



Summary of Findings:

FROM WAR TO PEACE

Lessons learned from achievements and failures in peace agreements over the past decade: a strategy for peace process optimization.

Nonviolence International
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Foreword Dr. Oscar Arias

FROM WAR TO PEACE includes a foreword written by **Dr. Oscar Arias** who received in 1987 the Nobel Peace Prize for Esquipulas II Peace Plan for Central America.

In the full version, each of the 3 phases briefly outlined in this Summary are richly illustrated with real world examples from the following intraState conflicts: Cambodia, Georgia/Abkhazia, Guatemala, Mindanao (Philippines), Mozambique, Northern Ireland, Sierra Leone, Sri Lanka and Tajikistan.

It also contains an introduction and a conclusion which evaluates the impact of the 11th September event on Peace Building, an appendix, as well as a descriptive brief overview of each Peace Process for the above listed countries highlighting their successful and unsuccessful actions in pursuit of peace.

The full report is can be downloaded from the internet as an adobe acrobat file at:
www.nonviolenceinternational.net/seasia/download/war_to_peace.pdf

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Cover photo: Philip Blenkinsop

The photograph was taken on the first day of peace in Cambodia after the Paris Agreement was reached on the 23rd October 1991. Two monks are crossing by two guerrilla soldiers from Khmer People's National Liberation Front in the South of Thamar Pouk, northwest of Cambodia.

THE CEASEFIRE AND PEACE PROCESS REPORT

In June 2001, Nonviolence International commissioned a review of attempts by countries suffering internal or civil war to bring about negotiated settlement. We desired to see if there was an identifiable path which leads from War to Peace. We studied the actions undertaken by 9 nations during the 1990s: the Philippines, Sri Lanka, Sierra Leone, Mozambique, Guatemala, the former Soviet States of Georgia/Abkhazia and Tajikistan, Northern Ireland and Cambodia. By this effort, we have identified 3 clear phases of activity necessary for successful movement from war to peace. In each of these 3 phases we have identified areas where certain actions lead to success or failure of the process. These key findings are developed in our full report and outlined below.

- **Why Nonviolence International managed this study?**
 - The problematic: the recurrent disrespect of ceasefire.

The world is afflicted by war within dozens of countries around the planet. Sometimes parties within an armed conflict announce that they shall seek a ceasefire. Ceasefires can be defined as follow: **an agreement that organizes cessation of any kind of military activities at a precise time in a given place.** It may be declared unilaterally or negotiated between different forces of the conflict. A ceasefire must not be confused with an armistice. An armistice is a military convention, which declares suspension of hostilities all over a war zone for a temporary truce. **Neither ceasefires nor armistices put a legal end to a war.** After long negotiations between parties, **a Peace Treaty will carry out this objective.**

However, after declaration of a ceasefire, combatants are supposed to cease active armed struggle, and yet in many cases the fighting continues, leading to further loss of life, a deteriorating social environment and therefore a cycle of further violence starts again.

Problematic No1:

If ceasefires are not respected, how will it be possible to build new trust between parties and start true negotiations to reach a balanced and genuine peace agreement in the future?

We believe that the primary reason that ceasefires fail is the lack of understanding of this concept by the wide variety of combatant groups who contribute to an armed conflict. It is commonly believed

by combatants that a ceasefire is the equivalent of laying down arms and surrendering. It is this mistaken belief that makes ceasefires difficult to reach.

Problematic No2:

Why do such interpretations of a ceasefire accord appear in the minds of combatants? Is it because forces are always unbalanced and there is an absence of reciprocal trust?

To give an answer to both these problematics and understand the reasons why the way from war to peace is so tortuous, Nonviolence International has decided to manage a complete analysis of several peace processes.

INTRODUCTION

By analyzing these nine peace processes, it becomes clear what were the main issues for the parties to a conflict to implement for reconstruction and reconciliation of the country. Civil wars contain a variety of parties and stakeholders with differing aims and objectives, frequently incompatible, which need to be assessed to determine the suitability of the accord proposed.

