, for the first time in several years, within the framework of a series of meetings prior to the peace conference that was held in November and promoted by the United States.
- At the beginning of 2008, the Palestinian president, Mahmoud Abbas, revealed that confidential contacts between Israel and Hamas were being developed in Switzerland. In these conversations, the prime minister of Gaza, Ismael Haniya, would also have participated. In June, and with Egyptian mediation, Israel and Hamas agreed to a total ceasing of hostilities for six months in Gaza.
- In January 2009, a delegation of the armed Sudanese group JEM travelled to Washington as part of the initiative of the American government to support the peace process in the Darfur region. Representatives of this group also travelled to Norway, where the authorities stressed the importance of their participation in the peace process under Qatari mediation.
- In August 2009, the Turkish prime minister met for more than an hour with the leader of the Democratic Society Party (DPT), a Kurd nationalist grouping, in order to make progress in solving the Kurdish conflict.
- In 2012, the Pakistani president visited India, on a private trip, and met with the Indian prime minister. This was the first visit of a Pakistani head of state to the neighbouring country in seven years.
- In 2014, the Pakistani prime minister attended the inauguration of the recently elected Indian prime minister.

Mirror diplomacy

- In 2005, a delegation of the LTTE group from Sri Lanka visited various European countries and South Africa.
- In 2006, Umar Farook, the leader of the Kashmiri organisation to APHC, visited Northern Ireland to study the peace process in this territory.
- In 2007, the president of the Federal Transitional Government of Somalia visited Rwanda to meet with his Rwandese counterpart and in to learn about that country's experience in reconstruction and reconciliation.
- At the beginning of 2007, a delegation of the Iraqi parliament, made up of parliamentarians from the main Shiite, Sunni and Kurd parties and other minorities, visited Spain and Germany to learn about the territorial model in both countries before the debate for constitutional reform in Iraq.
- In August 2007, a dozen Iraqi political leaders met in Finland, under the Crisis Management Initiative, to learn lessons from other peace processes, such as those in Northern Ireland and South Africa.
- In June 2008, an Australian newspaper published the news that Indonesia could be preparing a plan to help the Military junta in Burma in a transition towards democracy based on its own experience.
- After the formation of a new Government at the beginning of 2008, Thailand's interior minister declared that the government was considering granting a certain degree of autonomy to the southern provinces with a Muslim majority. The minister also declared that the autonomous Chinese region of Xinjiang, also with a Muslim majority, could act as a model. In June, the government of Thailand instructed the Minister of the Interior, the intelligence services and the Administrative Centre of the Border Provinces in the South to study ways of resolving the conflict in Aceh (Indonesia).

- In 2008, representatives of Armenian and Assyrian NGOs met in Brussels to discuss the Nagorno-Karabaj conflict. During the encounter, models of political architecture such as those of the Aland Islands and Northern Ireland were discussed.
- In 2008, the Finland Crisis Management Initiative, presided over by the former Finnish president Martti Ahtisaari, revealed that a three-day conference had been held in Finland in which 36 Iraqi political personalities from the Shii, Sunni and Kurd communities had participated, with the purpose of promoting reconciliation in Iraq. They were accompanied by participants in the Northern Ireland and South Africa peace processes.
- In 2009, the Philippine government carried out consultations with various international experts, including a British delegation that participated in the peace negotiations in Northern Ireland. In June, a delegation of the armed group MILF visited Northern Ireland by invitation of the British government.
- In May 2009, the leader of the Kurdish guerrillas PKK, Karayilan, reiterated his offer to the Turkish government to seek a solution to the armed conflict within the framework of the territorial integrity of Turkey, respecting the Turkish borders. Karayilan compared the situation of the Kurds in Turkey with the relationship between the English and the Scots, pointing to this framework as a possible solution to the conflict.
- In 2010, the leader of the Kurdish guerrillas PKK, Abdullah Öcalan, reiterated his demand for democratic autonomy as a solution to the Kurdish conflict. According to Öcalan, the model of Catalonia deserved to be studied, and added that the Kurds could learn from it.
- In 2010, the foreign minister of Azerbaijan proposed a high level of autonomy for the region of Nagorno-Karabaj, similar to the one for areas like Tatarstan and Bashkortostan in the Russian Federation.

- In 2012, a delegation of the Philippine guerrillas MILF, visited Catalonia to learn about its model of autonomy.

Mothers diplomacy

- In 2006, Mrs. Anek, the 83 year old mother of Joseph Kony, leader of the Ugandan armed group LRA, asked her son to continue participating in the peace negotiations under way in the south of Sudan, and prepared to travel to the operational base of the LRA in the Democratic Republic of Congo, where her son was.
- In 2009, in an atmosphere of rapprochement and openness in Turkey, relatives of Turkish soldiers and members of PKK guerrillas killed in action, met in Diyarbakir, the Kurdish capital, to call for peace and reconciliation. In the encounter, mothers of Kurdish insurgents embraced their Turkish counterparts and offered them white handkerchiefs as a symbol of peace.

Television diplomacy

- In 2006, the governments of India and Pakistan, in conflict over the region of Kashmir, decided to allow the re-broadcasting of Indian programming by Pakistani television.
- In 2012, the separatist region of Transnistria, authorised the broadcasting of two Moldovian television channels.

Communications diplomacy

- In May 2008, Niger and Libya signed an agreement for the construction of a trans-Sahara motorway that would link the two countries. The highway would run from the city of Agadez, capital of the region where the armed Tuareg group MNJ operated, to the Libyan border. This rapprochement

between the two countries could be a strategy to succeed in calming the tensions in the north of Niger, by achieving the development of the region via communications.

- In 2012, the authorities of Transnistria hoped to be able to restore a direct telephone line with Moldavia. In July, the leaders of Transnistria and Moldavia decided to re-establish all the transport corridors between the two territories. The measure included re-establishing all the railway lines, as well as lifting the restrictions on carriers.
- In July 2013, and within the framework of the conversations between the federal government of Somalia and the self-proclaimed republic of Somaliland, it was decided to create an organism of bilateral control to manage the airspace jointly and to distribute the benefits deriving from this.

Civil society diplomacy

- At the beginning of 2005, the Thai government created the National Reconciliation Commission, led by ex-minister A. Panyarachun, and whose aim was to obtain the pacification of the south of the country. The organisation was made up of 30 representatives from different sectors of society.
- In 2006, the president of Sri Lanka appointed a group of experts made up of different sectors of society to draw up a peace plan. Months later it was agreed upon to create a committee made up of five members of each political party to formulate an action programme aimed at reaching a consensus about what the solution to the armed conflict should be.
- Also in 2006, the International Olaf Palme Centre encouraged a meeting in Stockholm between a group of GAM guerillas and a group of civilians born in Aceh (Indonesia) but residing in several parts of the world, with the aim of providing proposals for the negotiators.

