



CEASEFIRES AT DIFFERENT POINTS IN THE NEGOTIATION PROCESS: CASE ANALYSIS

INTRODUCTION

2015 began with widespread debate about a possible bilateral ceasefire between the Government of Colombia (GOC) and the Revolutionary Armed Forces of Colombia (FARC). On December 20th 2014, the FARC declared a unilateral ceasefire as they had in previous Christmas periods since the beginning of talks. This ceasefire, however, is indefinite on the condition that military attack will be met with retaliation by the guerrilla group, thereby breaking the ceasefire. Peace process critics have stated that this condition aims to force a bilateral ceasefire, and the additional question of whether a third party should be involved to verify a bilateral ceasefire has propelled the topic of ceasefire into the public eye. In January 2015, President Santos asked the GOC dialogue team to begin to address a bilateral ceasefire with the Sub-Commission on the End of the Conflict, but reiterated that such a truce would not start until the end of the talks, when the point on disarmament and demobilization has been resolved.

Given the attention being given to the ceasefire issue, and the different opinions expressed, this spotlight aims to contribute lessons learned and observations from international cases of ceasefires that have been implemented at different points of negotiations processes.

BOSNIA: CEASEFIRE IN ORDER TO BEGIN TALKS

Bosnia's internationally mediated peace talks began on November 21st 1995 and a peace agreement, the Dayton Accord, was signed on December 14th the same year. The multilateral ceasefire between ethnic factions had already been agreed on October 5th 1995 as a condition for the peace negotiations to begin, as its agreement statedⁱ:

"In order to allow for the negotiation and the commencement of the implementation of a Peace Agreement, this ceasefire will last for 60 days or until completion of proximity peace talks and a peace conference, whichever is later."

The ceasefire agreement, which eventually began on October 12th, was monitored by the UN Protection Force (UNPROFOR), whose mandate had been expanded from Croatia to Bosnia in 1992. Both the ceasefire agreement and the Dayton Accord – as well as prior negotiations that led all parties to sit down at the dialogue table - were facilitated by international mediation, and multinational peacekeeping efforts were key to sustainability of both after the Accord was signed. The ceasefire was considered a crucial condition for the initiation and signature of the Dayton Accord, as it bridged the gap from active conflict to peace, laying the groundwork for the peace talks.ⁱⁱ

However, it is important to note that some analysts have stated that the excessive responsibilities and burden imposed on UNPROFOR, which ranged from arms monitoring and disposal to cantonment and demobilization of combatants, led to use of force and consequent violent retaliation from demobilizing combatants, who took UN observers hostage. This delayed UNPROFOR operations and thereby implementation of the agreement, temporarily threatening peace.ⁱⁱⁱ

EL SALVADOR: CEASEFIRE & PARTIAL AGREEMENT

The Frente Farabundo Martí para la Liberación Nacional (FMLN) and the national armed forces, the two parties in El Salvador's conflict, announced a bilateral ceasefire on December 31st 1991, to begin on February 1st 1992. In the same announcement, the two sides revealed that they had reached an accord on the substantive points on the already-established agenda, and were working towards a final agreement.^{iv} The ceasefire and accompanying partial accord were crucial in providing the conditions necessary for the Chapultepec Agreement, announced 16 days later on January 16th 1992. In fact, the very detailed implementation timeline of the peace agreement referred not to dates but to "D-Day" (February 1st, when the ceasefire began) and the day after D-Day on which each component of implementation would occur, for example:^v

D-Day
to D+6

• Both sides withdraw from current positions.

D+6 to
D+30

• Armed forces and FMLN confined to respective concentration sites.

D+90

• FMLN legalized as a political party.

The day of the bilateral ceasefire was an important reference for implementation of the peace agreement, forming the base for termination of the conflict and initial implementation of peace. The agreement also stated that by October 31st 1992, the FMLN would gradually disarm, demobilize and begin reintegration into civilian life.^{vi}

The ONUSAL UN observer mission in El Salvador played a central role in mediating the discussions that led to the ceasefire and agreements, and suggested solutions to points that had seemed to create impasses in the negotiations. However, the expansion of ONUSAL's initial mandate to include oversight for a variety of activities including DDR and weapons collection led to delays in implementation and frustration by both sides, which resulted in threats to the continuation of the ceasefire.^{vii} However, ONUSAL's mediation role and gradual fulfillment of its responsibilities ultimately contributed to the sustainability of peace.^{viii}

NORTHERN IRELAND: A PHASED END TO VIOLENCE

The Good Friday Agreement was signed in 1998, after years of back-and-forth peace talks and five years of more substantial conversations that included Sinn Fein, the political branch of the Irish Republican Army (IRA). The Agreement provided for institutions and laws to define the relationship between Britain, Ireland, and Northern Ireland, and how Northern Ireland was to be ruled by a unionist power-sharing government. The agreement did not include a ceasefire. The group had previously declared a unilateral ceasefire in 1994, which it broke in 1996 due to dissatisfaction with slow progress in the negotiations. The ceasefire was reinstated in July 1997, and many consider this declaration to have provided momentum for the Good Friday Agreement.^{ix}

