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Mediating Security Arrangements in Peace Processes: Critical Perspectives from the Field

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Foreword

Over the years, I have often been told that the task of mediating ceasefires or other security agreements is generally easy. The reasoning behind this is that you are dealing with disciplined military people, and purely technical issues, thus it is just about "ticking all the boxes" as you run through the content. In fact, over time reality has proved this to be wrong.

No agreement is easy to negotiate, or even less to mediate. Settlements come in all shapes and sizes due to the diversity of interests and the fact that when having to mediate in the area of security, there is always a feeling that there is more to win, or that one can even get everything one sets out to achieve. Therefore, you have to struggle to find some form of compromise to address the content as best you can, which is time consuming and demands patience. This is where the wealth in Jeremy Brickhill's paper lies.

In 80 pages, Jeremy has managed to give us a wide overview of the problems that pop up when discussing or preparing to mediate security arrangements. Security arrangements often need to address the core issues of the violence. According to the setting, they may have to be addressed so as to either create a space for negotiations, or to definitively stop the violence by dismantling the status of war as part of the comprehensive political, socio-economic, and judicial agreement.

In his paper, Jeremy starts by addressing the recurring problems before adding useful detail with "a logical and strategic map of security transitions from war to peace". This is a map that provides a clear introduction of a path to follow, from initial ceasefires through to definitive ceasefires that require that transitional security management concepts to be put into place.

Jeremy exposes us to a huge panorama of challenges, where in-depth knowledge and understanding of the issues within each step of the security arrangements is listed, while at the same time, his detailed sequencing of the content helps us to address the right topics at the right moment. This is vital because there is no use addressing certain topics if the prerequisites are not in place, no matter how urgent those negotiating may think they are. It is here that both a strategic approach to deal with the substance and refusing to improvise makes all the difference. There is no space for misinterpretation – as Jeremy clearly illustrates in the third part of the text where he highlights the most recurrent mistakes so often made when trying to mediate security arrangements.

There is nevertheless another very important dimension I would like to highlight and that runs like a red thread throughout each chapter, from the very first page until the last. This is Jeremy's continuous concern, or even fixation, on the woman or man who is the combatant as he highlights in detail what the sudden mediated changes will bring about for those coming out of the bush. For the freedom fighter, sometimes misnamed a guerilla, they will have to negotiate a future which to them is often unknown and remains full of unexpected traps as they have to submerge themselves into a new universe of negotiations or mediation so far from the fighting logic in which they bathed for years. Nobody better than Jeremy can explain what it is like, having himself directly experienced a negotiated process as a combatant in the Zimbabwe People's Revolutionary Army (ZPRA) to becoming a demobilized fighter in 1982.

There is no doubt that Jeremy's paper is an imperative "must-read" for all those linked directly or indirectly to potential negotiations on security issues. Why? For the very simple reason that his paper clarifies where the state of the art stands today, and in an ever changing world of negotiations or mediation, it perfectly illustrates the direction of future peace negotiations within the extremely complex arena of security arrangements.

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* The views expressed in this foreword are those of the author, and not necessarily those of the FDFA.

Introduction

I grew up in a country at war with itself. When I left school I was required to do my national service in the Rhodesian Army and to unquestioningly join the fight against my black fellow countrymen and women. Like my white peers, I was simply expected to believe in white supremacy and to take my position in the racist trenches and fight, to the death if necessary, to suppress the political, economic and social rights of the indigenous majority. "They will never have majority rule," Prime Minister Ian Smith bellowed at us. "Never in a thousand years". He also told us the Beatles were communists!

Somehow, (and that is another story), I found myself instead serving in the Zimbabwe People's Revolutionary Army (ZPRA), the armed wing of the Zimbabwe African People's Union (ZAPU),[1] and fighting against my white schoolmates. We were fighting for the liberation of all the people of Zimbabwe – for democracy and independence – and we called ourselves freedom fighters. The Rhodesian regime and its allies called us terrorists.

I survived the liberation war, and following the Lancaster House Agreement, elections and independence, I was demobilized from the newly established Zimbabwe National Army in 1982, a process I and other combatants found possibly more traumatic than the war itself.

For several years thereafter I worked in my own country with other Zimbabweans attempting to resolve the many challenges posed by the post-conflict recovery process, including the significant failures of the DDR[2] program, before being asked to provide advice on post-conflict processes elsewhere in Africa. Since then I have worked in many African countries and on many ceasefire and conflict resolution processes. I have been fortunate enough to experience the hugely varied range of both international and African – continental, state and non-state – efforts to address the challenges of managing conflict and developing peace processes, including stints in the United Nations and as an advisor to the European Union, various governments and rebel movements, and the African Union.

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1 ZAPU was led by Joshua Nkomo and ZANU was led by Robert Mugabe; the two leaders jointly led the Patriotic Front until elections in 1980, following which Robert Mugabe formed the first government of independent Zimbabwe.

2 Disarmament, Demobilization and Reintegration (DDR).

During this work, it is my experience as a freedom fighter which has been most useful, and it is the perspective of the rebel that I unashamedly still bring to bear in analyzing conflict and post-conflict challenges. Having been brought up in a conflicted environment, and having had to make tough choices myself, I have learnt how important it is to try to understand the "other" point of view, and in particular to understand the people who fight and why they do so. Inevitably, and I believe helpfully, this perspective has enabled me to critically question the impact of peace-building interventions from both a political and a practical point of view. My direct experience of both conflict and post-conflict recovery processes has provided me with a solid basis to understand some important realities and, above all, not to simply accept the platitudes which tend to litter the post-conflict planning discourse, but rather to attempt serious critical reflection. Having actually been demobilized myself, I am certainly no big fan of the process.

After spending the first ten years of my adult life as a combatant in the liberation war in Zimbabwe and many of the following years dealing with the challenges of peace-building and post-conflict recovery, I have been frequently surprised and disappointed at how amateurish international peace-building efforts can be. In particular, I have been shocked at how little serious, and especially strategic, attention has been addressed towards the security dimensions of peace processes. For this reason I welcomed opportunities to attend and share experiences at (the surprisingly few) international workshops where the practical challenges of negotiating and implementing the security arrangements of peace processes were on the agenda.

One such occasion was a training workshop called the Peace Mediation Course (PMC), offered by the Swiss Federal Department of Foreign Affairs (Swiss FDFA) in association with swisspeace and the Center for Security Studies ETH Zurich. This course, which started in 2008, was the first training opportunity I had encountered which was based on the real-life practical experience of mediating peace processes, and which actually included the security dimensions of such processes.

In my first presentation during the PMC, I commented on the difficulties I had encountered dealing with various Special Envoys and other mediators, who not only knew so little about the security dimensions of peace processes, but, more worryingly, paid them so little attention. I reminded the participants that the Swiss PMC was the very first international mediation training course which had actually included the security dimension. A discussion ensued in which it was pointed out by one participant that

the problem did not only concern the mediation phase of a peace process, but it continued into the implementation phase. The security aspects of peace processes, we all agreed, were generally speaking simply left to the military/security specialists. They were not treated as an integral part of the whole process, and were even less likely to be addressed as a key strategic component of a peace process.

We also noted that, unless they were military men or women, none of the Special Envoys, Mediators, Special Representatives, UN Resident Representatives or Country Directors appointed to mediate peace talks or lead missions in conflict or post-conflict environments had ever received any training enabling them to understand the security aspects and arrangements of peace processes. In the circumstances it was not surprising that they avoided integrating the security aspects of peace processes into the strategic frame and instead treated them as technical issues best left to the military specialists.

Much the same problem exists in the preparation of the broader civilian components of both mediation and implementation teams in peace processes. The security/military aspects are simply left to the military and are not addressed as part of the broader strategic picture.

At the end of that PMC course, and following every subsequent PMC course, evaluation of the course content has shown that the participants (drawn from a very wide range of multi-lateral institutions, governments, international non-governmental organizations [INGOs] and national partner organizations) have highly valued the knowledge they have gained from the security arrangements and processes component of the course. A typical comment from a participant is as follows: "I work in the humanitarian field and the security issues impact directly on my work, but this is the first time I have been provided with an insight into how mediating security arrangements can be addressed strategically, and how this impacts on the overall peace process. It is immensely helpful to have had some of these military and security issues demystified".

I think that is the real point. The indecipherable acronyms – DMZs, ORBATs and AOCs[3] – and both real and imagined complexities of military/security mediation – suggest an incomprehensible world, the mysteries of which are better left to the initiated. As a result, the military/security aspect of a peace process is seldom incorporated or integrated into the overall strat-

3 Demilitarized Zones, Order of Battle, Areas of Control.

egy of the peace process and is instead treated simply as a technical component with no political or strategic function or impact. That is simply wrong.

The military and security elements of peace processes are deeply interwoven with the economic, social and political issues, and how they are handled impacts very directly on all other aspects of a peace process. Moreover, the challenges of building sustainable peace are nowhere more direct and central than when they relate to the crucial questions of the safety and security of both the parties and the people involved. For this reason, the military/security issues must be an integral part of both the mediation and implementation strategy of a peace process.

Training obviously plays a very significant part in how various components of peace processes are handled in the field. In the first place, too little attention has been paid to training for peace processes generally, although this has improved somewhat in recent years. However, assumptions are still made and can be harmful. A seasoned politician is not automatically an effective Special Envoy or Special Representative. A former Foreign Minister is not necessarily a qualified mediator. Nor does a senior military officer necessarily gain effective knowledge of negotiating and implementing post-conflict security arrangements from his peacetime, or indeed fighting experience.

Negotiating and implementing a peace process requires an entirely new set of skills and these need to be systematically developed through appropriate training and learning processes, most especially those based on hard-won field experience.

The very first training course offered internationally which actually focused on building military skills for ceasefire mediation and management only took place in June 2012. This course, organized by the United Nations Department of Political Affairs, the Norwegian Ministries of Defence (MoD) and Foreign Affairs (MFA) and the Swiss Federal Department of Foreign Affairs, followed in the footsteps of the PMC offered by the Swiss by focusing on field experience teaching rather than academic study.[4]

Training based on field experience is the antidote to the sterility of template-based theory. We have a saying in Africa: "When the music chang-

4 There are several good international security sector related training courses available at various centers, and several countries provide very effective training to military personnel and civilians prior to their deployment on peacekeeping or peace-building missions. But little attention is paid to the mediation of security arrangements and very few training opportunities for an integrated approach to the civil and military perspectives of peace processes exist. Finally, very few training courses build their content on a critical evaluation of field experience.

es so does the dance". This ability to hear the music change and to learn new dance steps certainly does not come easily, especially to some of the politicians I encountered as Special Envoys and Special Representatives, or to the UN leaders and managers in conflict or post-conflict environments, with whom I have worked. Some of the senior military officers I worked with on security arrangements negotiations were not able to do much more than the slow shuffle. My attempts to encourage them to try some rasta or hip hop steps were frequently rebuffed and, as I was not prepared to waltz to an obviously African traditional marimba rhythm, I parted company on several occasions with the senior officials I had been commissioned to advise. You cannot give advice to someone who doesn't want it.

Happily this was not always the case and among the colleagues to whom I owe debts of gratitude for new knowledge learned, I would like to mention two: Lt. Gen. Lazaro Sumbeiywo (Rtd.), the former Chief of Staff of the Kenyan Armed Forces and the Intergovernmental Authority on Development (IGAD) Special Envoy for Sudan during the negotiation of the Comprehensive Peace Agreement (CPA) and Major General Jan Erik Wilhelmsen, Norwegian commander of the Nuba Mountains monitoring and verification mission, the Joint Military Commission (JMC).

As a former freedom fighter, I have always thought you could tell a good commander from a weak commander by two characteristics: whether they ask for information and criticism from their subordinates rather than pretending to know everything, and whether they know how to build effective teamwork on this basis.

Generals Sumbeiywo and Wilhelmsen, both of whom played significant and highly successful roles in the Sudan peace processes, would never suggest we build our plans on some theoretical and abstract template. They both always studied the terrain and the realities on the ground, whilst encouraging team contributions, analysis and critical reflection. These are among the key qualities which I believe are needed if our efforts in peace-building are to become more effective.

Aim and Structure

This text is based on presentations I have made at training workshops organized by the Mediation Support Project[5], aimed both at security experts and civilian mediators or peace-building actors, including both international and national actors.[6] It aims to provide an introductory understanding of mediating and implementing security arrangements in peace processes, and the tools, concepts and mechanisms available to manage security transitions.

In **Part One** of the text I set out a critical review of the "recurring problems" which arise frequently in security arrangements mediation and implementation. To begin, we need to demystify the security and military aspects of peace processes so as to enable these critical elements to be fully integrated into mediation and peace-building strategies. Mediators do not need to become security experts, but they do need to better understand the basic contents and phases of security transitions. This will hopefully allow mediators to treat security issues as core issues and not simply as purely technical add-ons to mediation strategies.

The security content of a mediation process is a key strategic question in peace-building and calls for a far more integrated strategic approach to mediation, and therefore the need to create an effective team approach, rather than a series of unconnected and separate mediation processes. This requires a clear understanding by all members of the mediation team of how they should undertake their specific tasks. A good mediation team is a disciplined team, which understands how each task in a mediation process is interlinked to others. It must be guided by a coherent mediation strategy, which should address issues of building negotiating capacity (the need to empower negotiating partners) and sustainability (the need to treat national ownership in a serious fashion).

In **Part Two** of the text I have tried to set out a logical and strategic map of security transitions from war to peace. For the uninitiated, this should be a helpful and coherent entry into a world of acronyms and military jargon.

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5 A joint project between the Center for Security Studies, ETH Zurich and swisspeace, Bern, funded by the Swiss Federal Department of Foreign Affairs: *www.peacemediation.ch/mediation-support-project*

6 Examples are: 1) Integrating Security in Peace Processes, A mediation workshop for the Geneva Centre for the Democratic Control of Armed Forces (DCAF), 4–11 May 2009, organized by MSP, Center for Security Studies ETH Zurich, Swiss Federal Department of Foreign Affairs (FDFA) and DCAF, 2) UN Ceasefire Mediation Course, 10–21 March 2014, organized by Swiss FDFA, Norwegian MoD, Norwegian MFA, and UN Mediation Support Unit, and 3) Peace Mediation Course, in 2010, and every year between 2012–2016, organized by the Swiss FDFA, swisspeace and Center for Security Studies ETH Zurich.

In my view there are usually three broad strategic phases in security transitions (the ceasefire process itself, ceasefire and transitional security management and the final status of forces) and these can be broken down into clearly identifiable and interlinked steps. Understanding these steps and their linkages enables the mediator to sustain a strategic view of the overall process and avoid skipping key stages, most frequently the critical and neglected middle phase of transitional ceasefire and security management. However, let me also remind the reader that these are simply broad templates, which aim to serve as a guide to a complex process. Not every step is needed, or necessarily takes place, in the mediation and implementation of security arrangements.

All templates, including the ones I offer here, are dangerous. Critical thinking and developing a conceptual framework based on the specific and unique circumstances of each conflict are essential in enabling a mediator to then develop his/her own strategic mediation plan. Templates are based on past experience and can only guide your thinking when you face a new circumstance. They should not replace the original critical analysis which each new context requires.

In the final section of the text, **Part Three**, I have returned to the subject of the common mistakes in mediating security arrangements, but this time my focus is on the importance of technical tasks in a security mediation – the need for clear implementation plans and agreements, accurate maps and logical and clearly expressed agreements and schedules.