- In May 2007, almost 200 personalities from Jordan, Israel and Palestine held a meeting in the Jordanian city of Aqaba to discuss ways of promoting the Arab Peace Initiative, which offered the establishment of relations with Israel in exchange for the withdrawal from the territories occupied in 1967.
- In October 2007, nearly 600,000 Palestinians and Israelis, in equal numbers, signed a petition aimed at the governments of Israel and Palestine to reach a peace accord based on a solution that contemplated the creation of two states and Israel's withdrawal to the borders prior to 1967. The petition was promoted by the One Voice Movement organisation.
- At the end of 2008, the University of Guwahati (State of Assam, in India) held a meeting in which organisations from the civil society participated together with representatives of armed organisations who maintained cease-fire agreements with the government. The participants in the meeting emphasised the need to create a body that could encourage a peace process in all the region of northeastern India.
- In November 2009, the joint mediating group of the African Union and United Nations summoned all the movements of the Darfur civil society (Sudan) to a consultative meeting that lasted four days, with the aim of identifying the means for supporting the peace process. More than a hundred organisations representing the different tribes, traditional powers, young people, women and displaced persons met in Doha (Qatar).
- In 2007, intellectuals from Armenia and Azerbaijan embarked on a joint tour of both countries and the region of Nagorno-Karabaj, organised by the ambassadors of the two states, and in which they both held meetings with the presidents of the two countries, as well as political and civilian representatives. In 2009 the experience was repeated.
- In 2010, a total of 400 representatives from Darfur (Sudan), representing the different communities, leaders of opinion,

women, young people, intellectuals, displaced persons and the diaspora met in Doha (Qatar) to align positions with respect to their stance regarding the peace negotiations that were taking place in the Qatari capital.

Incentives diplomacy

- In April 2006, the United States promised 30 million dollars for the reconstruction of Mindanao if a peace accord between the Philippine government and the MILF were reached.
- In 2007, the Ugandan president promised an investment of 600 million dollars in the north of the country, once peace was attained with the LRA.
- In March 2007, the British government announced that it would offer a financial contribution of 53 billion euros for public expenditure in Northern Ireland, over four years, once autonomy had been restored.
- In 2011, a leak published in Wikileaks indicated that the US government had begun talks with the Philippine guerrilla group MILF in 2005, and that the US was willing to disburse development aid to the MILF if a peace accord were signed.

Identity diplomacy

- In 2005, the government of Thailand decided to carry out an educational reform so that students in the provinces of the south could have texts written in Yawi, and which their cultural and religious identity was recognised.

The diplomacy of discreet encounters

- At the end of 2005, the former Malaysian prime minister, Mhathir Mohamad, director of the Perdana Leadership Foundation, organised a discreet encounter on the island

of Langkawi (northeastern Malaysia) between Thai civil servants (with the military included) and Muslim groups, in order to achieve peace in the south of Thailand.

- At the end of 2006 it was revealed that the Israeli foreign minister, T. Livni, was promoting a peace initiative with the Palestinians through secret channels..
- In July 2007, the French government met with various Lebanese political players in the castle of Cell-Saint-Cloud to bring an end to the tension of recent months. The meeting, held behind closed doors, involved 30 representatives from some 14 political parties and Lebanese movements , including Hezbollah. The participants agreed not to use violence to obtain their political aims.
- In 2008, the number two of the pro-government party in Turkey and the leader of the pro-Kurdish DTP, who were old schoolmates, held an informal meeting about the Kurdish question after an apparently accidental encounter in a restaurant in Ankara.
- In November 2009, the moderate leaders of pro-independence parties of Kashmir (India), met with the Minister of the Interior, for the second time in secret, in what the the Indian government referred to as “quiet diplomacy”.
- In February 2010, a spokesman for the president of the Maldives affirmed that Taliban representatives and those of the Afghan government met in these islands for three days in January.
- In 2010, secret meetings between India and Pakistan began after the visit to the region by the president of the U.S.A.
- In 2010, the undersecretary of the Turkish intelligence services, accompanied by other two people, met in secret with the leader of the Kurdish PKK guerrilla, who was in prison.
- In 2011, US representatives met with Taliban officials in Germany and Qatar, among other places; meetings in which Pakistan would also have participated.
- In June 2012, one of the main Palestinian negotiators, Saeb

Erekat, confirmed that there had been secret contacts with Israel since April of that year.

Symbolic diplomacy

- In Thailand, the Armed Forces that perpetrated a coup d'état in September 2006, held a seminar some days later in the central mosque of Yala (SOUTH), as a sign of truce.
- The local elections that were held in November 2013 in Kosovo did not include the Kosovar symbols on the ballot papers in the areas with a Serbian majority.
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The diplomacy of forgiveness

- In 2007, the president of the Central African Republic, François Bozizé, asked for forgiveness from the population of the country for all the acts of violence committed by the state's security corps and forces. In his message, he combined the official language, French, with the national language, Sango, thereby making inter-ethnic communication possible.
- In November 2007, a delegation from the armed Ugandan group LRA, ask for forgiveness for the atrocities committed against the inhabitants of the north of the country during the 20 years of armed conflict.

Diplomacy of sharing resources

- In a visit to the region of Jammu and Kashmir, in July 2007, the Indian prime minister indicated that the moment had arrived for an agreement with Pakistan, and proposed the joint use of the natural and water-bearing resources for the benefit of the two parts of the region, divided by a Control Line.

Commerce diplomacy

- In 2008 commercial exchanges were initiated between India and Pakistan across the Control Line (the de facto border between the two countries), for the first time in 60 years.
- In April 2009, China and Taiwan reached an agreement to allow economic investment between the two countries.
- In October 2012, the Pakistani oil minister affirmed that the country was willing to buy Indian fuel.
- In November 2013, the new president of Afghanistan visited Pakistan, in the hope that increased economic cooperation between the two countries would help to revitalise the negotiations with the Taliban.

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Religious diplomacy

- In January 2008, Buddhist, Catholic, Hindu, Muslim and Protestant religious leaders from Western Papua (Indonesia), affirmed that the law of special autonomy approved in Jakarta six years earlier was being ignored both by the police and by the government's development plans, which, according to these leaders, would have divided the local population along ethnic lines and would have caused the marginalisation of the Papu population.

Business diplomacy

- In 2009, members of the government of Nigeria indicated that foreign and national companies operating in the oil region of the Niger Delta would have to cooperate in financing the reintegration of the combatants of the armed group MEND, since their companies would be the first to benefit from the climate of peace.