In addition, the study of nine intra-State conflicts offers a large range of human faculties to resolve a conflict of complex nature. But, the most terrible acknowledged observation through this analysis is that **a peace agreement even signed between all parties is never a stable guarantee of real national reconciliation**. Even if an official peace treaty supervised by international guarantors is finalized, many conflicts start again later after a short break. That is what happened in Northern Ireland, Sri Lanka, Mindanao and in a way in Cambodia.

Facing such failures and the obvious gap of legal tools to resolve them, we undertake this study to analyze a peace process from the strict beginning of **the pre-negotiation phase (phase 1)**, during the **substantial negotiations** over the framework of the peace agreement **(phase 2)** until the crucial **implementation phase of the agreement (phase 3)** which must put an end to the conflict in all its aspects. All this process reveals key elements and dangerous mistakes from the experiences of currently implemented or completed peace agreements which have sought to resolve some conflicts. By collecting and analyzing them, we want to offer to all parties involved in intra-State conflict a complete, study of peace negotiations and also diverse recommendations to optimize the whole process and lead to a successful result.

PHASE 1 : The pre-negotiation phase: To talk about talks

I. A strategic choice: Which parties must be admitted to the negotiating table?

- A: The issues at stake and the nature of parties directly involved in the conflict at the national level
- B: International parties involved in the conflict resolution

II. Issues at stake in 'Pre-negotiation agreements':

- A: Building confidence between parties conditioned by combat for many years
- B: Ceasefire agreements and disarmament: The fundamental issue
- C: The key to success: pragmatism and consensus?
-The Tajik intra-State conflict example-

Part 1.

In most of the intra-State conflicts, which have occurred throughout the past decades, many different entities with a proper claim are involved. The main difficulty is to determine which groups or parties play an essential role in the conflict. During this phase, it is fundamental to determine which one must be admitted to the negotiating table. To make this strategic choice, an analysis of various parties is needed. Usually, two categories of actors are involved in the peace process. (A) Some are directly implicated at the national level into the conflict (the government, the opposition)¹. A study of their relationships is also vitally important. (B) At the international level, a various kind of foreign parties may play a supportive role or put pressure on parties involved in the conflict. The true reason for their intervention must also be analyzed because international parties may either foster or significantly interfere in a peace process.

Part II.

But organizing this question needs some specific measures: Often (A) pre-negotiations are not inclusive and form bilateral agreements between some of the players to build confidence and (B) stop violence by agreeing on ceasefire and disarmament measures. The main difficulties are to decide when a ceasefire must occur and to disseminate the legal meaning of this concept over combatants. As a result of

¹ Exclusion of some specific parties may occur. It is important to notice because it may have undermining consequences.

various kinds of guarantees (a monitoring commission or a UN mission) and adapted solutions which may be implemented, a ceasefire is frequently respected and seems to be a fundamental step to bring back confidence between Parties conditioned by combat for many years.

(C) As the Tajik parties applied in their relevant peace process, consensus, patience and pragmatism is also needed to succeed. They never stopped negotiating even if violence or crisis started again, because they understood that violence and crisis were normal in troubled times.

The aim of a pre-negotiating phase carefully managed should be to welcome any party, which can play an essential role in the second phase of substantial negotiations. However, to bring parties which are used to conflict for many years, is not an easy task but not impossible. Indeed, some strategies and measures exist and permit bringing confidence to all parties, such as security guarantees (safe meeting place, temporary amnesty...), a neutral mediator approved by all sides, a balanced and well organized ceasefire and of course, most importantly, the will to negotiate in good faith. When all these conditions are fulfilled met, only then the second phase of negotiations to elaborate a substantive peace accord can begin.