Throughout the text I have added some field-based practical examples from my own experience within a range of processes to illustrate the basic text.

Part One

1. The Recurring Problems of Security Arrangements Mediation

Having spent over twenty years as an actor, most usually advisor, addressing the security dimensions of post-conflict processes, I have had the opportunity to experience, and therefore, assess, a very wide range of interventions in support of peace-building. What strikes me most in reflecting on these experiences is how little the international community appears to learn from its failures and how easily we repeatedly impose previously attempted frameworks and formulas despite the fact that these have been unsuccessful. No doubt these formulas must have had some success in some place at some time and on that basis became a model, but circumstances differ and change constantly and one surely cannot continue repeating the same frameworks in such varying environments with such increasingly poor results without realizing we need to think again.

A good starting point, therefore, might be to assess the recurring problems which have arisen in security arrangements mediation and implementation.

1.1. The Need for a Strategic Approach to the Security Arrangements

In far too many peace processes the security arrangements are treated as a purely technical element, an add-on to the political process. This effectively removes the security arrangements from the strategic arena and ignores the reality that the security arrangements should be a core element of the overall mediation strategy and peace process and a fundamental element in determining the effectiveness and sustainability of the peace process.

I would argue that the integration of the security arrangements into the mediation strategy is not simply a question of technical complementarity or coordination, but is actually a critical and frequently neglected strategic pillar required in the effective planning, sequencing and delivery of sustainable peace agreements.

Frequently, and as a result of this unstrategic approach, international mediation efforts seek to address the security arrangements in the poker game – "we can make a deal" – manner, in which political, economic and social elements of negotiations are often handled. "Fifty two seats for you, twenty five for you and you also get the DDR Commission. We'll throw in some senate seats too!" This ignores the reality that the security arrangements are THE life and death issue to the parties and the communities affected.

The security arrangements are about (re)assigning the right to the monopoly of the use of force. This requires one or more of the armed parties and their communities to accept losing both their offensive and defensive capabilities. Shifting the balance of power is unlikely to be sustainably achieved simply by the use of some short-term incentive – a DDR program for example. The real challenge in building sustainable peace in these circumstances is to ensure the successful establishment of a fully secure environment and a legitimate and representative authority, which makes such a concession a safe bet.

We should not forget that it is the sustainable security and safety of the people themselves, rather than the political deal, which is the central concern of populations affected by conflict.

Integrating the mediation strategy appropriate for security issues with those for other mediation processes (economic, social), and more broadly with an overarching (political) mediation strategy is only possible if there is a conscious security arrangements mediation strategy and if the mediation team is required to coordinate and work strategically (see Figure 1). This is not always the case.

The security arrangements mediation and implementation plan must be based on a strategy, and that security arrangements strategy must be an integral – not just subordinate – part of the overall mediation strategy.

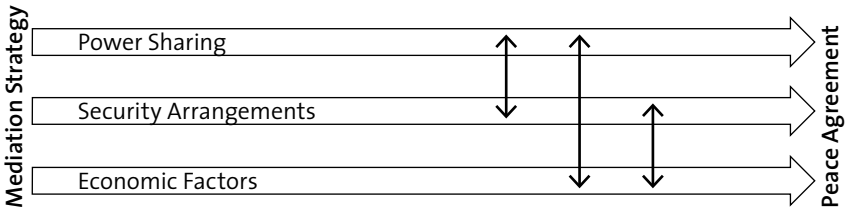

Figure 1: The mediation strategy has to link the various topics as part of the mediation process design.

1.2. Who is (and Who is Not) at the Negotiating Table?

The participants in the security and military negotiations will, almost by definition, only be representative of the government and other armed groups, as well as in some cases of communities which have armed capacities. How representative are these voices?

The parties to the security arrangements negotiations will be taking decisions which have far-reaching consequences for wider communities. Bearing this in mind, the Senior Mediator must ensure that broader political negotiations, and the parties to them, are sufficiently representative. The political mediators should of course always attempt to assess and address the wider consequences of the military decisions and agreements. Those mediating the security arrangements should ensure close strategic engagement with these other negotiation and consultation processes.

Specific areas of engagement which more obviously arise will include those concerning humanitarian, legislative and political issues. But other, less visible, voices including those of unarmed or marginalized communities and women also need to be considered.

The (armed) negotiating parties themselves are unlikely to encourage any broadening of the process as it undermines their own legitimacy and power at the negotiating table. Furthermore, a mediation process is not a democratic election and is unlikely to be successful if it incorporates a cacophony of voices. A balance must be found, and often the mediators can assist the parties to establish an effective balance by creating space for a broader consultation process which informs the direct negotiations.

The question of who is, and who is not, represented in the negotiation process is frequently the first significant agenda item in ceasefire negotiations and addressing this challenge successfully and strategically is likely to have a major impact on the overall peace process.

In principle, the mediator of the security arrangements should seek to enable every armed party, not just preferred armed parties, to take a place at the negotiating table on the basis that it is the military issues which require resolution and it is the military actors who will determine that resolution.

This core question is not easy, but mediators can use their impartial status to help the parties and the external actors to think carefully through the implications of excluding, or including, particular armed parties.

In doing this, it is important to be clear that the mediator's role is to assist the parties and, therefore, they cannot consult with other actors to bring them into the process without some implicit go-ahead from the main parties. The idea is more to persuade the main parties of the benefits of greater inclusivity. Furthermore, a role division between third parties may be useful, when other third parties besides mediators are working on consultations and linking various tracks and actors (see Box 1).

Box 1

Every party to a ceasefire negotiation is a potential partner for peace; every party outside the negotiation is a potential adversary.

I was sitting in the newly acquired offices of the Somaliland National Demobilization Commission (NDC) in 1993 at a meeting with a range of militia commanders, including the government-appointed director, when suddenly a series of explosions tore through the building. We took cover and when the noise died down, discovered that an unidentified vehicle carrying a mounted two-barreled anti-aircraft weapon had strafed our building and driven hastily away. A day later the government-appointed NDC Director informed me that the culprits had been identified as an anti-government militia group and that pro-government forces were being sent to disarm the culprits. My colleagues discussed this and then I suggested an alternative plan.

As the Zimbabwean Demobilisation Advisory Team (ZIMDAT), we were both neutral and impartial to the clan conflicts. However, we had not yet been able to introduce ourselves to this particular clan militia group, who were certainly perceived to be anti-government and hostile to the ceasefire and disarmament process. We proposed that we should use this incident as an opportunity to gain access to this group and to open discussions. The government and the pro-government militia commanders were highly skeptical, but after much discussion finally agreed to allow us to attempt this admittedly audacious plan. We insisted that we should go alone and should be unarmed.

Our small team of Zimbabwean advisors drove to the militia base, unarmed and flying a Zimbabwean flag. We were stopped at an armed checkpoint and after much nervous consultation were eventually taken to meet the militia commander. We handed over some gifts of tea, sugar, cooking oil and flour and introduced ourselves. Then I asked the militia commander if his men had at-

tacked our building. "Yes", he replied. I asked why. "You are only talking to the pro-government clan militia and you haven't even bothered to come and talk to us. That shows you don't respect us". (On the advice of the government we had indeed started our discussions with the more easily accessible, and supposedly less dangerous, pro-government militia.) I apologized and explained that we had now come to meet them and that we were impartial and absolutely prepared to talk to any of the armed groups, including his. His reply was: "We can see you are serious because you had the courage to come right up here to find us and talk. Even the government commanders are frightened of us and don't come here. We respect people who have such courage. We are ready to talk".

Our team stayed at the militia base for the next few days and discussed our background as Zimbabwean guerillas, ceasefires and processes, poetry in Zimbabwe, types of weapons and the meaning of life! Within a month this militia group had sent a representative to join the National Demobilization Commission and the commander himself became both a firm friend and a committed partner in the peace process. Sadly he died in the final round of conflict between pro- and anti-government clans in 1994–5.

1.3. Templates or Situation Analysis?

It is certainly not possible to develop a coherent mediation strategy without a serious situation analysis of the conflict and its parameters. The lack of professionalism in many peace-building (and specifically mediation) processes is nowhere more shocking – at least to me – than in circumstances where outsiders attempt to develop plans, or prescribe solutions, in complex conflict environments to natives of that country, without having made anything more than the most superficial study and analysis of the circumstances and context. Far too often it is enough to make a few stereotypical assumptions and attempt to apply them to a borrowed template.

The lack of rigor in critical review and analysis is mirrored in the dependency on templates. Templates can only ever be based on previous experience and at best offer a guide on how to approach a problem. Generic templates of security arrangements processes often suggest a lack of serious local situation analysis and, of course, an inability to generate both strategy and appropriate operational plans.

It is essential that mediators and their advisors and experts take situation analysis seriously before they develop a plan. In our Google age it is

easier than ever to obtain a great deal of information, including that which is apparently sensitive and secret, from the public domain. Background reading of every sort helps you understand new environments. But more than that, meeting locals and listening to them is absolutely imperative. Most especially you need to listen to every possible voice, especially those of the hidden, marginalized, or powerless players. It always shocks me when I hear a senior international official ensconced in his or her five star hotel, having held meetings with the local elite, saying he or she fully understands the dynamics. Or when you hear that familiar refrain: "Why should I see them? Are they really important?"

The voices of women in particular are conspicuously absent from most analysis of conflict and within the security arrangements negotiations. This is perhaps understandable, as women tend not to play leadership roles in military organizations. However, women do play an extremely significant part in many aspects of war, and their perspectives and experience of conflict are as important as that of men. Moreover, women are frequently very involved in peace-making, most obviously at grassroots community levels, and knowledge of such processes can be invaluable in assessing prospects for mediation.

More broadly, a mediator working on security and military issues is well advised to remember that non-combatant and unarmed sections of the community are not likely to be represented at the negotiating table, but will be affected by the agreements made by armed parties.

Templates, including the one I am going to foolishly offer below, are just as dangerous in peace-building processes as the inability to listen and learn. Each context is different in the very diverse security environments we encounter and each context needs its own and totally new template.

In addition, every new template (or plan) needs to be constantly reviewed and adjusted to take account of process and practice, by which I mean: how does it relate at every point to the development of the overall peace process and what are we learning from our application of the plan so far (see Box 2)?

Finally, and rather sadly, you may even experience a peace process without a plan at all (let alone a strategy). I have. In such a case I would advise you to walk away.

Box 2

A Security Arrangments Mediation Case Study – Strategy for the Abuja Talks on Darfur

During the Abuja Talks on Darfur, the team working on the security arrangements, including myself as Advisor and Laurie Nathan as Mediator, made the following assessment of the aspirations and intentions of the key players in the security arrangements negotiations:

The Sudanese government wanted:

- To avoid providing legitimacy to the rebel movements;
- To maintain its advantage in the security balance;
- To contain the conflict and, if possible, obtain an acceptance of the status quo;
- To contain the rebel armed forces in designated assembly points;
- To avoid responsibility for, and, if possible, avoid addressing, the Janjaweed militia problem;
- To respond to and reduce international pressure.

The rebel movements wanted:

- Acceptance and legitimacy as a negotiating partner;
- To avoid being assembled in designated assembly points;
- Protection of rebel dominated areas, including guarantees (and protection) from attack by air or heavy weapons;
- Unconditional disarmament of the Janjaweed militia.

On this basis a ceasefire mediation strategy was developed, whose essential elements were based on the following negotiation objectives:

- Government of Sudan needs to accept the existence of rebel Areas of Control (AOC) and to concede that armed rebels can only be cantoned (assembled) if assembly points are redefined to cover larger assembly areas in rebel AOC, and if guarantees are implemented preventing air attack on these assembly areas;
- Government of Sudan needs to agree to confine their forces to their own AOC – principally barracks in/near towns and communication routes;
- Both parties need to accept confinement to their respective AOCs and to accept monitoring;

- Each party needs to take full responsibility for the control of all armed groups in their AOCs, including the government taking responsibility for the Janjaweed militia;
- On this basis the rebel movements need to drop their demand for immediate disarmament of the Janjaweed;
- Both parties need to accept and define international (third party) roles and guarantees.

On this basis a conceptual framework for a ceasefire (see more detail below) was developed and this formed the basis for a Security Arrangements Mediation Strategy.

The point of this case study is to show how a careful assessment of the conflict, aspirations and demands of the parties – and serious application of a reality check by the advisors – could lead to the formulation of a potentially viable ceasefire concept and mediation strategy which accommodated apparently contesting and contradictory demands. This security mediation strategy then had to be integrated with, and tested against, other aspects of the mediation process. Suffice it to say here that the strategy proposed by the Security Advisors was never implemented. But the approach was, in my view, a sound one.[7]

1.4. National Ownership and Local Process

Not all conflict can be resolved in its own national context, or necessarily by the national actors alone. External third parties are often required and indeed the role of third parties – as impartial mediators or arbitrators, as catalysts for negotiation, as implementation partners and often as interested parties – is a major component of conflict resolution and peace-building today. The United Nations, the various regional blocs and individual countries and personalities are increasingly engaged in addressing inter- and intra-state conflicts around the globe. It is a growing industry and getting both busier and murkier by the day.

A lot could be said about international peace-building interventions, but the most important and challenging issue is all about how to intervene in such a way as "to do more good than harm", as respected international

7 See Brickhill, J. (May 2007) "Protecting Civilians through Peace Agreements: Challenges and Lessons of the Darfur Peace Agreement," *ISS paper 138*, South African Institute of Security Studies.

mediator Julian Thomas Hottinger simply puts it. In my experience the critical factor in this regard is to ensure that external intervention strengthens, rather than weakens, national (not just state, but ***national***) ownership of peace processes.

Nevertheless, we have all seen how national ownership is both threatened and frequently undermined by the juggernaut of international peace-building. The problem starts with the arrival of the foreign experts, of which I am one. Isolated in whatever passes for international accommodation, under pressure to rapidly produce a plan, and utilizing whatever knowledge we might have gained in a totally different context, we experts are probably the most potentially dangerous form of international cooperation available on the planet today.

The availability of external resources and other support which the arrival of the foreign expert advertises is the first step in undermining local ownership of a peace process, unless the individual is able to stop being an expert and instead first become a listener and learner (see Box 3).

Box 3

Learning from Local Peace Processes – Somalia

An illuminating *Peace Mapping Study*[8] on Somalia identified and analyzed almost 90 successful Somali-owned and led peace processes, and contrasted them with the 14 failed international efforts at mediation. The features of these successful Somali-led processes included consensus-based decision making, an incremental approach, functionality and a focus on threat reduction, joint management and avoidance of the "winner-takes-all" approach, in stark contrast to the almost entirely diametrically opposite approach taken by the internationally-led peace processes. As I commented in an article written for Conciliation Resources: "A starting point for security sector policy in Somalia should be to understand the ways in which Somalis themselves mediate conflict, negotiate ceasefires and manage security. Over the past two decades, however, international actors have ignored local approaches, applying instead external blueprints for Rule of Law programmes to strengthen the capacity of the state

8 Johnson, P. (2009) 'The Search for Peace: Somali-led peace processes from 1991 to 2007', in Ricci, A. (ed.) *Making the difference? What works in response to crises and security threats – the debate continues* [Electronic], European Commission Directorate-General for External Relations, pp. 257–262, available: *http://www.interpeace.org* [1 February 2017].

and establish a (new) monopoly over violence [...] Repeated failures in internationally-sponsored peace and security strategies in Somalia suggest that it is time for a change."[9]

The most important starting point, after listening and learning, is to understand that the peace process belongs to the parties (and the people concerned), not to the external experts, mediators, advisors or special envoys. If the parties to the conflict do not own the process they will never implement it honestly or effectively. This understanding should profoundly guide every step taken from start to finish.