- In 2009, the armed group ONLF, which operates in the Ethiopian region of Ogaden, urged the Malaysian oil company Petronas to instigate corporate responsibility measures and to try and play a constructive role in resolving the conflict in the region.
- In 2012, 600 Pakistani business people participated in a trade fair in India.
- In 2014, several business people from Burma acted as intermediaries to aid the negotiations with the armed groups from the different ethnic groups.
- Also in 2014, business leaders from the two Cypriot communities created the Economic Forum of Nicosia, to foster inter-community initiatives from the private sector.

The diplomacy of family visits

- In August 2009, Morocco and the Polisario Front met over two days in a hotel in Dürstein (Austria), and agreed that the Saharawi families residing in the Western Sahara or in the refugees camps in Tindouf (Algeria) could travel overland under the supervision of the UN to visit each other.

Tourism diplomacy

- In October 2009 it was announced that China and Taiwan would have permanent representatives in each other's territories, in response to the significant increase in the flow of tourists in both directions.

The diplomacy of the observers

- In September 2009, the Philippine government and the armed group MILF signed a framework agreement in the

Malaysian capital for the formation of an international group to support the negotiation process, made up of governments, mainly those of the Organisation of the Islamic Conference and the EU, as well as international NGOs.

The diplomacy of the artists

- In 2009, the leaders of the Greek Cypriot and Turkish Cypriots in Cyprus jointly attended a reception for artists of both communities, whose works decorate the headquarters of the UN in Nicosia, the capital, including the room in which the two leaders usually meet.
- In 2012, the Moldavian prime minister and the leader of the separatist region of Transnistria met during the concert by the singer Lara Fabian in the Moldavian capital, Chisinau.

Diplomacy of the wise people

- In 2009, the leader of the PKK guerrillas, Murat Karayilan, stressed in Turkey the willingness of the armed group to enter into direct dialogue with the government, or should this not prove to be possible, via a “group of wise people”.

Preventive diplomacy

- In February 2009, Georgia, Russia, Abkhazia and Southern Ossetia agreed in Geneva, under the mediation of the UN, OSCE and EU, on proposals for establishing joint mechanisms for preventing and responding to incidents. In a joint communiqué, the mediators indicated that the measures included meetings on a weekly basis or more frequently between the organisations responsible for security and public order.

The diplomacy of forgiveness

- In March 2009, the Iraqi government made a call for reconciliation between the different groups in the country, requesting a pardon for those who had worked with the Saddam Hussein regime.

The diplomacy of dinners

- In May 2010, the UN organised a dinner for the leaders of the Turkish Cypriot and Greek Cypriot communities, together with their spouses, in a restaurant in the separation zone that divides the capital. In addition, two informal dinners between the two leaders and their spouses were held during the year, in their respective residences. In 2013 the experience was repeated.

The diplomacy of offices of representation

- In April 2011, the government of Turkey declared itself to be in favour of welcoming a political office for the Afghan Taliban to promote the peace negotiations between these and the Afghan government; a proposal that had the backing of Pakistan. In January 2012, the Taliban announced the opening of a political office in Qatar.

The diplomacy of the passport

- In February 2011 the leaders of the armed group NSCN-IM, which operates in the state of Nagaland, in India, accepted the Indian passport, as a symbolic gesture of good faith regarding the conversations with the government.

APPENDIXES¹³

¹³ All the appendixes in this book were initially published in the latest Yearbooks of Peace Processes.

Appendix 1 – Conflicts and peace processes in recent years

Most of the armed conflicts analyzed in this appendix began in the period spanning from the 1970s to the 1990s. Over the years several armed conflicts have come to an end, either with the signing of a final peace agreement (regardless of its value) or by reaching a provisional cessation of armed hostilities. In any case, if we look at most of the conflicts from the 1980s and the fact that some are still underway, we can draw some initial conclusions regarding the way these conflicts were managed from the perspective that thirty years of history provides. It should be noted that some of these conflicts have moved from an armed phase to an unarmed phase, although this section considers them all.

Of the 112 conflicts in the table below, **39.3 % ended in a peace agreement. Those that have not been resolved and are still active account for 47.3 % of the total and what is most significant is that only 9.8 % of these conflicts have been brought to an end with a military victory by one of the sides;** in other words, the vast majority of these conflicts have been resolved only through negotiations, by launching some kind of process that leads to a final agreement, and not through military force. This does not diminish the concern regarding the high number of yet unresolved conflicts.

Regarding the conflicts that have come to an end in the last thirty years (59), 44 have been achieved through peace agreements (74.6 %), 4 without any formal peace accord (6.8 %) and 11 were achieved with a military victory (18.6 %), which confirms that negotiation is the best path for resolving conflicts.

Conflicts underway since the 1980s and their resolution until 2015

Countries	Period	Resolution
Afghanistan	89-...	Unresolved
Angola – FLEC	75-...	Unresolved
Angola – UNITA	75-02	Peace agreement
Algeria	91-...	Unresolved
Armenia-Azerbaijan	91-...	Unresolved
Burma – CNF	88-	Unresolved
Burma – KNU	48-...	Unresolved
Burma (MNDAA)	09-...	Unresolved
Burma – Shan	59-...	Unresolved
Burundi	93-05	Peace agreement
Burundi (FNL)	91-06	Peace agreement
Burundi (FNL)	11-13	Peace agreement
Colombia (M-19)	74-90	Peace agreement
Colombia (EPL)	67-91	Peace agreement
Colombia (MAQL)	84-91	Peace agreement
Colombia (CRS)	91-94	Peace agreement
Colombia – ELN	64-...	Unresolved
Colombia – FARC	64-...	Unresolved
Congo (Ninjas)	98-07	Peace agreement
Congo, DR (Inter-Congolese dialogue)	97-03	Peace agreement
Congo, DR (Kivus and Ituri)	96-...	Unresolved
Condo, RD – M23	12-13	Military victory
Ivory Coast	02-07	Peace agreement
Ivory Coast	11	Military victory
Croatia	92-95	Peace agreement
Chad	99-11	Peace agreement
Cyprus	74-...	Unresolved
Egypt (Sinai)	14-...	Unresolved
El Salvador	80-91	Peace agreement
Eritrea-Djibouti	08-10	Peace agreement
Spain (ETA)	68-11	Ended without negotiations
Ethiopia (OLF)	73-...	Unresolved
Ethiopia (faction ONLF)	84-10	Peace agreement
Ethiopia (ONLF)	84-...	Unresolved
Ethiopia-Eritrea	98-00	Peace agreement
Philippines (Abu Sayyaf)	90's-...	Unresolved
Philippines – MILF	78-14	Peace agreement
Philippines – MNLF	70-...	Unresolved
Philippines – NPA	69-...	Unresolved
Georgia (Abkhazia)	93-...	Unresolved
Georgia (South Ossetia)	90-...	Unresolved
Guatemala – URNG	82-94	Peace agreement
Guinea-Bissau	98-99	Peace agreement
India (CPI-M)	80-...	Unresolved
India (Assam) – BLTF-BLT	92-03	Peace agreement
India (Assam) –DHD	95-03	Peace agreement