PHASE 2 : Substantive negotiation phase:

I. Determine the nature of the whole crisis at the beginning of the rounds of negotiations:

- A: Time for analysis
- B: Time for developing a peace process strategy
- C: Framework of the content of negotiations

II. Substantive issues of a peace agreement:

- A: A political solution
- B: A realistic reconstruction of State prerogatives
- C: An imperative: respect of human rights
- D: Specific issues in each conflict

Part I.

This is one of the most difficult stages. (A) A successful peace process needs an objective study of the conflict in all its aspects (historical, social, economic, geographical, ethnic, and religious...) prior to any substantial agreement. Negotiators must understand exactly

why all the social structures of their country have collapsed, for which reasons and with which consequences (type of crimes, human and economical cost...). They must perform this analysis to build an adapted answer to the crisis and to understand what is the crisis context at the present time. If one element in the peace agreement voluntary, or not, lapses, then the armed conflict will explode again.

(B) Parties at negotiations must also discuss various ways to develop an unambiguous peace process strategy. In all past conflict resolutions, negotiators did not use several crucial tools, which could be helpful to build a peace process strategy. Three elements to be considered are:

- A key tool: the principle of 'To look at the precedents'²
- The use of objective specialists and advisers
- A constant consultation of the civil society (typically consultation has been weak) and no exclusion of women's associations.

(C) This will help to draft a pertinent framework of the content of negotiation, which is the next step.

Part II.

Through our analysis of nine different types of intra-State conflict, some fundamental issues appear recurrent points in a dispute:

(A) A political solution after a struggle for power (independence, power sharing?)³,

(B) The reconstruction of State prerogatives: recognition of State liability towards the promotion of economic and social development in a democratic country, the restoration of an independent and effective judiciary and the critical question of war criminals.

(C) The protection of human rights which is imperative and the implementation of appropriate tools to monitor this issue.

(D) Some particular issues (refugees, natural resources...) will be, for sure, specific to each conflict and therefore need also to be discussed.

Thus, during this second phase, all parties must focus their attention on the understanding of the context of the whole crisis, its roots, the evolution of the conflict and its consequences in order to determine specifically all the substantial issues which need to be discussed and organized to re-establish peace. Of course, this crucial phase must be managed in an honest and trustful context. If the pre-negotiation phase has been successful, such perspective is achievable.

² Parties should look at previous conflicts, which occurred in other parts of the world, to see if some similarities can be found. It can be a way to find solutions which have already been implemented in a 'comparable' conflict.

³ Obstacle: Opposition leader may start negotiations just to obtain political power and considered peace building secondary.

It is the most important to keep in mind during all this period that no unbalanced bargain must be done between negotiators because it will undermine the entire third phase of implementation (i.e.: Sierra Leone and Sankoh). It is certainly the most difficult to manage in reality.

PHASE 3 : Final stage: Implementation of the Agreement

I. In the Form: Several obstacles must be clearly understood and removed

- A: A fundamental need for transparency
- B: Ability and experience of the opposition party to handle new political functions
- C: The urgent and enormous need for money
- D: An opportunistic element: the business of war and peace

II. In the Content: A focus on the key issues of the agreement must be made to organize effective implementation and provide 'rapid' peace

- A: Implementation of the most urgent provisions decided in the peace agreement
- B: Truth and reconciliation: a crucial stage in the healing of war trauma
- C: New negotiations necessary between parties to arrange further details
- D: Main obstacles and mistake in the implementation of a peace process

Part I.

The implementation phase is very critical. Indeed, even if the peace agreement itself is masterfully written, with all fundamental issues negotiated, a weak implementation of this accord may destroy its effect, and all efforts done by the negotiators. Therefore, to avoid such disastrous circumstances, several obstacles must be clearly understood and carefully removed.

(A) First, the need for transparency is fundamental to gain the support of the population, which is the basis of a successful implementation, (B) The ability and experience of Opposition to develop political capacities (not simply militant or reactive ones) to engage in their new functions. Therefore, the appropriate help must be provided (financial support but also training),

(C) And a huge but realistic amount of money must be raised to manage this difficult step.