The parties may need help – in mediation, expert advice in technical areas, in implementing their agreement – but help must not involve taking control or ownership away from those who actually own the conflict and need to own the peace which might follow. As the experienced South African mediator Professor Nicolas "Fink" Haysom notes in regard to effective post-conflict national ownership, it is essential "to build the parties' understanding that their enemy is also their negotiating partner".[10]

In the area of security arrangements the most common mistake by external actors is the all-too-frequent attempt to make ceasefire or security management agreements on behalf of the belligerents. This often starts with attempts by external experts to draft proposals for presentation to the parties, and is frequently followed by further efforts to force the parties to make concessions, which are already pre-determined in the externally produced draft agreement.

If the parties are to own the agreement, and therefore to implement it honestly and effectively, they should draft it themselves. External experts and advisors can suggest ideas and respond to queries and questions, but they should never attempt to draft an agreement for the parties. (If, in special cases, mediators do draft them, the draft has to be based on information heard directly from the parties, who must be able to reflect on and adapt them, so as to own them.) Mediators can then help the parties negotiate around the respective drafts or proposals made. They can help craft compromises and guide the process. Eventually, however, it must be owned and implemented

9 See: Brickhill, J. 'Security and Stabilization in Somalia' in Bradbury, M. and Healy, S. (eds.) "Whose Peace is it Anyway? Connecting Somali and International Peacemaking", *Accord: an international review of peace initiatives*, issue 21, 2010, p. 27.

10 Haysom, N. (2005) 'Engaging Armed Groups in Peace Processes: Lessons for Effective Third Party Practice', in Robert Ricigliano (ed.) "Choosing to engage: Armed groups and peace processes", *Accord: an international review of peace initiatives,* issue 16, pp. 84–89.

by the parties, and the only way to really ensure this can happen, is to enable the parties to own the process from the start (see Box 4).

This does not mean that the mediators and their advisors should not seek to understand the conflict and to build a basic mediation strategy, or to develop a conceptual framework to guide the ceasefire negotiations. Mediation is not an inert activity which simply flows with the winds of belligerent contestation. Mediators will have to assist the parties to take tough decisions. On occasion they will use leverage and pressure to secure agreements. In order to play their role effectively, mediators therefore must have a strategic perspective of the options and how to achieve them, but in doing this, they must not become proxy parties to the negotiation. Ultimately, the goal of the mediator should be to assist the parties to reach an agreement, not with the mediators, but with each other.

The overall strategy of negotiating security arrangements should therefore be guided by continuous efforts to enable the parties to strengthen their ownership of the process at every stage, ensuring they understand their ownership and thus their responsibility for their agreement and peace process. This is easier said than done.

Box 4

A Security Arrangements Mediation Case Study – Developing an Inclusive Policy for Disarmament in Somaliland

The disarmament process in Somaliland (1993–94) was carried out through the establishment of the Somaliland National Demobilization Commission (NDC), which was effectively also a ceasefire and security management body. Its success can largely be attributed to the development of an appropriate, nationally-owned and driven policy framework, which, by providing an inclusive and representative mechanism to lead the process, overcame the historical fear that one clan was using its capture of the presidency to disarm all the other clans.

Whilst the President, Mohamed Ibrahim Egal, needed to assert his leadership of the process in order to legitimize the newly established state, he also needed to address the question: "Who is disarming who?" President Egal took this challenge seriously and insisted that a balanced approach needed to be found. A spirited discussion among his security advisors followed, in which the

Zimbabwe Demobilisation Advisory Team (ZIMDAT), was invited to participate. Following wide-ranging consultation with traditional elders, politicians and militia commanders, the following five policy principles were eventually adopted by the NDC:

- The disarmament process will be voluntary;
- The disarmament process will be universal (open and accessible to all military groups);
- The disarmament organization and process will be **centrally coordinated** and nationally led by government;
- The disarmament organization and process will be **locally implemented** by the local commanders and leaders;
- All participating military groups are entitled to be represented equally.

If you analyze this policy framework you can ascertain the key features (the conceptual framework) that addressed the challenges and fears of the various actors. The voluntary and universal access offered by the policy was essentially aimed at ensuring that the process would be **negotiated**. Equal representation of all military groups in the organization ensured a **consensus-based** process. The central coordination role for government provided both acceptance of **the leading role of the state and legitimacy for the government**, whilst local implementation (and leadership) provided a guarantee that neither the government, nor any dominant clan would disarm other clans. Essentially this self-disarmament ensured the **legitimacy of both state and local leadership** and provided the basis for reducing the perceived threat posed by externally imposed disarmament.

With a national NDC committee representing both central government and all the regional actors, as well as regional NDC committees based on local clan and militia representation, the organization and process were increasingly perceived to be both balanced and capable of proceeding on the basis of **mutual threat reduction**.

1.5. "Ripe Moments"

Frequently parties are not ready to discuss a fully-fledged peace process or to consider the prospective commitments that might be involved. Likewise, they may not be prepared to commit to a formal ceasefire. But they may be prepared, or perhaps feel pressured enough, to address various shorter-term

cessation of hostilities or truce negotiations and commitments, including those involving humanitarian access. In this regard we need to see Zartman's "ripe moments"[11] as cascading fruit. There are various types and stages of ripeness, and each of these should be understood as a potential step that enables preparation for future and more significant opportunities. The key challenge here is to understand how to approach such short-term opportunities, both in terms of their own objectives (e.g. humanitarian aid delivery), and within a broader and longer-term strategic framework.

In the case of South Sudan for example, initial negotiations on the need for humanitarian access to address a serious outbreak of guinea worm infestation in the population, followed by Operation Lifeline[12] and a child soldiers' demobilization program (both coordinated by UNICEF), created the first real opportunities for both parties, but most significantly the Sudan People's Liberation Movement/Army (SPLM/A), to begin to both comprehend the terrain of negotiation and to build capacity to manage negotiation processes. These experiences and the training offered at the time, with the resulting skills gained, played an important part in enabling subsequent negotiations. Key SPLM/A commanders and leaders involved in these early processes later played leading roles in both the Comprehensive Peace Agreement (CPA) negotiations, and in the institutions established to implement aspects of the CPA.

Not every mediation effort can be successful, but it can at least build capacity and maintain open doors and opportunities for the future.

1.6. The State-building Strategy for Peace-building

Peace-building and state-building are often conflated in post-conflict, collapsed states – so-called "failed states", or even in simply badly damaged states. More dangerously, state-building is often simplistically projected as the road to peace-building. This is simply not a valid assumption, particularly in Africa, where the centralized post-colonial state, with its artificially imposed colonial boundaries, is itself frequently seen as a root cause of conflict.

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11 Zartman, W. (2001) 'The Timing of Peace Initiatives: Hurting Stalemates and Ripe Moments' *The Global Review of Ethnopolitics,* Vol. 1, no. 1, September, pp. 8–18.

12 In 1989, see: Lam Akol (2005), Operation Lifeline Sudan, war, peace and relief in southern Sudan, *Accord: an international review of peace initiatives,* issue 16, pp. 52–55.

State-building in contested or conflict-affected environments is almost by definition, a conflict-inducing, rather than conflict-reducing, process.[13] Strengthening the state during a conflict involving the state, requires either a consensus-based engagement (the political option for mediation and reform), or a defeat for forces opposing the state (usually the military option). In the latter case, this approach is based on conflict and assumes that successful conflict is the route to peace. Questions of both efficacy and legitimacy need to be seriously addressed. Nowhere is this more sharply exposed in a peace process than with regard to the security arrangements. The state has a monopoly on the use of force and so disarming and legitimizing the various armed actors is the key threat and opportunity paradigm. Who is disarming whom? Is s/he really "the president" or is s/he actually the representative of a clan, tribe, or other special interest group?

Western actors in particular, with their own historical perspectives regarding nation states and impatience for results, are far too prone to project the notion that state-building is the most effective route to peace. The origins of the current conflict in Somalia include 20 years of Western-imposed failed state-building and attempts at peace-building reinforced by increasingly direct military intervention, effectively creating the conditions for a jihad-oriented national resistance in Somalia where none existed. Somalia today remains a salutary lesson of the extreme dangers of imposing the state-building road to peace.[14]

1.7. Technical and Capacity Problems

You cannot assume that a good war-time general will automatically make a good peace-building or peacekeeping general. The same of course applies to a peacetime general. The challenges and tasks of mediating ceasefires and security transitions are complex and particular, and new knowledge and skills sets are required. The challenges of addressing these new circumstances as an adversary/negotiating party are even more arduous.

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13 See also Jeremy Brickhill on Security Arrangements in Peace Processes. Interviewed by Simon J. A. Mason (CSS) on 5 May 2009 in Einsiedeln, Switzerland, *http://peacemediation.ch/resources/movies*.

14 The most respected, and knowledgeable, international analysts of Somalia, and very many Somalis themselves, have long criticized this approach and have proposed a range of alternatives for almost two decades to no avail.

The rebel military negotiator in particular, is likely to face the most serious challenges. S/he is unlikely to know much about ceasefires, or their implementation, or about ceasefire concepts, tools and mechanisms. Although this may apply equally to the government side, rebel armies usually lack basic staffing and management capabilities and this impacts enormously on their conduct during negotiations. Whilst the government side is likely to have maps and a capacity to generate reports, written plans and proposals, the rebel side is more likely to operate on the basis of verbal planning, followed perhaps by some brief rough sketching.

In circumstances such as these, it is inevitable that parties lacking technical knowledge and capacity will also lack confidence, and will be likely to behave very defensively and cautiously during negotiations. You cannot take risks in terrain where you have little understanding or knowledge.

For this reason, training on ceasefire concepts, modalities, tools and processes is extremely important for the parties. This training should be based on real field knowledge and best practice and should, if at all possible, be provided by trainers with knowledge of similar cases and in whom the parties have confidence.

Such training support should, where appropriate, be reinforced by the provision of advisors. Once again these should be advisors with real and appropriate field experience and in whom the parties are likely to have confidence. In the case of the negotiation of the Sudanese Comprehensive Peace Agreement, the SPLM/A were provided with an advisor from the Zimbabwe African National Liberation Army (ZANLA) guerilla army, who played a very significant role in assisting the SPLM/A to understand and respond effectively to the challenges of negotiating an agreement with Khartoum. The advisor could do this precisely because he had real and actual knowledge of the process, and more importantly, understood it from an equivalent rebel perspective (see Box 5).

Box 5

Training Military Negotiatiors – a Case Study from the Abuja Peace Talks on Darfur

The contesting military delegations to the Abuja Talks on Darfur were very obviously mismatched competitors at first sight. The Khartoum team, resplendent in their medals and uniforms, included senior and experienced command-

ers, supported by a bevy of staff officers carrying bags full of reports, maps, and assorted paperwork. Key members already had experience of military negotiations from the previous North/South Sudanese CPA process. Their team exhibited discipline and confidence. The assorted rebel commanders were another story. Divided into their respective factions, suspicious and reticent, they clearly lacked the planning and negotiating capabilities facing them across the table.

These disparities were reflected in the behavior of the two opposing teams. The Khartoum team relentlessly tabled carefully prepared and presented written proposals. Unwilling to admit they were unfamiliar with the concepts being presented, or the terminology being used, the rebel teams fumbled, argued and avoided engagement. We were clearly going nowhere.

At the outset of the Abuja Talks I had made recommendations that the Military Commission negotiations should be preceded by training workshops. I had anticipated that the rebel negotiators would lack experience, skills and, therefore, confidence, and that the government delegation would be more experienced and skilled in military mediation. Nevertheless, I proposed to provide training and advisory support to both parties, intending to get everyone onto the same page and to build mutual capacity and even some engagement between the parties during some syndicate-style scenario training exercises.

My proposal was turned down on the basis that there was no time for preparations or training and we needed to move urgently towards negotiating a new ceasefire because the situation on the ground was deteriorating (and there was pressure from donors to proceed rapidly to a conclusion). My immediate superior, a senior commander, argued against me, claiming that training would simply confuse the parties. Therefore, we moved on with completely nonsensical negotiations. Rejection and mutual denunciation characterized our daily negotiation ritual. Unsurprisingly, no progress was made.

Six weeks along the line and despairing of any progress, I made a desperate plea to the Special Envoy to be allowed to conduct some training exercises and to recruit a specialist military mediator to support our failing efforts. My request was granted, but only on condition that we continued with the negotiations at the same time in order to placate impatient donor/observers who were anxious to see results.

Calling in a few favors, I managed to persuade a handful of experienced military colleagues to spare us a few days in Abuja and we recruited the experienced South African mediator, Laurie Nathan, as military mediator. We organized a mediation strategy backed by a carefully prepared, and very focused, training program. During the mornings we set about negotiating the first steps

– like an agreed negotiating agenda to be tabled on a daily basis to replace the arbitrary topics which had previously been permitted – and at night we conducted our training sessions, which covered much the same terrain as this text. Our trainers were a variety of experienced military experts including guerilla commanders, with backgrounds much like the Darfur rebels.

Within two weeks the conduct of both the rebel and government delegations had changed radically and we found ourselves making steady progress. The rebel negotiators increasingly began to table their own proposals and to enter into real negotiations. They were noticeably more confident and took obvious pleasure in presenting their newly acquired ceasefire technical knowledge to their bemused government counterparts. Following the advice of my previous mentor, Lt. General Sumbeiywo (Rtd.), we tackled the issues systematically, parking issues which could not be settled, and focusing on building areas of agreement.

Within a month we had reduced the contested issues from 27 items down to a half dozen and were within reach of a serious and substantive ceasefire agreement. Then the plug was pulled, but that is another story.

1.8. Teamwork

The worst enemy of a successful mediation process is, in my view, the know-it-all expert in the team, most especially if this person is the senior Special Envoy. Successful mediation in the security sector, as elsewhere, is all about teamwork.

The first key to good teamwork is to do your own job and not someone else's. In this regard, the different functions of the team are critical and need to be strictly enforced. Mediators must mediate, advisors must advise, and observers must (only) observe. At the top is the senior Special Envoy, who must be in charge overall, but who needs to be protected by the team. The Special Envoy must not be dragged into small disputes or minor mediation skirmishes, but must keep his or her ammunition for the decisive battles only.

It is very important that the mediation and advisory roles are not confused. An advisor needs to build the confidence of the parties, and to do that, the advisor must keep away from seeking the compromises that the mediator seeks. Rather like a good lawyer, it is important to give the parties the best advice possible to enable them to present their case logically, coherently, and

with some realistic prospect of success. In this way, the advisor also builds confidence with the parties. It is the parties themselves, with the help of the mediator, who achieve the compromise. It is not the business of an advisor to get involved in looking for compromises with the parties, as this would be doing the mediator's job, creating confusion and distrust.

However, the advisor does, and should, help the mediator reach a compromise by giving advice on what compromises are possible and realistic based on the parties' positions. This advice is solely for the mediator, not the parties. The advisor must leave the mediation role to the mediator, no matter what the temptation. Advisors, like the rest of the team, have to be disciplined and stick to their tasks. The job of an advisor is not easy to do well.