India (Assam) – ULFA	89-...	Unresolved
India (Assam) – NDFB	92-...	Unresolved
India (Jammu and Kashmir)	89-...	Unresolved
India (Manipur)	03-...	Unresolved
India (Nagaland) – NSCN-IM	80-	Unresolved
India (Punjab)	81-93	Military victory
India (Tripura) – NLFT	89-05	Peace agreement
India-Pakistan (Kashmir)	90-...	Unresolved
Indonesia (Aceh)	76-05	Peace agreement
Indonesia (Western Papua)	65-...	Unresolved
Indonesia (Timor Este)	75-99	Peace agreement
Iraq	03-...	Unresolved
Iraq-Kuwait	91	Military victory
Iraq (Kurdistan)	91-05	Peace agreement
Northern Ireland – IRA	69-05	Peace agreement
Israel-Palestine	64-...	Unresolved
Kosovo	98-10	Ended without peace agreement
Lebanon	89-90	Peace agreement
Lebanon-Israel	06	Peace agreement
Lebanon – Fatah al-Islam	07	Military victory
Liberia	89-96	Peace agreement
Libya	11-...	Unresolved
Mali	90-09	Peace agreement
Mali (north)	11-...	Unresolved
Mozambique- RENAMO	77-92	Peace agreement
Nepal – CPN	96-06	Peace agreement
Niger - MNJ	07-...	Unresolved
Nigeria (Delta) - MEND	05-10	Peace agreement
Nigeria (Boko Haram)	11-...	Unresolved
Pakistan (Baluchistan)	06-...	Unresolved
Pakistan (Northwest Frontier)	01-...	Unresolved
Peru – Sendero Luminoso	70-99	Military victory
Central African Republic	03-08	Peace agreement
Central African Republic – Séléka	12-13	Military victory
DR Congo (east)	98-...	Unresolved
DR Congo – M23	13	Military victory
Rwanda – FPR	94	Military victory
Rwanda (FDLR)	97-...	Unresolved
Russia (Chechnya)	94-...	Ended without peace agreement
Russia (Dagestan)	10-...	Unresolved
Russia-Georgia	08	Peace agreement
Russia (Ingushetia)	08-...	Ended without peace agreement
Russia (Kabardino-Balkaria)	11-...	Unresolved
Western Sahara	75-...	Unresolved
Senegal (Casamance)	82-...	Unresolved
Sierra Leone	91-00	Peace agreement
Syria	11-...	Unresolved
Somalia	89-...	Unresolved
Sri Lanka – LTTE	72-09	Military victory

South Africa	61-93	Peace agreement
Sudan (Kordofan and Blue Nile)	11-..	Unresolved
Sudan (SLA)	03-06	Peace agreement
Sudan – SPLA	83-05	Peace agreement
Sudan (JEM-Ibrahim)	03-...	Unresolved
Sudan (JEM-Bashar)	03-13	Peace agreement
Sudan – east	05-06	Peace agreement
Sudan –Southern Sudan	09-12	Peace agreement
South Sudan	09-...	Unresolved
Thailand (south)	04-...	Unresolved
Tajikistan	92-97	Peace agreement
Turkey – PKK	74-...	Unresolved
Ukraine	14-...	Unresolved
Uganda – LRA	89-...	Unresolved
Yemen North-South	94	Military victory
Yemen (AQPA)	09-...	Unresolved
Yemen (Al-Houthists)	04-	Unresolved

Status of armed conflicts studied		
	Number	Percentage
Ended with peace agreement	44	39.3 %
Currently being resolved	4	3.6 %
Military victory	11	9.8 %
Unresolved	53	47.3 %
TOTAL	112	100

Conflicts ended		
	Number	Percentage
By peace agreement	44	74.6 %
Without peace agreement	4	6.8 %
By military victory	11	18.6 %
TOTAL	59	100 %

Duration of conflicts that ended by a peace agreement

Years	Number
1-4	13
5-9	10
10-14	7
15-19	6
20-24	3
25-29	2
30-34	1
35-39	2

52.3% of the conflicts ended in less than 10 years, while 11.4% lasted more than 25 years.

Appendix 2 – Peace agreements and ratification of the Rome Statute of the International Criminal Court.

Ever since the establishment of the Rome Statute in 1998, which set up the International Criminal Court (ICC), a total of 24 countries, 16 of which had signed the treaty, have had experiences of peace agreements with a total of 84 armed groups, 50 of which were in countries that had signed the Rome Statute.

The International Criminal Court has only intervened in one case among the countries that have signed a peace agreement (DR Congo-MLC), and one ad-hoc court in Sierra Leone has arrested three people from an armed group (RUF), meaning that a total of 8 people from the armed groups in these countries have been affected. In no other case, barring none, have the people who demobilised after a peace agreement been the subject of sentences which entail imprisonment. The usual norm has been amnesty for demobilised groups, not interference by the ICC.

Country	Rome Statute		Peace agreements	
	Signing	Ratification	Year	Armed groups
Northern Ireland (United Kingdom)	1998	2001	1998 (2005)	IRA (1)
Burundi	1999	2004	2000	CNDD, FROLIMA, PALIPEHUTU
			2008	FNL
Sierra Leone	1998	2000	2001	RUF (2)
Angola	1998	---	2002	MPLA
Liberia	1998	2004	2003	LURD, MODEL
India	---	---	2003	BLTF-BLT, DHD
			2005	NLFT
			2009	DHD-J
			2010	KNF, KNLF, KCP-MC Lallumba faction
			2011	UPDS
			2012	APA, AANLA, STF, BCF, ACMA, KLA/KLO, HPC, IKDA, KRA, DHD(N), DHD(J)
			2013	UPPK, KCP-MC faction

Indonesia	---	---	2005	GAM
Sudan	2000	---	2006	SLA Minawi, Eastern Front
			2010	JRM, SLA-FREES
			2011	LJM
			2013	JEM (Bashar)(3)
South Sudan	----	---	2006	SPLA
			2012	SSDM/SSDA
			2013	SSLA
			2014	SSDM-Cobra faction
Congo			2007	Ninjas
Ivory Coast			2007	FN
Nepal	---	---	2006	CPN
			2012	SKTMMM
Mali	1998	2000	2008	ADC
			2009	ATNM
Central African Republic	1999	2001	2008	APDR, UFDR, UFR, MLCJ
			2009	FDPC, MNSP
			2011	CPJP dissidents
			2012	CPJP
Colombia	1998	2002	2008	ERG
Sri Lanka	---	---	2008	TMVP
Niger	1998	2002	2009	MNJ, FFR, FPN
			2010	MNJ
Chad	1999	2006	2002	MDJT
			2009	National Movement
			2010	UFCD faction, UFR, UFDD, CDR, UFDD/F
			2011	FPR
DR Congo	2000	2002	2002	MLC (4)
			2009	CNDP
			2011	FRF
			2013	M23
Somalia	---	---	2009	ARS
			2010	ASWJ
Myanmar	---	---	2009	KNU-KNLA Peace Council
			2010	SSA-N
			2011	NDAA, KHB
			2012	SSA-S
Nigeria	2000	2001	2010	MEND
Ethiopia	---	---	2010	UWSLF, ONLF faction
Philippines	2000	2011	2014	MILF

(*)This does not include the conflicts and peace agreements between countries whose only military actors were the armed forces.