(D) The opportunist element, which is called 'Business of war and peace'⁴, may favor or undermine all this phase, and therefore must also be addressed.

Part II.

Each party to the peace process must manage the duties outlined in the peace agreement. Several key priority issues must be determined quickly to promote their implementation in order to bring back peace as soon as possible.

(A) The focus must be on the most urgent dispositions, such as organizing free and fair elections as soon as possible to establish democracy, and starting military demobilization to decrease tensions.

(B) Trust and reconciliation must be promoted at each level of the society.

(C) New negotiations between parties may be needed to discuss new agreements or secondary matters,

(D) in order to avoid possible mistakes (defective participation of the negotiators, lack of an accurate timetable) or stalemates in the actual implementation phase which may rise.

In conclusion, the implementation phase of a peace agreement appears to be the most essential part of a peace process⁵. If attention is withdrawn during this period, all the efforts deployed and results obtained in the first and second phase may fail at this late time. Many guarantees must be provided, and obstacles overcome in the form and content of this final stage. Peace negotiators must remember as the Irish and British realized that the implementation of a peace agreement needs much more caution and energy, than to negotiate it. Given transparency, financial resources, ability of all parties, then the agreement will be successfully implemented in its content and a hope of peace, stability and reconciliation is then possible in this newborn national context.

⁴ Definition: A foreign business company may act in three diverse ways at different moments of a conflict. It can fund rebel armies when they protect their interests during a conflict. They may also provide financial and material support to help a peace process when their interests have changed. They can also offer to fund rebel opposition during implementation of the agreement to help them become a real political party.

⁵ After interviewing different actors living in each of the nine countries, the implementation phase of the peace process always seems very weak and therefore leads to an uncertain lasting peace.

CONCLUSION :

When a peace agreement is written by following the process as outlined within our entire report, an optimization of result can be expected. If each party has respected all the guarantees required during the pre-negotiation phase, confidence built between them should remain throughout. It will then be easier to focus attention and effort on the negotiation and substantive agreement of the peace accord itself. At this stage, negotiators must always keep in mind that seeds of a new conflict in the future can grow from irrelevant provisions written in the final peace agreement (Ex: Sierra Leone, Cambodia, Northern Ireland).

After negotiation, the way parties will manage the implementation phase is just as vitally important. During this phase of the process, a final decisive evaluation should be undertaken, consisting of a **comparative analysis of the global situation of the country before and after the conflict, and of the peace agreement implementation.** This will determine progress, stagnation or even regression of the entire society at the political and economic level, and of the basic living standard. In addition, this same review may be taken with respect to the state of general claims: what were the former opposition claims, and which have been obtained at the end?

Such a study will permit evaluation of the peace process itself and will reveal both mistakes, but also successful improvements, obtained. The parties will thereafter understand that **a peace agreement is more a breakthrough process, than a definitive solution.** Frequently, a written agreement needs to be reinforced by further accords. For this reason, **it is better to approach a peace agreement in terms of formulation and evaluation, instead of a singular settlement which succeeds or fails, wins or loses.** In fact, a peace agreement is a document which allows the building of a common language, on an equal basis, and fosters new negotiations in a nonviolent way. A peace agreement is never an end in itself, but is the beginning of a longterm effort.

Our study reveals the complexity individuals face in settling a dispute with multiple causes, interests and casualties. This leads to a long and tortuous process which may look like it offers no future but stalemate for some of the parties involved.

Despair and conflict exist today in many parts of our world. For this reason, our study seems to be appropriate in the actual international context. Since the end of colonialism, the number of intra-State conflicts has increased dramatically in opposition to inter-States wars, **and at this time, no proper legal tools exist for resolving them.** An end must be put to these devastating conflicts, in which civilians are often the main target and are victims of unbelievable atrocities. New instruments and global analysis fostering the optimization of resolution of conflicts of this nature must be proposed to a larger number of concerned parties.