Negotiating parties also need to build effective teams. External advisors with experience of previous mediation processes can provide important advice and assistance to the parties to help them establish and manage suitable negotiating teams.

1.9. Pressure for Results

External actors, particularly donors, are always difficult to manage. Not only will they constantly seek to influence and direct the mediation process, but they are more than likely to wish to speed things up. It is important, therefore, that observers of the process – external parties and donors – are kept well informed and, where necessary, provided with structured access to the parties, whilst also being kept at a distance from the actual detailed mediation process. They should not be mediating, only observing.

Frequently, it is the observers (and especially donors), who will attempt to rush through processes, skip stages, and apply pressure for quick delivery. The security arrangements process is particularly vulnerable to this pressure. Civilian external observers will not easily understand the need for more time in relation to military/security issues if they do not understand the complexities of the process. If they are encouraged to understand the process, they can also be helpful. One Western ambassador involved in the Sudan peace process offered technical training workshops on security mediation processes to his diplomatic colleagues, skillfully disguised as cocktail parties. These were attractive invitations in the "dry" circumstances of Khartoum, and useful in strengthening understanding of the process in the donor community.

Most obviously, with regard to the broad strategy of security transitions, there is always a temptation to leap from the first phase (ceasefire), to the third phase (final status of forces agreement), without allowing the all-important second phase (transitional joint security management) to lay the necessary foundations for sustainable security. We will tackle this in more detail when we discuss security transitions.

1.10. Managing Information and Expectations

Information management during mediation processes is very important and with regard to security arrangements there are particular challenges and issues of concern. Parties to a conflict face very significant risks during negotiations with regard to how their own armed forces and constituencies are informed about and understand the process, as well as the issue of the release of sensitive information. The mediation team needs to both manage its own information flow and the flow to the public, and to assist the parties wherever possible to keep their own constituencies appropriately informed (see Box 6). Information management is an extremely important element of broad mediation strategy, most especially when applied to the sensitive area of security arrangements.

Box 6

Training and Information Management – a Case Study from the Sudan Comprehensive Peace Agreement

At the start of the substantive negotiations between the parties on each of the major components of the agenda (security, economic, political, social), the IGAD Special Envoy, Lt. General Sumbeiywo (Rtd.), arranged that experts be commissioned to deliver training/best practice workshops for the negotiating teams. On the security side, we prepared a comprehensive training program, which covered a wide range of topics drawn from previous experiences in security arrangements negotiations: types of ceasefire and organization, role of third parties, role of the UN Department for Peacekeeping Operations, etc. In all these workshops we ensured that we invited speakers who had actually either delivered a process in the field (on behalf of an international or regional orga-

nization), or were national actors, who had been on the receiving end. We repeated these workshops a few times at each stage of the negotiations, always focusing on the upcoming issues in the next round. The negotiating parties clearly benefitted enormously from these workshops and it was noticeable that their ability to negotiate with confidence and focus was greatly strengthened by these exercises.

Later, when we were much deeper into the negotiation process, a new idea surfaced, proposed in discussions with the parties themselves. Would we consider delivering the same workshops, not to the negotiating teams, but to senior officers and field commanders? This idea was eagerly endorsed by Lt. General Sumbeiywo (Rtd.), who immediately understood that an exercise of this sort would help deepen the process, and in particular, assist the negotiating leaders to manage their own constituencies – in this case, their commanders in the field. On this basis, we proceeded to deliver the training workshops to leaders and commanders in the field on both sides of the battle lines.

Maintaining understanding, support, and command loyalty from the field towards the leadership is a major challenge in a negotiating process. The lower levels of leadership and command will be understandably worried and nervous about what concessions are being made by their leaders. In Sudan, both parties – but most obviously the SPLM/A – struggled with this problem throughout the negotiations. A significant element in this problem is about managing information flow. This of course was routinely done by the leadership of both parties themselves, but the request to conduct the security arrangements training workshops in the field was an innovative idea.

By equipping the field commanders with detailed knowledge about security arrangements negotiation processes, the leadership was providing them with greater capacity to understand the briefings they were getting about the process from their own superiors. This strengthened understanding and confidence and helped the field feel more connected to the process.

The training exercise had other benefits too. Most obviously, it assisted the security advisors to better understand the realities on the ground, therefore allowing them to provide better advice. Additionally, it opened up new channels of mediation, in the sense that the field commanders were able to ask questions about the process. This gave them a clearer picture and an increased ability to handle difficult questions being raised by their subordinates. They were thus able to mediate the process locally with their forces. Finally, it opened up the options to implement the ceasefire and the transitional security processes more

rapidly and effectively because the field commanders concerned had a clear understanding of what they were being ordered to implement.

Summary of Part One: Dealing with Recurring Problems of Security Arrangements

Before exploring specific tools and phases of the mediation of security arrangements, which is covered in Part Two of this document, Part One has set the scene by highlighting evergreen problems related to security arrangements. It has also provided some initial guidance on how to deal with these problems, namely:

- *Strategic use:* Mediators should integrate the security arrangements into the overall mediation strategy and link security, economic, power-sharing, justice and other topics to use synergies between them.
- *Inclusivity:* Mediators should seek to enable *every* armed actor (not just preferred armed actors) to be part of the security negotiations, as they determine the resolution of military issues.
- *Situation analysis:* Action based on templates is dangerous and should never replace careful situation analysis and in-depth consultations, which should include women and non-combatants, who may not be in the process, but are affected by its outcome.
- *National ownership:* Constant efforts are needed to increase national ownership of process and content, involving both state, and non-state actors. Mediators should avoid drafting agreements, and if it is unavoidable, should base them on information heard directly from the parties, ensuring the parties can adapt and change the draft so as to own the content.
- *Cascade of ripeness:* It is helpful to get away from debates about whether a conflict is "ripe" or not, and rather think in terms of a cascade of ripe moments for different activities, where one can feed into the other.
- *State-building is not peace-building:* In conflict contexts, state-building is often not the most effective path to peace. State-building in tense contexts must be based on consensus-based engagements including both state and non-state actors.
- *Technical capacity:* Specific knowledge and skills are needed for the negotiation and mediation of security arrangements. Thus, technical capacity building – based on real field experience – often has to precede security negotiations.

- *Teamwork:* Teamwork is essential for mediation, with clarity of roles and responsibilities between the senior mediator, committee mediators, on-site advisors, and external advisors.
- *Donors and deadlines:* Donors are difficult to manage, especially when they seek quick results. Communication between donors and parties needs to be structured by the mediator to allow contact, but not to impede the process. Efforts may also be needed to explain to donors why a process takes time.
- *Information management:* Information has to be managed on three levels: 1) between the mediation team and the parties within the mediation process, 2) between the mediation process and the public, 3) between the parties and their constituencies. Constituents, e.g. field commanders, need to be informed and trained if they are to accept an agreement later on.

Part Two

2. Concepts, Tools and Phases of Security Mediation

2.1. Templates, Content and Process

The linkages between content and process in mediation are critically important and understanding how content impacts on process and vice versa is a major element in determining mediation strategy. In this regard the concepts, tools and phases (sequencing) of security mediation need to be applied in a carefully considered and strategic manner, as determined by the context of the specific conflict being addressed. Templates, such as that offered below, can only be very general guides to mediation strategy. Each context is different and requires its own particular content, process and sequence.

2.2. Security Transitions

What is very often portrayed and perceived as a single ceasefire process is actually a far more complex process, comprising of a series of interconnected steps, phases and transitions. As I have said, templates are dangerous, but used as a guide to complex processes, they can help focus our thinking and provide a basis for strategic planning. With this in mind, it is useful to understand the security arrangements negotiations in three distinct phases, as follows:

- **Phase One – The Ceasefire Process**
- **Phase Two – Transitional (Joint) Ceasefire/Security Management**
- **Phase Three – Final Status of Forces**

The overall security arrangements mediation strategy should be based on an integrated approach to all three phases, with the first phase being seen as the entry point, the second phase being seen as the consolidation stage, and the third phase being seen as the end state. Typically, though not in every case, these three phases of security transition (from war to peace) need to be addressed in a clearly and logically sequenced manner.

Broadly speaking, the ceasefire phase will focus on the steps necessary to halt the fighting and establish a sustainable ceasefire between conflicting parties. The transitional phase will focus on mechanisms necessary to: a) manage, monitor, and supervise the ceasefire, b) manage and supervise interim security, and c) undertake preparations for the final status of forces agreement. The third and final phase is concerned with the final comprehensive security agreement, including necessary reforms, new command structures, integration of forces and DDR.

Each distinct phase of these security transitions is itself made up of a range of steps and procedures and must therefore be guided by its own component strategy, as part of the broader overall strategy. Each phase must successfully achieve its own specific objectives and lay the foundations and framework for the next phase. Throughout the whole security transition process it is necessary to build capacity and commitment, to achieve results, and to build confidence.

Unpacking and describing (demystifying) the various possible concepts, tools, mechanisms and phases of the security arrangements in the following section, I hope to help the reader understand how security issues can be negotiated and implemented.

2.3. Phase One – Ceasefires

2.3.1. Types of Ceasefire

There are in fact very many types of "ceasefires" and the loose use of the term "ceasefire" is not always useful in this regard. Terms like ceasefire, cessation of hostilities, truce etc. are often used interchangeably and unhelpfully to describe very specific forms of a halt in hostilities. In fact, the various forms of "ceasefire" should rather be seen as incremental steps of specificity and enforceability in the process of halting hostilities, although they do not necessarily always lead from one to the other.

I will begin by defining the types of ceasefires, moving through the list from less specific and enforceable towards more:

- **A Battlefield Truce** is a short term, unverified break in hostilities. During World War I, German and British forces declared a Christmas day truce and famously played a football match before returning to the frightful slaughter of trench warfare. A more obvious form of truce might involve

an agreed break in hostilities to enable the parties to retrieve casualties from the battlefield, as happened several times in Somalia during the early stages of the war between the Islamic Courts Union and the Transitional Federal Government in Mogadishu in 2008.

- **A Declaration of Intent or a Declaration of Principles** is often the first step taken by conflicting parties on the road to a ceasefire process. One or both parties can issue a declaration of intent (or more specifically of principles), which indicates they are considering a ceasefire. This may be a step taken during the pre-negotiation phase, aimed at creating conditions for negotiations, including preparing followers and supporters for the prospect of negotiations. Mediators may be involved, often behind the scenes, or such a step might be taken on a completely unilateral basis by one or other party. There are usually no formal obligations involved in such a declaration.
- **Various Forms of Restriction on Hostilities.** In general terms various forms of prohibition or restriction on warfare may be applied to the conduct of the parties without the need for any special agreement (attacks on children, hospitals, religious sites etc.). The body of international law on the rules of warfare, human rights and humanitarian law also apply (theoretically at least) to all parties to conflict. In addition to these control mechanisms, parties to a conflict can apply various other specific forms of restrictions on hostilities, either unilaterally or jointly. Such restrictions on hostilities may be applied on the basis of humanitarian principles and indeed may lead to various forms of specifically "humanitarian ceasefires", involving a variety of restrictive measures, like "no fire zones" around a hospital, for example. They may also create points of entry to longer-term ceasefire processes. There are usually no formal agreements applied and such restrictions are usually unverified.
- **A Cessation of Hostilities** is a temporary, unverified, extended version of a Battlefield Truce. This is an agreement by the warring parties to cease fire, but usually without significant disengagement of forces and certainly without any verification mechanisms. A cessation of hostilities is often the first real (and tentative) step by the parties towards a ceasefire. It is declared for a stipulated period, agreed by both parties, and is usually aimed at creating space and opportunity for the development of, and agreement on, a substantive ceasefire.
- **A Ceasefire** is a formal agreement between the parties, applicable for a determined period, disengaging forces and establishing a verifiable halt in

hostilities, therefore requiring ceasefire management and verification capabilities. The "ceasefire proper" which incorporates these key elements is the agreement the peace process needs to actually stop the fighting. Therefore, a ceasefire needs to be operationalized – it usually requires some form of disengagement and redeployment of forces. It also needs to be verified, and it is in this regard that third parties might be called upon to play the role of the neutral "referee".

- **Surrender or Defeat** are not usually considered as ceasefires, but in reality that is exactly what they are. The defeat or surrender of a party causes hostilities to cease and processes of surrender require management and agreement in their own right. Issues of safe conduct, disarmament, treatment of prisoners of war and the application of international law and rules of engagement concerning the rights of prisoners need to be applied to this form of a ceasefire.

2.3.2. Basic Requirements of a Ceasefire Agreement

A Ceasefire Agreement should incorporate:

- *Principles and aspirations:* the guiding principles and wider aspirations which establish a framework for the security arrangements process within the broader peace process.
- *Terminology and objectives:* clear definitions and language, and a coherent framework of objectives.
- *Parties and third parties:* Definitions of the parties, including the role of third parties.
- *Organization:* The organizational and operational framework of the ceasefire and the resulting obligations of the parties (including third parties).
- *Information disclosure:* A ceasefire agreement should include provisions for incremental disclosure by the parties of their Order of Battle (ORBAT). The ORBAT describes the disposition of the armed forces. Parties are very obviously reluctant to disclose substantive details of their ORBAT at the start of a process, but over time it is both necessary and possible for them to do so. Such disclosure is both a condition and a reflection of the confidence-building process and thus takes place incrementally.
- *Commitments:* Finally, a Ceasefire Agreement should outline the prospective commitments of the parties.

2.3.3. Conceptual Framework

The conceptual framework is the core description of a ceasefire, defining the specific elements and the relationship of the various mechanisms and tools that comprise the content of a ceasefire. In essence, the conceptual framework is the underlying idea of the ceasefire. It should be appropriate to the specific nature of the conflict and the objectives of the ceasefire. The conceptual framework will determine which elements of the following four categories of ceasefire tools are chosen, and how they fit together:

1. **Prohibitions and control mechanisms**
   Depending on the overarching conceptual framework, appropriate prohibition and control mechanisms may be:
   - Demilitarized Zones (DMZ), areas which are demilitarized,
   - Zones of Exclusions (ZOE), from which a party or parties are excluded,
   - Zones of Limitations (ZOL), in which restrictions on numbers of forces and armament apply,
   - Areas and Lines of Control (AOC/LOC), in which parties are assigned areas of control and responsibility and lines of demarcation,
   - Buffer Zones, in which parties are separated,
   - Humanitarian Zones/Corridors, in which specific prohibitions are applied to control armed forces,
   - Disengagement and redeployment (using many of the tools listed above),
   - Assembly and cantonment of military forces (as one form of redeployment).

   These prohibition and control mechanisms may be combined.

2. **Mutual threat reduction**
   The prohibitions and control mechanisms outlined above are the key tools to disengage the forces and stop the fighting. Mutual threat reduction tools are further ongoing measures to consolidate the prohibition and control mechanisms. The conceptual framework also informs the choice of mutual threat reduction. Mechanisms for mutual threat reduction may include no fly zones, air base lock downs, restrictions on the deployment and use of heavy weapons systems, restrictions on troop movement, resupply and training, and advance warning and verification procedures.