Sources: For the Rome Statute, (<https://treaties.un.org/Pages/ViewDetails>).

aspx?src=TREATY&mtmsg_no=XVIII-10&chapter=18&lang=en); for the groups with peace agreements, School of Peace Culture, "Yearbook of Peace Processes" from 2006 to 2015 ([Http://escolapau.uab.cat](http://escolapau.uab.cat)); for the cases of the ICC, (http://www.icc-cpi.int/en_menus/icc/situations%20and%20cases/Pages/situations%20and%20cases.aspx)

- (1) The IRA did not turn in its last weapons until 2005, seven years after signing the peace agreement.
- (2) The Sierra Leone Special Court was established in 2001, which issued a ruling against the former president of Liberia, Charles Taylor, in 2008. In 2003 it issued thirteen accusations, only nine of which were effective, including three leaders of the RUF (Issa Sesay, Morris Kallon and Augustine Gbao, who were sentenced in February 2009). The Court was dissolved in December 2013.
- (3) A faction of the JEM (Collective-Leadership) other than Bashar's has had two members (Abdallah Bamda and Bahr Idriss Abu Garda) tried by the ICC. This faction, which was created in October 2007, signed no peace agreement and therefore does not appear in the table.
- (4) Between the 25th of October 2002 and the 15th of March 2003, the MLC led by Jean-Pierre Bemba supported the president of the Central African Republic, Ange-Félix Patassé, against the "rebels" led by François Bozizé, who became the new president of the Central African Republic. Bozizé accused the MLC of widespread abuse during these interventions. In 2008, Bemba was arrested by the ICC. In 2013, Aimé Kilolo Musamba, Jean-Jacques Mangenda Kabongo, Fidèle Babala Wandu and Narcisse Arido were also arrested, the latter a citizen of the Central African Republic. They were all members of the MLC.

Appendix 3. Managing the past in the latest peace agreements (does not include transition processes without peace agreements)

Country	Year of peace agreement	Initiatives	Year	Delay
El Salvador	1992	Creation of a Truth Commission and subsequent general amnesty.	1992	0 years
South Africa	1994	Creation of a Truth and Reconciliation Commission .	1994	0 years
Guatemala	1996	Creation of a Commission for Historical Clarification .	1997	1 year
		Creation of an International Commission against Impunity .	2007	11 years
Tajikistan	1997	Creation of a National Reconciliation Commission that approved the law on mutual pardon and the draft law on amnesty.	----	---
Northern Ireland	1998	Creation of a Consultative Group on the Past , which got no support for creating a Truth and Reconciliation Commission.	2007	9 years
Angola	2002	---	---	---
Sierra Leone	2002	Creation of a Truth and Reconciliation Commission and the existence of the Special Court for Sierra Leone.	2002	0 years
Liberia	2003	Amnesty after the peace agreements and subsequent creation of a Truth and Reconciliation Commission .	2005	2 years
Indonesia (Aceh)	2005	The peace agreement included amnesty for GAM members and called for the establishment of a Truth and Reconciliation Commission. In 2014, the Parliament approved an Ordinance on Truth and Reconciliation .	2014	9 years
South Sudan	2005	---	---	---
Nepal	2006	In 2009 there was a verbal commitment to create a Commission on Disappeared Persons and a Truth and Reconciliation Commission.	---	---

Burundi	2008	The peace agreement included temporary immunity for the members of the FNL and its transformation into a political party. In April 2014, the Parliament approved a draft law to create a Truth, Justice and Reparation Commission .	(2014)	6 years
Kenya	2008	Creation of a Truth, Justice and Reparation Commission .	2008	0 years
Ivory Coast	2010	A Commission for Dialogue, Truth and Reconciliation was created.	2011	1 year
Sudan (Darfur)	2011	The Darfur Regional Authority (DRA) created the Justice Committee and the Truth and Reconciliation Committee .	2014	3 years
Mali	2013	The Parliament created a Truth, Justice and Reparation Commission .	2014	1 year
DR Congo (M23)	2013	Creation of a National Reconciliation Commission .	2014	1 year
Philippines (MILF)	2014	A Transitional Justice and Reconciliation Commission will be created.	?	?
Colombia (FARC)	----	<i>At the negotiations in Havana un June 2014, it was agreed to create a Commission for the Clarification of Truth, Coexistence, and Non-Repetition</i>	?	?

Appendix 4. The unusual “unilateral ceasefires”

According to the figures published in the “2015 Yearbook of Peace Processes” published by the School of Peace Culture at the Autonomous University of Barcelona, in 2014 43 bilateral ceasefire agreements were reached with armed groups in 11 countries, and 3 unilateral ceasefires were reached (FARC, TTP and PKK), meaning that **93.5% of these agreements were bilateral**, which shows that this is the most common kind of ceasefire. The cases of the FARC (Colombia), TTP (southern Thailand) and PKK (Turkey) are the only exceptions to the general rule.

Ceasefire in 2014	
Myanmar	Bilateral Christmas ceasefire agreement between the government and the 17 armed groups in the NCCT.
Colombia	Unilateral ceasefire of the FARC.
Philippines	At the end of the year, bilateral ceasefire between the government and the armed group NPA that lasted just a few days (Christmas truce).
India (Manipur)	Bilateral ceasefire with 7 armed groups .
India (Nagaland)	Renewal of the Bilateral ceasefire with the armed groups NSCN-K and NSCN-KK.
Mali	Bilateral ceasefire with 6 armed groups
Mozambique	Bilateral ceasefire with the group Renamo.
Central African Republic	Bilateral ceasefire with the armed groups AFB, Séléka and anti-balaka.
Sudan	Bilateral cessation of hostilities with the SRF.
Sudan (Kordofan and Blue Nile)	Bilateral ceasefire with the armed group SPLM-N lasting 3 weeks.
South Sudan	Bilateral ceasefire with the SPLA-IO and the SSDM-Cobra Faction.
Thailand (south)	Unilateral ceasefire of the armed group TTP lasting one month.
Turkey	Unilateral ceasefire of the armed group PKK.