We offer this report for the appreciation of all international and national parties. We hope that the various recommendations it contains will help them to adapt or build a coherent peace processes in the best environment possible. **Past mistakes must be understood and avoided. Relevant provisions and ideas must be applied again. For this reason, this report adheres to the rule of the precedent as a guideline.** We believe that each pertinent peace process strategy should follow the same principle. Often put aside and forgotten, this principle nevertheless helps to build a better future for the next generation by understanding past improvements, as well as errors, of human beings.



NONVIOLENCE INTERNATIONAL

Nonviolence International was founded in 1989 to provide assistance to individuals, nongovernmental organizations and governments who express the desire to find nonviolent means to bring about social and political change. We seek to strengthen people's ability to use the power of nonviolence as a means to bring about changes that reflect the truth, justice and the desire for human development on the personal, social, economic and political levels. We believe that every cultural and religious tradition in the world contains the seeds of truth through nonviolence, and we encourage activists of different traditions to seek nonviolent solutions that respect their cultural identities.

In order to act on this philosophy, Nonviolence International provides general education materials, strategy sessions and training for activists and organizers through the coordination of a pool of international resources and expertise. Specifically, Nonviolence International:

- ♦ Sponsors local, national, regional and international seminars on nonviolence;
- ♦ Offers training programs and develops educational materials;
- ♦ Provides resources and specialists to groups or governments seeking alternative possibilities for peace;
- ♦ Prints and disseminates articles, newsletters, reports and undertakes public interest research on nonviolence;
- ♦ Provides public education through speakers and the media;
- ♦ Cooperates with other nonviolence, peace and conflict resolution organizations internationally in order to work together toward a common goal (Nonviolence International is a member of the International Peace Bureau).

Nonviolence International's Southeast Asia office, which commissioned and undertook the research for this report, opened in Bangkok, Thailand in January of 1992. The Nonviolence International network has offices in Jerusalem, Moscow, Washington DC, and associate offices in Aceh, Indonesia and Chittagong, Bangladesh. All Nonviolence International offices are bound together by common philosophy and shared activities, but are programmatically and financially independent.

www.nonviolenceinternational.net



THE INTERNATIONAL PEACE BUREAU

The IPB is the world's oldest and most comprehensive international peace federation, bringing together people working for peace in many different sectors: not only pacifists but also women's, youth, labour, religious and professional bodies.

IPB was founded in 1892 and was awarded the Nobel Peace Prize in 1910. By late 2002 its network had grown to 235 member organizations, both internationals and national/local groups in over 60 countries. IPB's role is to support peace and disarmament initiatives taken by the UN, by governments, and especially by citizens. We devote our main resources to informing and servicing grassroots peace campaigns, and creating international projects. In addition, we act as publishing house, conference organiser, and Geneva logistical support for visiting NGOs. Every year IPB awards the **Sean MacBride Peace Prize** to a prominent individual or group.

Our main programmes focus on disarmament and human security. Other current priorities of IPB include conflict prevention and resolution, human rights, women and peace, peace history and peace education - which covers all these topic areas.

In the early 1990s, IPB was active in the World Court Project, which secured an historic Advisory Opinion on nuclear weapons from the International Court of Justice. In May 1999, IPB played a central role in organizing a major end-of-century project, the Hague Appeal for Peace, held in the Dutch capital. The main project that has grown out of this event is the Global Campaign for Peace Education. (www.haguepeace.org).

www.ipb.org

*Peace is not a dream; it is hard work. We must choose to walk the path of peace and persevere even when our prospects for success look dim. **From War to Peace** offers eminently useful guidelines for making progress on that path. Pragmatic and thoroughly researched, this report merits attention from anyone involved in peace negotiations. As a practitioner's manual, it provides valuable insights not only on the process of making peace, but also, on the means of maintaining it. I encourage negotiators, NGOs, and government officials around the world to study it closely.*

*From the Foreword by
Dr. Oscar Arias, 1987 Nobel Peace
Laureate for Esquipulas II Peace Plan*



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