3. **Role of third party**
   Defining the role of third parties is extremely important, especially with regard to possible security guarantees. Possible roles for third parties, derived from the conceptual framework, include chairing the verification and monitoring and/or ceasefire organizations, training of monitoring teams, participating in the monitoring process, technical advisory support to the parties and preparation for the next phase, as well as protection and/or military action.

4. **Joint security management systems**
   Different interim security management systems may be appropriate to achieve the underlying objective of a ceasefire. These could be a joint ceasefire monitoring system, including joint ceasefire verification patrols; interim security management, including liaison and communication; joint transitional security management that prepares for the next phase (beyond the ceasefire), and other confidence building measures.

Without a clear conceptual framework, it is hard to define which tools and mechanisms to use because it is unclear what you eventually want to achieve with the ceasefire. The following five, over-simplified, examples of conceptual frameworks help to illustrate the idea more clearly:

Scenario 1: Lines of Control and Withdrawal

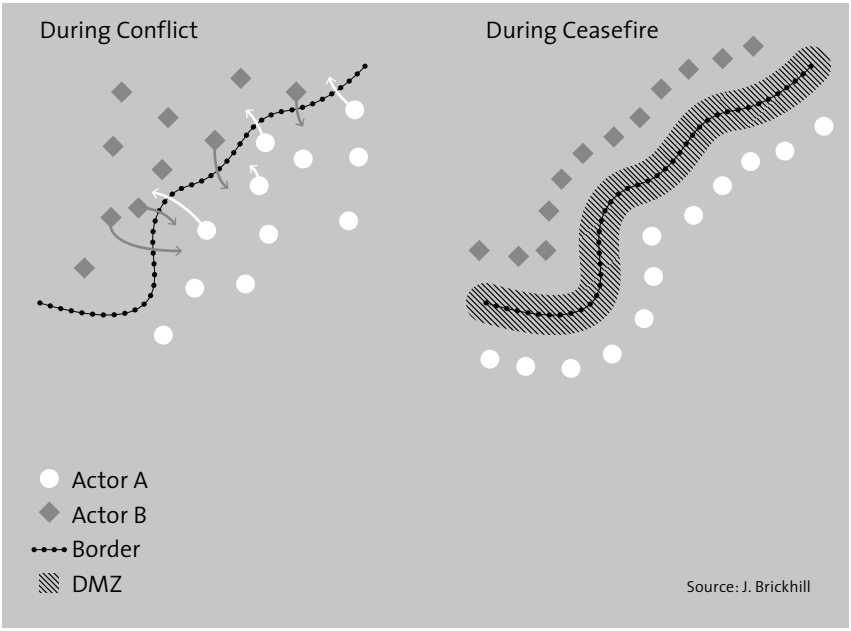

Figure 2: Conceptual framework with Lines of Control (LoC), Demilitarized Zone (DMZ), and withdrawal of forces

In scenario 1, forces of country B cross the border into country A. One possible appropriate conceptual framework for a ceasefire in this situation is the **withdrawal of forces to the original borders**.

This conceptual framework calls for a line of control with a demilitarized zone (DMZ) along the border of the two countries. Disengagement and the resulting physical separation reduce the level of threat. The role of a third party could include the monitoring of the DMZ. Parties may also agree on unarmed joint patrols in the DMZ as a measure for interim joint security management. The Ethiopia-Eritrea ceasefire is an example.

Scenario 2: Assembly Points

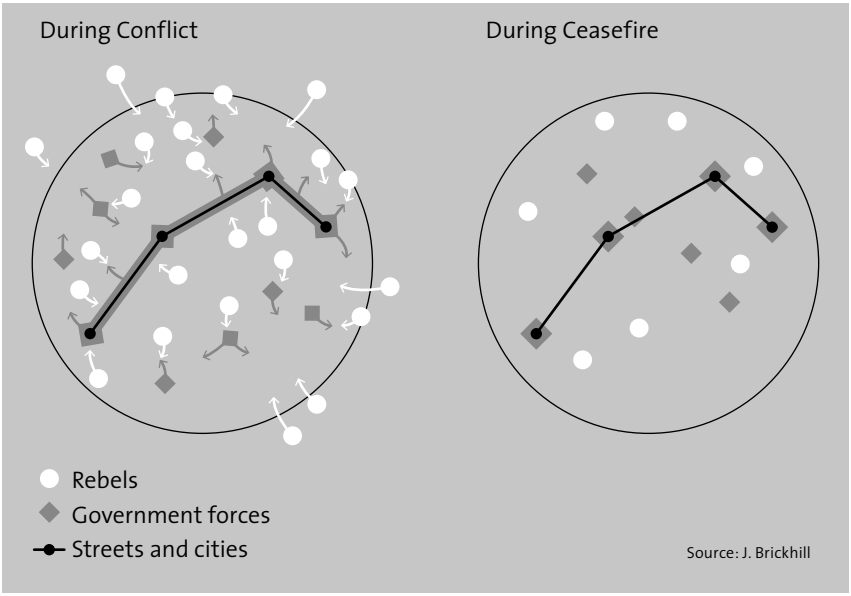

Figure 3: Conceptual framework with Assembly Points

In scenario 2, government forces are fighting rebels across the country. The government holds all towns, while the rebels have some strongholds in the hills. In this scenario, the conceptual framework for the ceasefire could be the **assembly of forces,** with government forces assembling in barracks and rebels in assembly points in the hills.

Mechanisms to implement the ceasefire based on this conceptual framework include zones of exclusion and disengagement of forces. Through the disengagement, the forces are physically separated, which reduces the threat of a violation of the ceasefire. Third party guarantees will be extremely important in this context, to guarantee that the assembly points of the rebels will not be bombed by the government. Without such guarantees, the rebels will likely refuse to come to the assembly points. A joint commission could be in charge of the joint security management system. The Zimbabwe ceasefire is an example (see Box 7 below).

Scenario 3: "Goose Eggs" Areas of Control

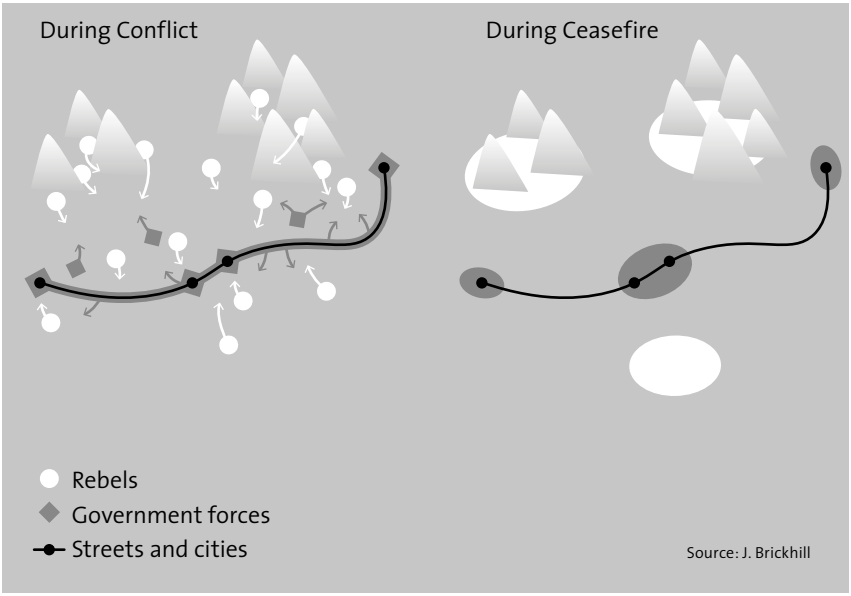

Figure 4: Conceptual framework with Areas of Control (AoC)

In scenario 3, rebels are de facto holding the territory in the north of the country. A conceptual framework for a ceasefire that addresses this particular situation is **Areas of Control,** as it reflects the reality of military disposition on the ground. However, the government might be reluctant to accept such a framework for ceasefire, as recognition of rebel control is often seen as a political concession. The mechanisms that support the implementation of this ceasefire are areas of control (that come with responsibilities for the maintenance of the ceasefire) and disengagement in the form of physical separation. Other elements could include a humanitarian corridor, a monitoring role for a third party, and a joint commission for the interim security management along the line of separation. The Nuba Mountains Ceasefire of 2002 is an example.

Scenario 4: "Go home"

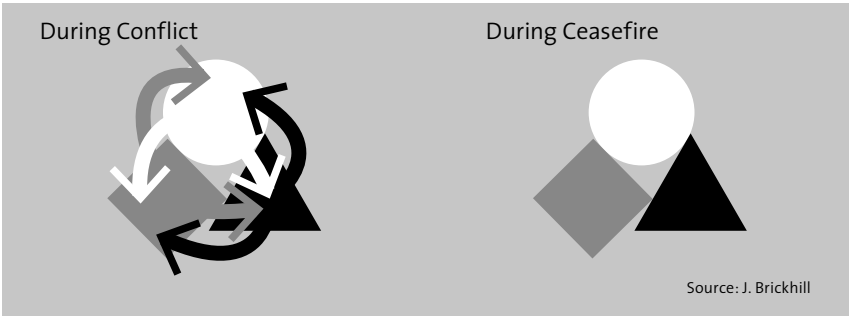

Figure 5: Conceptual framework "Go home"

In scenario 4, the conflict dynamics entail encroachment into territory traditionally controlled by another community. Therefore, the conceptual framework of the ceasefire is to "go home", meaning to withdraw back to the original areas of control. The Lebanon ceasefire of 1989 (Taif Agreement) is an example of this.

Scenario 5: "Do it yourself"

Some conceptual frameworks cannot be easily depicted in a graphical format. One such example is that of Somaliland in the early 1990s, where there was a collapsed, weak central authority and multiple armed clan militia groups. At the same time, there was massive arms proliferation and continuous clan conflict involving armed clashes. Thus the key question that shaped the conceptual framework was: who is going to disarm whom? The Somaliland agreement is specified in Box 4. The National Demobilization Commission coordinated centrally; and the disarmament was voluntary, universal (meaning open to all groups) and locally implemented (i.e. each clan enforced the disarmament within their own clan). This can be referred to as a "Do it Yourself" conceptual framework, using existing clan management and regulation systems.

These five scenarios are over-simplified to clarify how the basic idea of the conceptual framework of a ceasefire guides the decision on which elements of a ceasefire are chosen and how they fit together. In reality, things are often more complicated. Box 7 provides examples of conceptual frameworks from a real-life case:

Box 7

The Conceptual Framework of the Zimbabwean Lancaster House Ceasefire Agreement – Ceasefire, Disengagement and Assembly of Forces

By late 1979, the war in Rhodesia (Zimbabwe) had escalated to a point where guerilla presence and attacks covered almost the entire country, including attacks in the former capital, Salisbury. Guerilla forces had established both liberated and semi-liberated territories within the country. Rhodesian forces were still able to launch attacks in strength, including into neighboring countries, but could no longer hold territory.

Two major guerilla armies (ZANLA[15] and ZPRA[16]), the Rhodesian army itself and at least two pro-government militia groups constituted the armed belligerents in the country. Fighting and fighting forces were spread across the entire country, as well as in neighboring states.

The ceasefire agreement signed by the political leaders of these forces, at Lancaster House in London in December 1979, was based on a *ceasefire concept*, which attempted to address the multiple military fronts and forces on the ground.

It did not recognize the liberated territories held by the guerilla forces and did not establish Areas of Control, freeze forces in position, or establish buffer zones. Instead it was based on a full ceasefire followed by disengagement and *redeployment of all military forces to designated assembly points*. Rhodesian forces, and their proxy militia, were required to redeploy to their barracks, mainly in large towns. Guerilla forces were required to redeploy to newly established Assembly Points, located in rural areas.

Each party was responsible for implementing its own redeployment. Political authority over all military forces in the country was transferred from the Rhodesian government and the liberation movement leadership to a newly installed British Governor. All military forces were declared to be legal and legitimate forces under British supervision and authority.

Verification and Monitoring Teams were deployed by the Commonwealth and operated under the authority and supervision of the British Governor.

15 Zimbabwe African National Liberation Army (ZANLA) was the military wing of the Zimbabwe African National Union.

16 Zimbabwe People's Revolutionary Army (ZPRA), the armed wing of the Zimbabwe African People's Union (ZAPU).

2.3.4. Ceasefire Management

Depending on the ceasefire concept and the circumstances, the parties will need to agree on how to manage their ceasefire and what, if any, role should be played by third parties. In most cases, and certainly with regard to best practice, it is important that the parties agree to a joint ceasefire management system in which all the armed parties cooperate in managing their own ceasefire. Verification and monitoring of the ceasefire, likewise, should be a joint endeavor by the parties. A similar approach, often more difficult to achieve, should be taken with regard to managing interim security during the ceasefire. The stronger, usually governing party, will be likely to resist this approach, claiming that as the formal government they alone should be responsible for interim security. This is usually a contentious issue and will have to be negotiated, but a realistic arrangement is likely to be determined by recognition of the actual military and security capabilities on the ground.

Joint Ceasefire and Security Management

The basic requirements which need to be designed and agreed by the parties, in order to implement their ceasefire, are:

- A ceasefire (command) management system, which supervises, coordinates and delivers the agreed ceasefire and usually reports to the higher-level political supervisory structure. This may be an integrated command, or a system of command liaison;
- A joint ceasefire verification organization, which carries out the verification and monitoring of the ceasefire, investigates and reports on compliance and violation, and usually reports to the higher-level ceasefire management;
- An interim security management system, preferably jointly owned, or at least coordinated, with appropriate agreed mechanisms to conduct normal security operations (policing, border control etc.) during a ceasefire.

Role of Third Parties

In establishing these structures the role of third parties must be clearly defined and agreed by both the parties and the third party. The role of third parties might include:

- To provide agreed security guarantees;
- To provide an impartial chairperson of the ceasefire and verification organizations;
- To provide training of the monitoring teams;

- To provide expert advisors;
- To directly participate in verification and monitoring. This approach is usually termed "three-in-a-jeep", meaning one neutral monitor and the (two) belligerent parties in each team.

2.3.5. Key Ceasefire Principles

In applying these tools and mechanisms, developing a conceptual framework for a ceasefire, and in designing the management systems and defining third party roles and functions, it is important to keep in mind a number of key principles on which all ceasefires must be based, as follows:

- A ceasefire must be owned by the parties and every effort must be made to strengthen party ownership and responsibility for their ceasefire;
- Ceasefires are made between belligerents – "my enemy is also my negotiating partner";
- A ceasefire must be designed to achieve objectives (short, medium and long), within the broader security transition strategy;
- Form should follow function;
- Ceasefires must be designed to survive violation and mechanisms must be in place to re-establish compliance.

2.4. Phase Two – Interim (Joint) Security Management

In my experience, this central and transitional phase is the key phase in security transitions, and it is the phase which is so frequently neglected. This phase is the bridge between war and sustainable peace, when time and investment need to be applied to consolidating the security transition process.

All too often, and frequently under pressure from donors, pressure is exerted on the parties and the mediation team to leap-frog this phase (and therefore the transitional process), and move straight to the final status of forces. However, if you do not deal effectively with this all-important transitional phase in a measured and strategic fashion, you are in effect asking the parties to leap from a ceasefire straight to the final disposition of forces. No doubt one of the parties, usually the weakest party, will consider this as surrender. Many peace processes collapse because parties faced with the final comprehensive agreement immediately after agreeing to a ceasefire are in fact facing the win-lose finality of a truncated transitional process.