Appendix 5 - Elections following peace agreements

	Peace agreement	Election date	Description
Northern Ireland	April 1998	March 2007	The Good Friday Agreement took place in April 1998. However, the IRA did not renounce armed struggle until 2005 and began to disarm in September, though it would not disappear until 2008. A year before, in March 2007, elections were held and in May a government shared by Catholics and Protestants was formed. At first, the IRA delivered its arms to an international commission, which later melted them all down in the presence of a Catholic priest and a Protestant pastor. The event occurred with no publicity or photographs to avoid a feeling of victory or defeat.
El Salvador	January 1992	May 1994 (presidential)	The first exploratory contacts began in 1984 during the term of José Napoleón Duarte. The peace agreement was signed in January 1992 during the term of the conservative Alfredo Cristiani. In December, the FMLN turned into a political party. In May 1994, the presidential election was won by he conservative Armando Calderón. In March 2009, a member of the FMLN won the presidential election.
Guatemala	December 1996	December 1999 (presidential)	The presidential election held in 1985 was won by Vinicio Cerezo, who began the democratic transition and the first contacts with the URNG guerrilla group. The peace agreement was signed in December 1996 during the term of Álvaro Arzú, which was not wholly fulfilled. In 1999 a referendum was held to ratify part of the peace agreement, which was lost. At the end of that same year, the presidential election was won by Alfonso Portillo. The URNG candidate, Álvaro Colom, came in third, but captured the presidency a few years later (2008-2012).

Angola	April 2002	September 2012 (legislative and presidential)	Before the presidential election in 2012, presidential and legislative elections were held very early in September 1992, with the participation of UNITA in the legislative elections, extending their mandates from 4 to 4 years, until September 2008, when the second legislative elections were held, with a clear drop in support for UNITA. In the September 1992 elections, the ruling party, the People's Movement for the Liberation of Angola (MPLA) won the parliamentary vote, but UNITA rebel leader Jonas Savimbi refused to run against Dos Santos in the presidential election. This caused the civil war to go on for another decade. The definitive peace agreement with UNITA came after its leader Jonas Savimbi was killed in 2002. At the time, the president was José Eduardo dos Santos.
South Africa	1994	May 1994	Due to the loss of seats in the partial elections in 1991, President de Klerk called for a referendum for 17 April 1994 on whether or not to continue with the peace process. The result was 68% for and 31% against. The general elections held in May 1994 were won by Nelson Mandela and a transitional government was established, which led to the Constituent Assembly and the formation of a Truth and Reconciliation Commission. In 1996, a new Constitution was approved.
Sudan	January 2005	April 2010 (presidential and legislative)	In June 1989, Omar al-Bashir became President after a coup d'état. In 1996, to legitimise his power, he held a referendum that elected him Head of State with all powers. The opposition did not participate in the first elections since the coup d'état of 1989, alleging fraud and organisational shortcomings. Most international observers (Carter Center, EU, IGAD, Arab League) noted deficiencies, but endorsed the elections. Under the umbrella group TAMAM, the 3,500 local observers also reported significant deficiencies. Omar al-Bashir won 68% of the votes and his party, the PCN, won 314 of the 400 seats in Parliament. Salva Kiir, of the MPLS, was elected President of South Sudan and Vice President of Sudan, with 93% of the vote, which foreshadowed his victory in the referendum in 2011.

Indonesia (Aceh)	August 2005	December 2006 (regional)	A resounding victory for the GAM, the former guerrilla militia, which carried 15 of the 19 districts. Former GAM leader I. Yusuf won 38% of the votes and was proclaimed Governor. The EU's Electoral Observation Mission was present, which identified some administrative problems. The Asian Network for Free Elections (Anfrel) reported cases of intimidation.
		May 2009 (legislative)	The Aceh Party, the party founded from the former GAM guerrilla militia, won 48.89% of the votes in the province, followed by the Democratic Party (led by President Susilo Bambang), with 10.96% of the votes. Various political groups denounced intimidation by some former GAM combatants. Meanwhile, the Aceh Party suffered several attacks in the weeks running up to the elections. However, the elections were held without any significant incidents. They were supervised by six local organisations, seven governmental ones and eight international ones (Carter Center, International Republican Institute, the Australian and US embassies, International Foundation for Electoral Systems, Asian Network for Free Elections Foundation, and National Democracy Institute.
Nepal	June 2006	April 2008 (Constituent Assembly)	The Maoist party and former armed opposition group CPN (M) won the elections to the Constituent Assembly, carrying 116 of 240 seats through the majority system and 100 more through the proportional system, in which it received 29.28% of the votes. Coming in second was the previous majority party, the Nepali Congress, and CPN (UML) took third place. The Constituent Assembly is notably inclusive and representative of ethnic, caste, religious and regional diversity in the country, as well as gender issues (a third of its MPs are women). After the elections, the leader of the former Maoist guerrilla militia CPN, Pushpa Kamal Dahal, also known as Prachanda, was appointed Prime Minister.

CAR	December 2008	January 2011 (legislative and presidential)	(Initially scheduled for October 2010)
Burundi	December 2008	May 2010 (local)	The President's party won an absolute majority and the opposing FNL party, formerly an armed group, won 14% of the votes. Opposition parties denounced electoral fraud. The EU deployed an Electoral Observation Mission composed of 82 people.
		June 2010 (presidential)	Pierre Nkurunziza was elected President in the election of August 2005. Five candidates in the 2010 elections, including Agaton Rwasa, leader of the former armed opposition group FNL, withdrew from the elections to protest the fraud committed in the local elections in May. President Nkurunziza won with 91% of the votes. Turnout was 77%.

Appendix 6 - The day after a peace agreement

After a peace agreement is signed, a period begins that may be long and is usually referred to as “post-conflict”, although the correct term would be “post-armed violence”, and is essential for a peace process. A peace agreement is only useful when it is possible to turn agreements into reality. The table below reminds us of some of the many aspects that must be implemented.