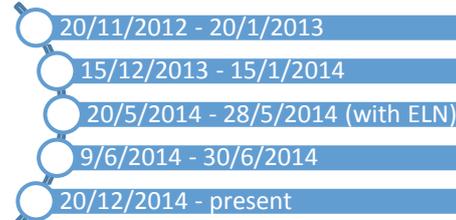
However, the IRA did not disarm at that time, wishing to maintain control of their weapons to encourage implementation of the Good Friday Agreement. They stored weapons in an IRA-controlled depot and asked Finnish president Martti Ahtisaari and South African leader Cyril Ramaphosa to visit and confirm that the weapons were not in use and were safely stored. An Independent Commission on Decommissioning was established to oversee gradual disarmament of the illegal armed groups, but the IRA did not participate in the decommissioning process. Members of the new Northern Ireland Assembly refused to begin government operations before Sinn Fein and the IRA agreed to decommission, which led to further tensions between sides.^x This resulted in further delays in IRA decommissioning, and various efforts to resolve this issue were made with no success until 2005, when the IRA leadership ordered that all members hand over weapons and end the “armed campaign”.^{xi} This significant step forward was meant to show commitment on the part of the IRA, and encourage proactive implementation of the Good Friday Agreement. It was also the result of changes in the support base of the IRA both in Ireland and abroad, as the group was highly criticized for its involvement in organized crime, and global opinion increasingly criticized terrorist tactics in the post 9/11 context.^{xii}

COLOMBIA

Colombia’s recent history is full of examples of ceasefires and attempts to sign agreements with illegal armed groups. One case was the M-19, who signed a unilateral ceasefire on December 10th 1988, which provided the GOC with the conditions it felt necessary to begin dialogues. This led to signature of an agreement between the M-19 and the GOC, and their disarmament and demobilization on March 8th 1990. The agreement with the M-19 provided for a Constitutional Assembly to write a new governing document. This encouraged other guerrilla groups to demobilize to participate in the Assembly. Agreements were signed with groups including the EPL, MAQL, and PRT, all of which included bilateral ceasefires –

in some cases with concentration zones for disarmament and demobilization – in order for dialogues to proceed.^{xiii}

The FARC were engaged in peace talks during Andrés Pastrana’s administration (1999-2002). During this time, no ceasefire was declared although there were areas such as San Vicente de Caguán that were declared no-conflict zones in order to proceed with dialogues, even though the conflict continued outside those areas.^{xiv} Since the beginning of the current talks in November 2012, there have been unilateral FARC ceasefires, for which dates are shown here.



CONCLUSIONS

The cases examined here provide lessons to Colombia as the GOC and FARC address the possibility of a bilateral ceasefire. In Bosnia, the ceasefire was necessary for the initiation of talks, while El Salvador’s two parties had already reached a substantive agreement when the ceasefire was announced. In both cases, ceasefire and disarmament were crucial to the success of the peace process. In addition, both Bosnia and El Salvador show the importance of verification mechanisms to support and legitimize disarmament, although both demonstrate the challenges implied by excessively broad mandates for such entities. Northern Ireland is unique, as disarmament and the official end of the “armed campaign” did not occur until 11 years after the initial ceasefire, and seven years after the Good Friday Agreement was signed. This phased approach did lead to a decrease in violence but also to increased public criticism of the peace process. The example also highlights the need for clarity on the relationship between disarmament and political participation before implementation begins, in order to avoid tensions and ensure sustainability of peace.

ⁱ Cease-fire Agreement for Bosnia and Herzegovina, October 5th 1995. <http://bit.ly/1vsKC2r>
ⁱⁱ Watson, F. "Not peace, but a big step forward" Research Paper 95/102, House of Commons Library <http://bit.ly/1CPxvji>
ⁱⁱⁱ Pp. 170- 173. Boulden, J. "Monitoring and verifying military aspects of peace accords" www.vertic.org/media/Archived_Publications/Yearbooks/2000/VY00_Boulden.pdf
^{iv} New York Agreement, December 31st 1991. <http://ntrda.me/1wEo8Fg>
^v "Detailed Timeline For Implementation", Chapultepec Agreement. January 16th 1992. https://peaceaccords.nd.edu/matrix/status/4/detailed_timeline_implementation
^{vi} Pg. 552. Stedman, Rothchild, and Cousens, *Ending Civil Wars*, Boulder, CO: Lynne Rienner Press, 2002. www.watsoninstitute.org/pub/CallStedmanChap14.pdf
^{vii} Pp. 6, Holiday, D. & Stanley, W. "Building the peace: Preliminary lessons from El Salvador". *Journal of International Affairs* Winter 93, Vol. 46 Issue 2. <http://bit.ly/18NltiG>
^{viii} Stedman, Rothchild, and Cousens, *Ending Civil Wars*.
^{ix} Irish Republican Army (IRA) Ceasefire Statement, July 19th1997. <http://bit.ly/18Nlrs6>
^x De Chastelain, J. "The northern Ireland peace process and the impact of decommissioning" http://www.ucd.ie/ibis/filestore/wp2001/08_chast.pdf
^{xi} Irish Republican Army (IRA) Statement on the Ending of the Armed Campaign, July 28th 2005. <http://gain.ulst.ac.uk/othelem/organ/ira/ira280705.htm>
^{xii} "I.R.A. Renounces Violence in Potentially Profound Shift". *NY Times*, July 28th 2005. <http://nyti.ms/1Dcgc2j>
^{xiii} Pp.13-14, Fundación Ideas para la Paz. *Fin Del Conflicto: Cese Al Fuego*. August 2013. <http://bit.ly/1CCPI1K>
^{xiv} Pp. 14, *Ibid*.