Parties who have been at war with each other need time and space to deal with each other and to address the challenges of working together. The time and space for this confidence-building process is provided by the Transitional Joint Security Management Phase, but it also requires new capabilities. A key component of the Transitional Security Management phase should be capacity building, in particular, providing technical assistance to the weaker parties to enable them to develop capabilities for the future. Mediators should be looking for mechanisms which provide the parties with opportunities to develop new capacities and to manage the processes jointly, despite the history of conflict.

2.4.1. Managing the Ceasefire

When a ceasefire agreement has been signed, it has to be managed and this should be done jointly by the parties to the conflict. Based on the terms of the ceasefire agreement, the parties have to establish an organization to manage their ceasefire, often with a third party as the neutral chair of the body. Normally this would fall under a higher-level supervisory body that is responsible for the overall political process and supervising the whole peace process.

Managing a ceasefire effectively requires good planning and institutional capacity. Training may be required to enable the parties to achieve these capabilities, often supported by external advisors and experts. Investing in the necessary institutional capacity to support ceasefire management can be a critical factor in the success of a ceasefire process. It is all too frequently neglected.

The implementation of the ceasefire requires planned and phased compliance. If you are disengaging troops, this will involve troop movements, movement of supplies, and redeployment of weapons. All of this needs to be planned and agreed with the planning capability and basis to agree such procedures between the parties. Party B will want to know when Party A are doing it and will probably want to be there to watch. All of this requires agreed procedures and the necessary organization, which is part of managing the ceasefire.

Within the ceasefire organization, the verification and monitoring function is essential, and will usually require its own organizational capability. The most important element of verification is that the parties must be responsible for their own compliance.

When a third party is involved, we use the "three-in-a-jeep concept" – Party A, Party B and the neutral third party. In Somalia it might be the "26-in-a-jeep" principle, because there are so many factions! The basic idea is that all forces participating in the ceasefire have to be represented in the verification and monitoring organization and operations. This approach ensures that you are taking an important step towards helping the parties take responsibility for their own ceasefire. When we train verification teams, we train the neutral/impartial monitor to encourage the parties to take full responsibility and therefore jointly investigate and reach an agreement on a verification and monitoring mission.

Very often these verification and monitoring missions are about high visibility, and expensive, international blue flag operations. In my view, these types of operations inevitably tend to undermine local ownership. Special efforts need to be made in these circumstances to ensure that the parties are not overwhelmed, and therefore, undermined. The Sudan Nuba Mountains verification mission provided an alternative approach, in which verification and monitoring were based almost entirely on the joint local capacity and responsibility of the armed parties, with the international members of the teams playing a low key and supportive role. This was a highly successful and inexpensive model.

Verification and monitoring is about being able to report on whether the agreement is being implemented and ensuring that this is being reported back through a joint organizational structure. It is also about the parties taking responsibility when violations happen, because violations do happen and have to be dealt with on the basis of an agreed procedure. The general principle is that each party should deal with its own violations on the basis of agreed principles and regulations, but that this process should be jointly managed. This approach is really about the parties starting to manage their own security jointly and through agreement. In this way, the management of the ceasefire becomes a mechanism for confidence building.

The ceasefire and security guarantees, including the role of third parties, are usually mutually interlinked. The arrangements for ceasefire and security guarantees need to be agreed by the parties to the conflict in consultation with the third party. In these circumstances, the third party must be represented in the ceasefire organization.

2.4.2. Transitional Security Management

In order to ensure an effective ceasefire, the challenge of maintaining security for the population in the affected territories needs to be addressed, while the armed forces remain under various forms of cantonment or restriction. The parties will have to agree on an appropriate mechanism for interim security management. In principle, the best approach is one which builds confidence and encourages cooperation and a joint responsibility for security. This is not always possible.

Whatever the case, the transitional management of security should be discussed by the parties and agreed, and the parties should be encouraged to take an approach which anticipates the likely circumstance of the final status of forces agreement.

In this second phase, the parties are involved in a transitional process to maintain the security of the country. They will hopefully start to cooperate, not just on the ceasefire, but also on the joint management of security. Usually they will have agreed to create an interim security management system (often called a Joint Military Commission), and a range of supporting structures, which enable the parties to jointly manage the security of the country. Apart from its direct functional role in managing security, this process should also encourage and enable the belligerents to move towards some form of negotiated process about the final status of forces.

2.4.3. Preparations for Final Status of Forces Negotiations

In the transitional phase it may be necessary to address transitional security governance. Sometimes this will require the reform of the legislative framework. New laws may have to be passed to make former "terrorists" part of an interim security force. An amnesty might be needed. The legal framework is vital because the rule of law is an important part of what underpins the process.

You may also need a broader interim reform program. If, for example, Party A is being accused of human rights abuses against Party B, you may need to address that in order to create the confidence for them to work together on security issues. An interim reform program may be required to address the neutralization, exclusion, or containment of certain parts of the armed forces.

Addressing these types of issues in the mediation process in this transitional phase also involves **starting the preparations for the third phase – the final status of forces agreement**. The parties manage the ceasefire and the interim security, but also need to prepare the negotiations for the final

security negotiations. For example, the questions of who is going to be the commander and who is going to be demobilized. These preparations are important and should not be left off the agenda (see Box 8).

Once the negotiations have been going on for some time and the ceasefire has been negotiated and effectively managed by the parties; as well as the interim security management system, the parties need to begin to negotiate the final status of forces agreement. This will no doubt be complex and contested. Careful preparations are required by the mediation team and the parties to tackle this final and essentially irrevocable stage. This is the negotiation of the end state and it is no doubt a critical issue for all concerned. Preparing this important exercise should not be left to the commanders who are already very busy managing the ceasefire and day-to-day security. Ideally, therefore, it should be handled by a new structure created by the parties, perhaps supported by technical advisors, and working with the mediator/s, who will help the parties negotiate the final and comprehensive security agreement.

An agenda for the negotiations needs to be agreed and the parties need to prepare their own submissions and proposals for the process. Technical support, including both training workshops and advisors, can again be very helpful to the parties in this process.

Preparations by technical and negotiation teams for final status negotiations might include:

- What type of legislative reform is needed?
- What size of armies will we have?
- Are the command structures going to be integrated?
- What ranking structure will be used for guerilla forces whose command structures differ from conventional army structures?
- Are they going to be integrated at the unit level, or at the individual soldier level?
- Are we going to have regional armed forces, reserve soldiers, or is everybody going to join one army?
- Are some of the soldiers going to go to the police?
- Are some of the soldiers going to be demobilized?
- Are we going to undertake a disarmament program?
- What is the mission of the future army?

This list could obviously be much longer. My point is that all of this needs to be prepared at a technical level. What is going to be discussed, when, and at

what stage? The parties need to be able to prepare for these negotiations, and not have something foisted on them. They need to have some idea of the longer-term security sector framework, which might be about reforming the security legislature, army, police and intelligence services, or introducing civilian oversight. These preparations need to take place in the second phase in order to prepare effectively for phase three.

In summary, the transitional phase is the key, neglected phase. By rushing to the final status of forces agreement, the ceasefire often collapses and parties revert to war. In the transitional phase, you need to manage a ceasefire and prepare and "practice" joint security management. It is often the first time the parties will be working together, and so it is a unique opportunity to build confidence and capacity. This is why it is essential for the parties to have responsibility, and for the third party to support them, without taking over the responsibility, or removing the national ownership. The aim should rather be to begin to build national ownership based on a new post-conflict vision, which the parties have begun to explore during the transitional phase. Finally, you need to prepare for the end state, the final status of forces agreement.

Box 8

The North/South Sudan DDR Commission – a Case Study from the Sudan Comprehensive Peace Agreement

The early development of DDR commissions in both North and South Sudan reflected the concern of both negotiating parties about the key issue of downsizing military forces, albeit with differing motivation and interests. Both negotiating parties expressed interest in discussing the DDR process with their advisors at early stages of the ceasefire negotiations, and requested expert advice and training, which was provided with the support of the Special Envoy, Lt. General Sumbeiywo (Rtd.). The Special Envoy was always receptive to opportunities to deepen and broaden the commitment of the parties to negotiation and forthcoming implementation, and he certainly understood the relationship between both processes. Lt. General Sumbeiywo (Rtd.), therefore, authorized a more or less parallel negotiation on the early establishment of DDR commissions, as well as negotiation on the latter stages of the ceasefire process.

This resulted in a series of separate North and South meetings and training sessions, supported by Lt. General Sumbeiywo's advisors, which essentially presumed successful agreement on parallel security arrangements negotiation processes, before any other joint management structures or mechanisms were in place.

The parties had various motives. No doubt, they were sizing each other up. They were collecting intelligence, as well as positioning themselves in key terrain, most especially with regard to prospective donor funding. However, they also both faced challenges concerning the size and cost of their respective military forces. This represented a real opportunity to strengthen the core objectives of the transitional (joint) management phase of the peace process, most especially to get the parties to begin to work together in addressing the challenges of peace. The Special Envoy (and his team) were not going to let such an opportunity pass.

Following the initial series of single party DDR training sessions, both parties agreed to a joint meeting of core DDR functionaries with expert advisors to develop initial proposals to be submitted to the substantive security arrangements negotiating teams at the CPA venue in Naivasha, Kenya. To everyone's astonishment the two Sudanese DDR teams presented a joint proposal to their senior negotiators, based on a realistic and thoughtful policy framework, and requested that their leaders approve their interim joint DDR agreement.

This development represents the best-case scenario of what mediators hope to achieve. It opened space to begin planning and preparing for implementation of anticipated peace-building processes. Furthermore, it created opportunities for the parties to work together on practical implementation issues in parallel with the negotiation process. Finally, it built relationships and confidence between the belligerent parties. The Joint DDR Commission made real progress.

By the time the substantive transitional security negotiations were underway, Sudan already had a functioning (and funded) national demobilization commission, comprising two entities (Northern and Southern) working together and submitting joint plans and funding proposals.

This enabled a considerable, and useful, amount of work to be undertaken by both parties in preparation for the final status of forces agreement. Most importantly, it set an example of cooperation between adversaries, which impacted on the overall mediation process and influenced the negotiations in a very positive manner at a sensitive and important moment in the process.

2.5. Phase Three – the Final Status of Forces Agreement

Restructuring of security governance institutions and security capacities, and the legislative framework that underpins them, is the final step in this long process. It usually requires negotiations to agree on new security legislation, governance, and command structures, as well as the integration of some forces and the demobilization of others. In addition to establishing the new (integrated) command and governance structures, the parties may also agree to establish specific new organizations, like a demobilization commission or a truth and reconciliation commission.

Negotiation of these issues, which constitute the longer-term resolution of contested issues between the parties in the area of security, will need an agreed agenda between the parties and a considerable amount of technical preparation, which should have begun during the transitional period.

Not all these reform processes may be actually resolved directly in the final status of forces agreement. Reform itself is a complex process. On occasions the final status of forces agreement might incorporate significant initial steps, whilst anticipating a longer-term security sector reform process, in which elements are agreed in broad principle, within an ongoing process agreed by the parties.

Substantive security reforms often lie at the core of successful final status negotiations. If fighting is followed by the same commander resuming power, without changing the system that allowed the lack of oversight, effective governance and respect for human rights, the same problem would occur again. It is for this reason that security arrangements negotiations need to go further than simply stopping the fighting. They need to help the parties find a sustainable peace, and essentially this means addressing root causes of conflict and their manifestations. Thus reform of the security sector, and a range of other related social, economic and political reforms, usually lies at the heart of most final status negotiations.

Integrating the negotiation of a range of reform processes, including those applicable to the security sector, is a complex process. Moreover, it usually involves significant concessions by both parties. Trade-offs are not unusual in this final stage of negotiations and these have implications for successful implementation. Maintaining coherence and an inherent logic to the various elements of a Comprehensive Peace Agreement, of which the final status of forces agreement is a key part, requires the mediator to assist the

parties both in maintaining a broad strategic view and in addressing details. Technical and advisory support can be critical at this time.

2.5.1. Integration and Restructuring the Security Forces

Restructuring security command and management systems for the security sector, including intelligence, is usually a serious challenge. The question is how do you mediate and make the process sustainable? Who will be the new commanders and how will they be selected in such a way as to retain confidence of all forces that they have a unified command they can trust? The challenges of integrating command structures are considerable and require careful negotiation. Advice from those who have undertaken such processes can be invaluable in unpacking what might otherwise simply be addressed as a competition for power and placement.

The integration of forces is a whole subject on its own. One useful model of how to do this was in the case of South Africa, but there are many others, notably in South America. However, all sorts of problems can arise. Guerilla officers do not have training certificates, and usually have not attended proper staff officer courses, so they are likely to be discriminated against in the ranking structures during integration processes. Disparities in conventional and guerilla armies are difficult to reconcile. The parties need, therefore, to determine clear and agreed mechanisms to address these processes. Technical advisors with previous experience of integrating military and security forces and agencies are invaluable in providing real-life models and frameworks, which the parties can assess and adapt to their own circumstances.

2.5.2. Restructuring Security Governance and the Legislative Framework

It follows that the governance and legislative frameworks which oversee the security sector are also likely to need restructuring. This aspect of the mediation is obviously very closely linked to the negotiations on political reform and is likely to actually take place in negotiations on those issues. Nevertheless, it should be closely linked to the security arrangements mediation and must at least receive technical attention from the military/security negotiating teams.

Most commonly, the issues to be addressed will relate to civilian oversight of the security sector, to the rule of law and justice, and to establishing (or re-establishing) effective peace-time political processes in the security sector.

2.5.3. Disarmament, Demobilization and Reintegration (DDR)

Most military conflicts create circumstances in which the national armed forces, and their agencies, will have massively increased in size; weapons will have proliferated (including in the civilian population), and there will be armed opposition forces. Disarmament (of both rebels and civilians) and demobilization (downsizing of both national and rebel forces) are likely to be required. Support for reintegration of demobilizing forces makes sense too.

DDR programming became a very successful brand during post-conflict recovery processes in past decades. DDR programs attracted massive amounts of donor funding and were implemented in almost every post-conflict environment. Looking back now, we are perhaps finally able to be more critical of these interventions. To quote Julian Thomas Hottinger: "Did they do more good than harm?"

Evaluating the impact of DDR programming is difficult. The major international agencies – including UN agencies – which implement DDR programs remain without agreed, and effective, monitoring indicators for their large and expensive interventions. Instead they have a several hundred-page field manual of DDR standards, an indication itself of the complexity of this aspect of post-conflict recovery.

Among the very many critical questions facing a DDR intervention, perhaps the key strategic issue is whether the program is intended to address security objectives, or broader post-conflict recovery processes. More directly, is the DDR program expected to address the problems faced by the demobilized soldiers or by the communities into which they will reintegrate? Who are the primary beneficiaries: the soldiers or the communities? Frequently this key question is fudged, and the program will be expected to have an automatic, positive impact on both soldiers and communities. Yet often there are unintended consequences that can have a major negative effect on the entire range of post-conflict recovery processes.

DDR programs have frequently been deployed as simple incentive-based methods to "buy off" the soldiers of the weaker belligerent. The problem with this approach is sustainability. How long will the incentive last and how effective will it be in providing a rebel fighter with a realistic alternative? DDR programs operating in this terrain are often designed as job creation projects for former fighters. This approach tends to undermine community recovery and creates additional problems of entitlement and tensions between soldiers being demobilized and their communities.