Country	Date of peace agreement or annexes	Some aspects provided for in the agreements
Mali	18-6-2013	Ceasefire followed by disarmament, presidential elections and talks including all political forces.
Philippines	27-2-2013	Bangsamoro Basic Law, amendment to the Constitution, creation of a Bangsamoro Transition Authority, creation of a Third Party Monitoring Team to supervise implementation of the agreements and of a Joint Normalisation Committee (until all arms have been confiscated). Bangsamoro replaces the Autonomous Region of Muslim Mindanao and brings elections, transitional justice, the strengthening of Islamic law, consideration of the customs and traditions of indigenous peoples, the sharing of natural resources, sustainable development, the creation of a Transition Commission, international monitoring, the signing of a final document once all the points on the agenda are implemented, the MILF disarmament programme, international monitoring of the ceasefire until the MILF's disarmament is complete, need for donors.
	15-10-2012	
South Sudan	27-2-2013	Ceasefire, amnesty, political representation of the SSDM/A in the government, military integration of the SSDM into the SPLA, joint disarmament programme, acknowledgement of the conflict's impact on the civilian population, recognition of the importance of reconciliation, release of prisoners of war, creation of a Joint Incident Committee.
Central African Republic	11-1-2013	Creation of an inclusive national unity government, early legislative elections, reorganisation of the defence and security forces, implementation of the DDR process, creation of a monitoring committee for the agreement, Séléka pledges to cease combat, dissolution of the militias, quartering of forces under the supervision of the MICOPAX.

Yemen	5-12-2011	The Vice President assumes the presidency, elections, national unity government and referendum on a new Constitution. Security Council resolutions.
Chad	25-7-2009	Ceasefire and cessation of hostilities, general amnesty, participation of the National Movement (MN) in managing state affairs, possibility that the MN turns into a political party, demobilisation or integration of the MN into the Armed Forces, organisation of the return of refugees.
Mauritania	3-6-2009	Elections, transitional national unity government, inclusive national dialogue. Mediation by the African Union.
Burundi	4-12-2008	Name change for the Hutu party, participation in public office, release of political prisoners.
Zimbabwe	15-9-2008	Economic development, agricultural reform, referendum for a new Constitution, new government, creation of a Joint Observation and Implementation Committee.
Central African Republic	21-6-2008	Inclusive political dialogue, cessation of hostilities, amnesty (except for crimes within the jurisdiction of the ICC) and DDR. Mediation by Gabon.
Kenya	23-5-2008	Constitutional and institutional reform, agricultural reform, regional imbalances, poverty and inequality.
Lebanon	21-5-2008	New national unity government.
Uganda	22-2-2008	Participation of all parties to the conflict in government, promotion of education in conflict areas, integration of members of the LRA into the Armed Forces, assistance for displaced persons to return, development plan for the areas affected by the conflict, victim support, reparations and rehabilitation, DDR.
Chad	25-10-2007	Respect for the Constitution, ceasefire, general amnesty and release of prisoners, participation in state affairs, possibility of forming political parties, DDR, voluntary integration into the Armed Forces.
Ivory Coast	4-3-2007	Identification of people, presidential elections, refounding of the Armed Forces, DDR, reunification of the country, amnesty (except for financial crimes, war crimes and crimes against humanity), help for displaced people to return, creation of and support for an evaluation committee.
Eastern Sudan	19-6-2006	Participation of the Eastern Sudan Front in government operations, joint management of natural resources, ceasefire, reform of the security system, voluntary integration into the Armed Forces, organisation of a Consultative Conference with civil society.

Nepal	22-11-2005	End of the autocratic monarchy, reestablishment of Parliament, formation of an interim government, elections for a Constituent Assembly, participation of the United Nations in the process, commitment from Maoists not to repeat the errors of the past.
Indonesia (Aceh)	15-8-2005	New law on the government of Aceh, provisional government, elections, Aceh controls 70% of its oil, creation of a Truth and Reconciliation Commission, amnesty, DDR, voluntary integration into the Armed Forces, creation of an Aceh Observation Mission with the help of the EU and the ASEAN.
Sudan (Darfur)	5-7-2005	Respect for the diversity of the country, non-discrimination, federal government system, representation of Darfur in state institutions, sharing of political power, humanitarian assistance, the return of refugees and displaced persons, rehabilitation and reconstruction of Darfur, promotion of reconciliation, sustainable development, security agreements, inclusion of these agreements in the Constitution.
Ivory Coast	6-4-2005	Cessation of hostilities, militia disarmament and dismantlement, security for the civilian population, police cooperation with UN forces (UNOCI), integration of the new forces in government operations, creation of an independent electoral commission, elections.
Burundi	6-8-2004	Democratic system of governance, post-transition Constitution.
Liberia	18-8-2003	Ceasefire, deployment of an international stabilisation force, reform of the security system, establishment of a Human Rights Commission, establishment of a transitional government, suspension of the Constitution until a new president is appointed.
Afghanistan	5-12-2001	Establishment of transitional authority, new Constitution.
East Timor	5-5-1999	Referendum on self-determination organised by the United Nations, rules for the referendum, security agreements.
Northern Ireland	10-4-1998	Clauses to include in UK and Irish legislation, creation of democratic institutions, North South Ministerial Council, human rights, reconciliation and victims, economic, social and cultural aspects, disarmament, security and police, prisoners.

Somalia	22-12-1997	Holding of a National Reconciliation Conference, transitional government, the establishment of a Constituent Assembly.
Sierra Leona	23-10-1997	Cessation of hostilities, reinstallation of legitimate president, sharing of political power, DDR, amnesty.
Guatemala	20-12-1996	Full observance of human rights, support for return and resettlement, right to know the truth about human rights violations, recognition of the identity and rights of indigenous peoples, participatory economic development, increased tax collection and prioritisation of social investment, sustainable development, rural development, strengthening of civilian power, legalisation of the URNG and inclusion in security conditions, elections.
Tajikistan	17-8-1995	Continuous round of talks aimed at concluding a general agreement on the establishment of peace, disarmament of the opposition, voluntary incorporation into the Armed Forces or security forces, voluntary repatriation of refugees, creation of a committee for supervising and ensuring compliance with the general agreement, donor's conference, ceasefire extension.
Burundi	10-9-1994	Government pact, new Constitution, creation of a National Security Council, creation of a Pact Monitoring Committee.
Afghanistan	7-3-1993	Formation of provisional government, elections, new Constitution, establishment of a Defence Council, release of prisoners, ceasefire and cessation of hostilities.
South Africa	21-12-1991	Single citizenship regardless of race, legal protection of democratic values, equality of opportunities, peaceful constitutional changes, multi-party democracy, recognition of diversity of cultures, languages and religions.
El Salvador	25-9-1991	Supervision of the National Commission for the Consolidation of Peace (COPAZ), empowered to prepare the draft legislation necessary for implementing the agreements and that will enjoy international guarantees, purging of the Armed Forces, reduction of the Armed Forces, changes in the Armed Forces' educational system, creation of a National Civil Police, the sharing of land larger than 245 Ha with peasants and small-scale farmers.

Source: Peace Agreement Database Search (http://peacemaker.un.org/document-search?keys=&field_padate_value%5Bvalue%5D%5Bdate%5D=&field_pacountry_tid=&field_pathematic_tid%5B%5D=32&=Search+Peace+Agreements)

Appendix 7. Conflicts that have ended in recent years (by both countries and groups)		
2000	Burundi, Sierra Leone	2
2001		0
2002	Angola	1
2003	DR Congo (Inter-Congolese Dialogue), India (BLTF-BLT, DHD)	3
2004		0
2005	Indonesia (Aceh), Northern Ireland, Sudan (South), India (NLFT), Iraq (Kurdistan)	5
2006	Sudan (east), Sudan (Darfur - SLA Minawi), Nepal (CPN), Israel-Lebanon	4
2007	Ivory Coast	1
2008	Mali (ADC), Benin-Burkina Faso, Burundi (FNL), Central African Republic (various), Kenya, Colombia (ERG), Sri Lanka (TMVP), Georgia-Russia, Lebanon	9
2009	Mali (ATNM), Niger, Chad (National Movement), Central African Republic (FDPC, MNSP), DR Congo (CNDP), Somalia (ARS), India (DHD-J), Myanmar (KNU - KNLA Peace Council), Thailand- Cambodia	10
2010	Nigeria (MEND), Niger (MNJ), Chad (UFCD faction, UFR; UFDD, CDR, UFDD/F), Ethiopia (UWSLF, ONLF faction), Eritrea-Djibouti, Somalia (ASWJ), Sudan (JRM, SLA-FREES), India (KNF, KNLF, KCP-MC Lallumba faction), Myanmar (SSA-N)	17
2011	Sudan (LJM), Chad (FPR), Central African Republic (CPJP dissidents), DR Congo (FRF), India (UPDS), Myanmar (NDAA, KHB), Spain (ETA)	8
2012	Central African Republic (CPJP), South Sudan (SSDM/SSDA), India (DHD, APA, AANLA, STF, BCF, ACMA, KLA/KLO, HPC, IKDA, KRA), Nepal (SKTMMM), Myanmar (SSA-S)	14
2013	Sudan (JEM-Bashar), South Sudan (SSLA), India (UPPK, KCP-MC faction)	4
2014	South Sudan (SSDM-Cobra faction), Mozambique, Philippines (MILF)	3
2015 June	Sudan (Darfur) SLM-MM	1

Appendix 8 - Websites of interest

- African Union (www.peaceau.org/en)
- Alertnet (www.alertnet.org)
- Armed Conflict Database (acd.iiss.org)
- Armed Conflict Location and Even Data Project (www.acleddata.com)
- Asia Peacebuilding Initiatives (peacebuilding.asia)
- Berghof Research Center (www.berghof-foundation.org)
- Center of Conflict, Development and Peacebuilding (graduateinstitute.ch/home/research/centresandprogrammes/ccdp.html)
- Center for Humanitarian Dialogue (www.hdcentre.org)
- CIDCM (www.cidcm.umd.es)
- Clingendael Security and Conflict Programme (www.clingendael.nl)
- Conciliation Resources (www.c-r.org)
- Conflictbarometer (hiik.de/en/konfliktbarometer)
- Crisis Management Initiative (www.cmi.fi)
- Crisis Watch (www.crisisgroup.org/library/documents/crisiswatch)
- Department of Peace Studies, University of Bradford (www.brad.ac.uk/acad/peace)
- Dialogue Advisory Group (www.dialogueadvisorygroup.com)
- EEAS Mediation Support Team (eeas.europa.eu/cfsp/conflict_prevention/index_eu.htm)
- School of Peace Culture (escolapau.uab.cat)
- European Centre for Conflict Prevention (www.haguejusticeportal.net)
- European Forum for International Mediation and Dialogue (www.themediateur.eu)
- European Peacebuilding Office (EPLO) (www.wplo.org)
- FEWER (www.fewer.org)
- Folke Bernardotte Academy (www.folkebernardotteacademy.se/en)
- FriEnt (www.frient.de)
- Geneva Call (www.genevacall.org)
- Geneva Peacebuilding Platform (www.gplatform.ch)
- German Working Group on Development and Peace (www.frient.de)
- Gleencree. Center for Peace & Reconciliation (www.gleencree.ie)
- Global Partnership for the Prevention of Armed Conflict (www.gppac.org)
- Human Security Report (hsrgroup.org)
- ICTJ (<http://ictj.org/news/ictj-forum-series-truth-commissions-and-peace-mediation>)
- Incore (www.incore.ulst.ac.uk/cds/countries)
- Insight to Conflict (www.insightonconflict.org)
- Inter Mediate (www.inter-mediate.org)
- International Alert (www.international-alert.org)
- International Crisis Group (www.crisisgroup.org)
- International Dialogue on Peacebuilding & Statebuilding (www.psbdialogue.org)
- International Peace Academy (www.ipacademy.org)
- Interpeace (www.interpeace.org)

- IPI Global Observatory (theglobalobservatory.org/tag/peace-processes)
- Irene Institute for Research and Education and Negotiation. ESSEC Business School (sites.google.com/a/essec.edu/essec-irene-english)
- Kreddha (www.kreddha.org)
- Life & Peace Institute (www.life-peace.org)
- Mediateur (www.themediateur.eu)
- Mediation Support Network (mediationsupportnetwork.net)
- Mediation World (www.mediationworld.net)
- United Nations (www.un.org)
- Norwegian Peacebuilding Resource Centre (www.peacebuilding.no)
- OSCE (www.osce.org)
- Peace Accords Matrix (peaceaccords.nd.edu/matrix/topic)
- Peace Direct (www.insightonconflict.org)
- Peace and Justice Update (peace.sandiego.edu/reports/updates.html#bottom)
- Peace Mediation Project (peacemediation.ch)
- Peace Negotiations Watch (www.publicinternationallaw.org)
- Peace and Security Department, African Union Commission (www.peaceau.org/en/)
- People Building Peace (www.peoplebuildingpeace.org)
- PRIO (www.prio.no/cwp/armedconflict/current)
- Project Ploughshares (www.ploughshares.ca)
- Public International Law & Policy Group (www.publicinternationallaw.org)
- Relief Web (www.reliefweb.int)
- Responding to Conflict (www.respond.org)
- Saferworld (www.saferworld.org.uk)
- SIPRI (www.sipri.org)
- Swiss Peace (www.swisspeace.org/fast)
- The Conflict Resolution Information Source (www.crinfo.org)
- The Joan B. Kroc Institute (kroc.nd.edu)
- Today's Mediation News (www.crinfo.org/news_feeds/v2_negotiation.cfm)
- United States Institute of Peace (www.usip.org/library/pa.html)
- UN Peacemaker (peacemaker.un.org)
- Uppsala University (www.ucdp.uu.se)