Disarmament programs, particularly those based on "gun-buy-back" schemes, are even more problematic. Placing a new cash, or incentive-based, value on weaponry has been shown to increase, rather than decrease, the number of weapons in circulation and creates further security problems.

The reintegration phase of DDR is another major problem, frequently not implemented as planned because of the high costs, and creating further tensions within communities. Reintegration poses the issue of those who benefit in its starkest form. Excluding unarmed sections of the community from what is often the largest funding provided for post-recovery support creates new tensions. Particularly women, who play a major role in supporting their menfolk during war and in implementing reintegration (of wounded and socio-psychologically damaged soldiers) during wartime, are suddenly sidelined and replaced by male-only training centers for demobilizing soldiers. Issues related to the special circumstances of female combatants (and support networks), as well as those related to child soldiers, add to the complexities. Finally, one might mention the neglected psycho-social problems of reintegrating soldiers, especially child soldiers, into communities (an alternative approach is highlighted in Box 9).

DDR programs are seldom discussed in any detail during the security arrangements negotiations process. At best, the parties agree to have a program and include a single clause in their agreement to that effect. Considering the enormous costs and consequences of DDR programming, I think this is a major mistake in most final status of forces agreements.

The mistake is largely driven by the external agencies which implement DDR programs, and do so without placing these programs within the overall security arrangements mediation process, where they correctly belong. Moreover, this is done without ensuring a serious national consultation process, including building a knowledge-based capacity to make decisions.

If the DDR program is included in the security arrangements negotiations the major challenge for the mediator will be to support an informed negotiation between the parties. This should cover not only whether a DDR program is required, but most importantly, what it will involve. A successful DDR program is not easy to achieve because of the widespread perception that DDR programming is an essential component of managing post-conflict security and it is therefore used in a pre-determined manner irrespective of the problems at hand. The DDR acronym has become a one-size-fits-all template.

Essential preparation for negotiating an appropriate DDR process is through unpacking this template and empowering the parties and the wider stakeholders to assess which components of a DDR program are actually useful. This requires serious advisory support and discussions by the parties about broader issues of resource allocation, which is related to both security and post-conflict development priorities.

Box 9

An Alternative Approach to DDR – a Case Study from the Zulu Army in 1870

The Zulu Army of the 1870s was a well organized and highly effective military force, as demonstrated by the Battle of Isandlwana in 1879. A modern British Army faced spear-carrying Zulu warriors and suffered one of the most decisive and unexpected military defeats in military history. The Zulu Army was an integral and functional core pillar in Zulu social, political and economic organization. All male adults were required to serve in the army and were demobilized on a regular basis. The issues of DDR were therefore critical to the success of the Zulu state.

The key components of the Zulu DDR process were:

- All soldiers being demobilized were put through *a spiritual cleansing process* when they left the army and rejoined civilian life. (In fact this also occurred before and after every major battle);
- *No disarmament* took place when a soldier left the army;
- All demobilizing soldiers *became reservists* upon leaving the army;
- Soldiers being demobilized were not scattered into society, but were *resettled in their regiments* and therefore retained their unit identity, status and unit bonds;
- Soldiers being demobilized were *given cattle* (the primary source of wealth and livelihood) by the state;
- Soldiers being demobilized were *encouraged and supported, to get married and have children*. (During active service this was not allowed.)

The important elements of this approach include that it is simple, well-defined, addresses psycho-social issues, does not privilege or isolate fighters from com-

munities, provides status and an economic future for soldiers directly linked to the broader community and it was not implemented in an arbitrary fashion.

2.5.4. Security Sector Reform (SSR)

As indicated previously, it is unlikely that all security-related reform challenges will be fully canvassed in the final status of forces agreement. Creating space and opportunity for future review and reform of the security sector arrangements within the final status of forces agreement may be helpful in assuring the parties that unresolved issues will be addressed at a later stage.

Similar provisions are often to be found in other components of a comprehensive peace agreement, where future arrangements might be predicated either on the successful fulfillment of the agreement, or particular political (or alternative) processes, which impact on longer-term processes. The North/South Sudan Comprehensive Peace Agreement, for example, allowed for a referendum on unity or secession and this obviously had implications for the manner in which the final status of forces agreement was constructed by the parties.

Security sector reform processes are also increasingly providing openings for pre-emptive mediation between parties which have not yet moved into direct conflict. This is a new and potentially valuable area of mediation, which may well provide opportunities for conflict mitigation.

2.5.5. Integrating Related Reform Processes

The final status of forces agreement will, of necessity, have implications for the political, social and economic components of a comprehensive peace agreement. It is at this point that earlier failures to integrate security mediation within the overall mediation strategy become glaringly apparent.

A very wide range of political, legislative, social and economic elements of a comprehensive peace agreement need to reflect the contents of the security agreements, and vice versa. This becomes most obvious when the end state is finally unveiled.

Attempts at the last moment to address the need for strategic integration are likely to result in an unnecessary and potentially disastrous unraveling of earlier agreements. If, however, the overall mediation strategy has from the outset approached the security arrangements as an integral element of the whole mediation process, the logic and coherence of the comprehensive peace agreement should already be in place.

2.5.6. The Role of Third Parties

The role of third parties will inevitably undergo a major shift in the final stages of a prolonged mediation process and this issue will arise most concretely with regard to implementation of the agreement and the mobilization of resources to support that implementation process.

If the mediation process has been a long and costly endeavor, donors and other international stakeholders are likely to already be suffering from various forms of process fatigue. The issue may no longer be a matter of concern to public opinion as the fighting which originally attracted attention has ceased. Like the honey-bee, the international donor is always tempted to move from flower to flower. Maintaining interest and commitment by donors to ensure that agreements are now implemented effectively is an important element in any successful mediation process. After expending effort to keep donor observers at bay during negotiations, the mediator (and the parties) now have to work even harder to ensure that prospective donor commitments are honored.

Donors, of course, are very unlikely to allow their prospective commitments to be mediated, but engaging donors in the negotiation of the comprehensive peace agreement, and its final status of forces component, is very important and requires a high level of political skill. Most often this will be addressed by the senior Special Envoy and the political leadership of the parties. Therefore, the task of the parties and the mediation team is to ensure beforehand that their agreements are both robust and technically detailed.

It is likely that technical discussions with potential development partners will have been started by the parties themselves alongside final agreement negotiations. The mediation team and its advisors can play a very helpful role by participating carefully in these discussions (see Box 10).

Box 10

Reality Check – a Case Study from the Final Stages of the North/South Sudan Peace Talks

In the latter stages of the final status of forces negotiations between North and South Sudan, the IGAD Special Envoy Lt. General Sumbeiywo (Rtd.), authorized advisors to the security mediation team to convene meetings between the parties and the major multi-lateral and international donor and program

implementation organizations. This ensured that the final agreements between the parties successfully attracted development partners and resources.

The discussions were convened under the auspices of the North/South Sudan Demobilization Commission, which had already been functioning – and receiving donor support – for over a year. Although they focused on DDR-related issues, they had far broader implications for the Final Status of Forces Agreement and the Comprehensive Peace Agreement. Contested issues, like the status of the Nuba Mountains area and the disengagement, re-deployment and downsizing of forces in this final stage, were directly linked to proposed DDR program activity.

New players from the international community who had not been part of the original mediation observer teams, such as the United Nations Development Programme and many INGOs, were now arriving on the scene and seeking access to both the parties and the negotiation process.

As part of these discussions, we organized a conference between the North/South DDR Commission (and other representatives of the two negotiating parties, plus civil society organizations from both North and South Sudan) and a wide range of international donors, agencies and INGOs. Firstly, the Sudanese presented their process, their plans and their vision for the future. Then the international donors and agencies were asked to present their potential plans and responses to the Sudanese delegates. A great deal of discussion ensued, as one might imagine, and promises were thick on the ground.

The most useful part of the conference in the eyes of the Sudanese participants was the final part, although it was not popular with donors and international agencies. We had invited half a dozen African organizations, including directors of DDR commissions and other national actors, who had experienced international post-conflict programming in partnership with international organizations to present lessons learned. Hard realities are an important part of learning and for many months and years later, we continued to receive communications from participants remarking on issues concerning international development assistance and noting that they had been warned of such problems by their African counterparts during that conference.

Summary of Part Two: Concepts, Tools and Phases of Security Mediation

It is helpful to conceptualize the mediation of security arrangements into three phases: the ceasefire process, the transitional ceasefire management, and the final status of forces.

The ceasefire process aims to stop the fighting and establish a ceasefire between the parties. Different concepts fall under the umbrella term "ceasefire", each having various degrees of specificity and enforceability. A ceasefire in the narrow sense of the term is a formal agreement between two or more parties, applicable for a specified period of time, which disengages forces and establishes a verifiable halt in hostilities, therefore requiring ceasefire management and verification.

A ceasefire agreement needs to include guiding principles and wider aspirations to clarify how it links to the broader peace process. It has to have clear definitions of terms, objectives, and parties with roles and respective commitments. Finally, it requires a clearly outlined organizational and operational framework. The conceptual framework of a ceasefire can be understood as the basic idea that holds the various elements (prohibition and control mechanisms, mutual threat reduction, third party roles, and joint security management system) together.

The second phase involves transitional joint ceasefire and security management. It consolidates what has been achieved in phase one, and is vital before the third and final phase. Neglecting or rushing through this phase can lead to the failure of the entire process. The essential second transitional phase allows trust and working relations between the former belligerents to be built in an incremental manner. This happens, for example, by having the parties and third party jointly manage, monitor and verify the ceasefire ("three-in-a-jeep-concept"). Since there may be a security vacuum as a result of the ceasefire, the parties need to also be actively involved in the transitional security management. The transitional phase is also important as it is the phase where the parties prepare for the final status of forces negotiations.

The third and final phase focuses on the final status of forces agreement. This includes agreements on how the security governance and legislation of the state have to be adapted, as well as what new command structures are needed and how the forces are to be integrated. Elements of a DDR program may be agreed and first DDR steps initiated. The final status of

forces agreement may also entail setting an anchor for future security sector reform, creating space for future review and adaptation of the security sector. While the ceasefire in the first phase is often called a "preliminary ceasefire" (to stop the fighting and allow political negotiations to take place), the security arrangements related to the final status of forces is often termed a "definitive ceasefire" (as it should put an end to the fighting in a definitive manner) and often constitutes the security arrangements of a comprehensive peace agreement. It is vital to spell out the various linkages between the security arrangements and the political, social and economic elements of the wider peace agreement. Third parties often play a key role in the implementation of the security arrangements in a peace agreement, and this needs to be detailed in the final status of forces agreement.

The distinction between these three phases can help mediators gain orientation on what to do at each stage and which tools are appropriate in each sequence.

Part Three

3. Getting the Detail Right

It is not possible to complete this overview of the mediation of security arrangements without addressing a very common problem, which is that attention to detail is just as significant as strategy in negotiation processes. As far as military and security issues are concerned, the details largely concern "who, what, how, where and when" questions.

Military and security organizations usually take considerable care over organizational questions, and even irregular guerilla-type movements have their own complex organizational structures, functions and mechanisms. Negotiating the various phases of security arrangements in a peace process requires a great deal of attention to this detail.

However, addressing this significant aspect of security agreements is not easy, largely because a great deal of secrecy surrounds the disposition of military and security capacities. The parties will always find addressing these details problematic and the mediation team needs to understand the nature of these problems and to craft procedures and processes which recognize the challenges and assist the parties in moving towards the detail in a safe but systematic manner. Usually this will involve a sequenced approach, in which broad questions supported by general detail, enables agreement of basic principles which allow the parties to move towards more specific questions and more detailed content. This leads to the nuts and bolts of implementation on the ground.

Both capacity and confidence play key roles in this process. All parties, especially irregular armies, face serious challenges in developing the particular planning capabilities required for negotiating and implementing security arrangements agreements. New skill sets are required and new forms of planning have to be developed, aimed at containing conflict rather than fighting or winning a war. There are both practical and psychological factors at play in this new environment, and mediators need to take account of both. In the latter case, confidence building between the parties and in the overall process is critical. Timing and preparation play a major role in ensuring that issues are raised only when the parties are capable of addressing them constructively and not in a manner which does harm to the overall process.

3.1. Who? The ORBAT

The "who" question is essentially about who the parties are, and in military terms this will center on the **Order of Battle (ORBAT)**. The ORBAT refers to the "identification, strength, command structure and disposition of the personnel, units and equipment of any military structure"[17]. An ORBAT is not a simple organizational table of an armed force, but rather reflects the immediate disposition of force capability at a given time. It is constantly subject to changes as a result of combat operations or the execution of the commanders' orders.

Disclosure of the ORBAT, usually a closely guarded secret for any military organization, is very obviously a requirement for the planning, execution and verification of security or military agreements. However, few military negotiators are likely to fully disclose their ORBAT in a military negotiation, and certainly not at the outset of preliminary ceasefire negotiations.

For the mediators of security arrangements negotiations, a realistic and sequenced ORBAT disclosure by the parties is an essential mechanism supporting the negotiation process. The key to addressing this challenge is to ensure that the negotiation sequence can be matched by a disclosure sequence with which the parties are comfortable. In broad terms, this requires a sequenced movement from general to specific disclosure, as necessitated by the immediate requirements of the security agreements.

By the time the final status of forces agreement is being addressed, the parties are likely to have reached the point of the (almost) complete disclosure required to enable them to agree on such issues as the composition of the final integrated forces and the numbers to be demobilized.

Throughout the ORBAT disclosure process, mediators need to fully understand the sensitivity of the information being revealed and to maintain very effective internal security regarding ORBAT disclosure. They need to ensure that they retain the confidence of the parties, as well as maximizing the likelihood of effective and accurate disclosure. The ORBAT is an essential component of security mediation and its disclosure during the mediation process provides the necessary detail for the conclusion of realistic and effective agreements.

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17 Glossary of UN Peacekeeping Terms, *http://www.un.org/ar/peacekeeping/sites/glossary/o.htm* Prepared by the Department of Peacekeeping Operations, Last updated: September 1998, [27 March 2018].

3.2. What? – The Obligations and Responsibilities of the Parties

The "what" question covers the obligations and responsibilities which arise from the agreements made by the parties. It is extremely important that these issues are very carefully defined in agreements. What precisely are the parties agreeing to do?

Many security agreements are framed in rather general and imprecise terms. This is understandable due to the reluctance of the parties to box themselves into a corner, particularly concerning agreements governing early stages of the process. However, even if the parties are still only making early general agreements opening the road to a ceasefire, the language and construction of agreements should aim to provide a clear understanding of the obligations and responsibilities being agreed. Mediators should aim to set the tone, encouraging the parties to say and agree only what they mean and are capable of implementing at each stage of the process. Ambiguity is not a helpful mechanism for security agreements.

3.3. How? – The Rules Governing the Implementation of the Agreement

The "how" question concerns the agreed rules and regulations which will enable the parties to successfully implement their obligations and responsibilities. This aspect is frequently left out of security agreements and is a major cause of subsequent dispute. It is very important that the parties consider how they will implement their agreements and further agree to mechanisms that enable this to be done successfully. For example, during a ceasefire the parties may agree that their forces are entitled to be resupplied with normal military supplies, but excluding enhancement of their military capabilities. Other examples are an agreement that their forces can be rotated and allowed to take leave during this period, or be entitled to conduct normal military training exercises, or that they cannot be reinforced or redeployed in an offensive manner.

How can these various elements of the ceasefire agreement actually be implemented and monitored?

To address these challenges effectively, the parties need to agree both how these various activities are to be conducted and, further, how they can be

monitored to the satisfaction of the other party. In addition to their obligations and responsibilities, therefore, the parties would also need to agree a set of rules governing these activities. This might include a provision that the verification and monitoring team, as well as the other party, must be informed 72 hours prior to any resupply, troop rotation or training exercise. They may further agree that the verification and monitoring team and/or the representative of the opposing force is entitled to inspect or be present at any such activity.

This level of detail in the "how" paradigm is critical to effective implementation of security agreements and is a very important part of building confidence between the parties. It requires detailed preparation and drafting of appropriate instruments, which determine how agreements are implemented and should be contained in annexes to security agreements.

3.4. Where? – Maps and Places

Every ceasefire and subsequent security agreement should be accompanied by a detailed map of the areas covered by the agreement, signed-off by the parties. Surprisingly, this is often not the case. In many instances an official printed map is appended to the agreement, whose borders, places, or names are disputed by one or other of the parties.

It is extremely important that the parties agree on mapping, and this often requires additional technical support and work by the parties and the mediator. Irregular and rebel forces in particular are likely to have less capacity to work on this and may well need training to be able to effectively read and use such types of formal maps. Agreement on the names and locations of places on basic maps of the areas affected by the security agreements is an essential foundation for planning and implementation and should be formally agreed by the parties. Names and places are frequently known to the parties by differing terms, and older maps often do not show recent changes.

Once the basic maps are agreed, it may to be necessary to address the location and deployment of forces on the ground and this is likely to be both contested and sensitive. This aspect of the ORBAT may need to be referred to the verification and monitoring teams. In this, just as in other respects, accurate and agreed basic maps will be essential to effective verification and monitoring.

3.5. When? – The Implementation Timetable

Many ceasefire and other security agreements lack an agreed implementation schedule (or timetable), or have a schedule without sufficient detail. It is not enough that the parties agree on actions and mechanisms governing such actions without agreeing when these must be carried out. This is a complicated process which requires considerable technical work if it is to be meaningful.

In the North/South Sudan negotiations, donors simply did not want to fund this part of the negotiation. They said: "You already have a deal. They've agreed everything. Leave this issue alone. You're simply complicating things!" The mediation team had to put up a strong resistance to this effort by the donors to shut down the negotiations at the critical end point. We argued long and hard that the parties might have agreed what needed to be done but they had not agreed how they were going to implement this and over what timescale, which was critically important.

Eventually we were grudgingly given another three months to assist the parties to place everything they had agreed (not just on security) into an agreed implementation schedule. It was exhausting work and a lot of the problems that subsequently emerged during implementation were created due to this need to rush.

3.6. What If?

The "what if" question is central to sustainability and effectiveness. Security agreements must be designed to survive violation. This requires clearly agreed supervisory structures to implement agreements and fully agreed mechanisms to address violations.

Among many defects to be found in ceasefire agreements (the range of Darfur agreements are a clear example) is the failure of the mediators to insist that the parties discuss, agree and establish appropriate mechanisms through which they can effectively address, and resolve, ceasefire violations.

Critical to this issue is the appropriate allocation of responsibility, not only for violation itself, but especially for rectification of violations. The parties need to understand that they are themselves finally responsible for their own implementation of their own agreement. This is not helped if violations are simply passed on to be addressed unilaterally by third parties, as is often

the case. Systems and structures which establish the responsibility of the parties are essential; the role of third parties should be supplementary in this regard.

3.7. Drafting Agreements

The technical content of security agreements is always likely to be complex. Two major aspects of technical drafting are likely to require, or benefit from, expert advice, namely the military and the legal aspects.

As previously mentioned, it is important that the parties draft their own agreements if they are to take real ownership of such agreements. However, they may lack the legal and military skills and knowledge to complete the detail required.

Technical advisors can be assigned to one or both parties to assist them to prepare draft proposals. Alternatively, once clearly expressed, the broad intent of the parties can be interpreted in detail by technical teams. In either case, the purpose is not to provide externally developed draft agreements, but rather to provide the necessary technical content which enables the parties to actually express their negotiating intentions clearly and in a manner which can be realistically implemented.

Draft agreements need to be expressed in clear and simple language. They should contain all the basic information required to address the questions of who, what, how, where, when and what if. They must be logical and coherent, by which I mean they must link intention with responsibility, process with result, and form with function. They must be reinforced by the necessary technical annexes which deal with the important detail to enable broad processes to be explained and regulated. All this requires significant technical capacity.

Technical work on security agreements takes time and effort and requires serious attention. Short cuts in this area can be fatal to effective and sustainable implementation.

3.8. Closing Down

This is a huge problem frequently left out of the planning. At a certain point the mediation process will close down. Mediators will leave. The parties will

be left to implement their agreement – the reason why ownership of the agreement is vital.

The mediation strategy should have clearly considered "close-down" content. This will differ according to the circumstances. It may include some longer-term limited commitment, or some sort of handover to third parties who will support implementation. Advisors and resource people who have supported the mediation team can play an important role in assisting this important transition and may be required to support the establishment of the new implementation phase. The hard-won confidence of the parties is often located most securely within the advisory functions of the mediation team, and this important asset should not simply be discarded. The international parties and agencies which arrive to support implementation of the agreement need to build new capacities and relationships with the parties. At the very least, there should be an overlap to enable support for the start-up of the new phase of the peace process. The close down of the mediation team should certainly include careful handover of the appropriate technical documents and materials, which might have been developed to support the negotiations. This aspect also obviously includes dealing with sensitive documents and ensuring that confidential materials are secured.

The mediation close-down process is every bit as important as the long-forgotten start-up process. Make sure you have a carefully considered plan and that the parties understand and agree to it. Finally, try to include a serious lessons learned assessment of the process so that others can learn from your successes and your mistakes.

Summary of Part Three: Getting the Detail Right

While the first part of this document examined key strategic problems related to the mediation of security arrangements, and the second part focused on the tools and phases of security arrangements, this third and final part focused on getting specific details and the "tactical" level right. In summary, the key points are:

- *Who?* Mediators need to take great care in how they support the incremental disclosure of information about who is placed where and when (i.e. the ORBAT). They need to respect the sensitivity of the information, whilst enhancing trust and common understanding between the parties.

- *What?* Ceasefire agreements need clarity related to organizational and operational details. Ambiguity needs to be cleared up in the agreement before it is finalized so that the involved actors know what is expected from them.
- *How?* Details regarding how the ceasefire agreement is to be implemented are often clarified in annexes. For example, the formation of a joint monitoring organization and clarity on what, and how, information is shared minimizes the probability of miscommunication leading to a breakdown of the ceasefire.
- *Where?* Clarity on locations and mutually acceptable names of places and sites in agreed maps are important to avoid misunderstandings, for example, related to deployment/redeployment of forces. This is also important for verification and monitoring purposes.
- *When?* Once parties have agreed on content, it is essential that they also agree on the detailed modalities of implementation, i.e. when the various steps are to take place. An implementation matrix, as in the Sudan CPA, is helpful.
- *What if?* Ceasefires need to be designed to survive violations, and this is the reason that "what if" clauses are so important. A common mistake is to place too much responsibility in dealing with violations on the shoulders of the third party.
- *Drafting agreements:* Parties should draft their own agreements, but military and legal aspects may benefit from expert advice. Agreements should contain clear and simple language and respect the considerations listed above (e.g. they should avoid ambiguity). This takes time.
- *Closing down:* The role of third parties changes with the closing down of the process that led to the ceasefire or peace agreement, often coinciding with the signing of the agreement. A clear handover from mediators to other third parties involved in the implementation helps to avoid loss of information and enables continuity of support during the implementation phase.

4. Conclusion

Mediating security arrangements in peace processes is challenging and requires linking different aspects that are often treated separately. Three such important linkages are highlighted here:

Linking the strategic, political, and the technical, military, aspects of security arrangements: Both the strategic and political aspects of security mediation are important, as are the technical and military aspects.

Ignoring the political aspects means missing the opportunity to use the security dimension of a peace process to support the entire process and missing linkages between security and various other topics. The degree to which the parties' security concerns are addressed will often decide how far movement is possible on other topics, as the very survival of the parties depends on how the security is managed. On the other hand, movement on security issues may also depend on the negotiation process in other topical areas, such as political power-sharing or legislative reform. When security dimensions are delegated to technical, military commissions alone, other aspects are ignored due to a lack of recognition of their importance.

Ignoring the importance of a technically-sound process and ceasefire agreement is also a fatal mistake, as the technical quality has a direct impact on how far the process and agreement can reach its intended objectives, e.g. to stop the fighting in a verifiable manner. This may happen when political actors (and mediators) have insufficient understanding of the necessity of getting a security process designed and implemented in a technically-sound manner. This is also the case when international or regional actors look for a quick fix, seeing a ceasefire agreement as a stepping stone to a political agreement and assuming that the actual technical quality of the ceasefire agreement is irrelevant. This is short-sighted, since these types of politically imposed quick-fix ceasefire agreements that do not live up to minimal technical qualities tend to fail.

Since both the political and technical aspects of security arrangements are important and need to be linked, both political mediators and technical security experts need to know enough of each other's methods and approaches in order to work together effectively. In this light, and coming from the perspective of a security expert who has worked for many years with political mediators, I have written this document to help political mediators

gain a basic understanding of security arrangements to improve the linkages between the political and technical security aspects of a peace process.

Linking process and content: One of the standard principles of mediation is that process and content are linked.[18] Both are equally important and the one shapes the other. At the same time, it is useful to look at process and content separately, in order to see how one shapes the other. Generally, mediators will focus on shaping the process, but leave the decisions on content in the hands of the parties. Topical experts, such as a security advisor, will provide advice on content, but not take away the responsibility for the decisions from the parties. Thus mediators, security experts (as well as other topical experts), and the parties all need to have an understanding of both content and process – but to a different degree and for a different purpose.

I believe the mediation of security arrangements illustrates the linkages between process and content very clearly, hopefully also inspiring reflection on the process-content linkages in other topical fields. For example, certain steps, e.g. related to disarmament, cannot be looked into before other steps have been undertaken, such as those related to the disengagement of forces in a preliminary ceasefire. To give another example, trying to negotiate the final status of forces before the parties have worked together over a sufficiently long time in the management of the ceasefire is unlikely to work, as there will be limited trust between the parties. The security reality on the ground and the need for parties to gain trust in each other means that there is a logical sequence when it comes to security mediation that highlights the process-content linkage. Rushing to a technically-sound definitive ceasefire agreement, without shaping a process that lets the parties gain ownership for the content of the agreement will minimize its effective implementation.

Linking lessons from the past with the specific context at hand: Another challenge is to learn from the past, but adapt and contextualize this to the specific case at hand. At the outset I warned against reliance on templates, and so I should in conclusion warn the reader of the dangers of using what I have written as a template. No ceasefire process is ever going to look like, or follow, all the steps I have set out here. Every context is specific and every ceasefire process will follow its own path. However, mediators (and advisors, observers, experts and other interested parties) can, and should, guide the process and should therefore understand and explore the options and learn

18 Point highlighted by Julian Thomas Hottinger, Swiss FDFA, on several occasions, e.g. Peace Mediation Course 2016, in Oberhofen, Switzerland.

from past experiences. Thus I have attempted to set out the broad options and stages of security arrangements negotiations. Not every step in the process I have outlined is likely to be required in a real-world ceasefire negotiation. Sometimes the parties will be able to move forward rapidly. Some stages of a ceasefire negotiation process may be superfluous in specific conditions, or it may be judged that taking a calculated risk in skipping a stage may produce a more useful advantage. Whilst warning that skipping the key transitional second stage of the ceasefire process is frequently a major error, I concede that even this strategic link between the ceasefire agreement and the final status of forces agreement might not be required in particular circumstances. It may even be possible that a ceasefire process can be successfully concluded without maps or implementation schedules, although this is rather less likely.

What is critical is to apply the lessons learned from previous ceasefire processes in a thoughtful and open-minded manner, and therefore to understand the overall process and its strategic and tactical linkages sufficiently well to enable creative innovation to be applied effectively to each new circumstance. This is what I have tried to do in this document by synthesizing lessons I have come across in various peace processes related to the mediation of security arrangements. These insights stem from field experience, which has been generalized in this text in order to communicate clearly and make my experiences useful for different, new contexts. The knowledge presented here must be contextualized. We will not always get it right. There are risks and choices involved in building a mediation process successfully. What I am sure about is that we can do better than we have in the past if we learn from it and adapt this knowledge to every context we come across. Those of us who seek to support peace and peace processes at least have an obligation to do the best we can. I hope using and contextualizing the insights in this document will help you in this endeavor.

CSS Mediation Resources is a series that aims to provide methodological guidance and insights to mediators, negotiators and peace practitioners working to address violent political conflicts. It is produced by the Mediation Support Team of the Center for Security Studies at ETH Zurich, with contributions from occasional guest authors. Previous issues include:

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The goal of the Mediation Support Project (MSP) is to improve the effectiveness of Swiss and international peace mediation. The MSP was established in 2005 as a joint venture between the Swiss Peace Foundation (swisspeace) and the Center for Security Studies (CSS) at ETH Zurich. The MSP is a service provider to the Swiss Federal Department of Foreign Affairs (FDFA), but also to mediators and conflict parties that are strategically important for the FDFA.

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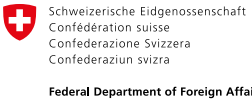

"I have known the freedom fighter, officer and mediation expert, Jeremy Brickhill, for more than 15 years, during the Sudan Peace Process, the Darfur Peace Talks in Abuja and from several workshops and seminars related to peace mediation. He was also one of the main contributors during the start-up of the United Nations Ceasefire Mediation Course (UNCMC): a joint venture involving the United Nations, Switzerland, and Norway. I am very happy that Jeremy Brickhill has written this booklet, "Mediating Security Arrangements in Peace Processes, Critical Perspectives from the Field", and thereby secured some of his experience, knowledge and concepts in peace mediation as this information will prove invaluable for existing and future mediators." *Jan Erik Wilhelmsen, BG/UN D-1 (Retd.)*

"Nuanced and strategic, Brickhill makes a compelling case for reimagining each conflict context to truly understand the security issues that are at the core of the conflict and hence must be central in the negotiation of a lasting and workable peace. His insights into understanding the psychology of security arrangements goes far beyond the technical and helps to reframe this issue for mediators. In an era of fast evolving and ever more complex conflicts, Brickhill brings us back to core principles for security arrangements, but offers important guidance on how to craft these principles to each specific context. A must read for all practitioners in mediation, but particularly for mediators themselves." *Meredith Preston McGhie, Regional Director, Africa, Centre for Humanitarian Dialogue*

"Jeremy Brickhill was headhunted for the Sudan Peace Process due to his expertise in the areas he has ably covered in this book. His assistance and advice on best practice to the mediators, parties and third parties during the Sudan Peace Process was invaluable. In this book, he has gone beyond his specialization in ceasefires to offer guidance on all aspects of security arrangements in mediation processes. I highly recommend it to any person who intends to enter into mediation."
Lt. Gen. Lazaro K Sumbeiywo (Rtd.)