GUIDANCE ON MEDIATION OF CEASEFIRES

DPPA

Preventing Conflict. Sustaining Peace

The Department of Political and Peacebuilding Affairs (DPPA) plays a central role in United Nations efforts on conflict prevention, peacemaking and sustaining peace. DPPA monitors and assesses global political developments to detect and prevent potential crises, to help defuse conflict and to promote lasting solutions. DPPA offers multidimensional, action-oriented analysis, electoral assistance and mediation support to the UN Secretary-General, special envoys, heads of relevant UN missions, regional offices, Resident Coordinators and UN Country Teams in complex political situations to address emerging crises and support national preventive capacities.

The Mediation Support Unit in DPPA's Policy and Mediation Division is the UN's system-wide service provider of mediation support. Its activities include providing operational support to mediation, facilitation and dialogue processes, strengthening the mediation capacity of partners and developing mediation guidance and best practice.

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Cover Photo: *Soldiers from the Khmer People's National Liberation Front Armed Forces praying for peace, after having turned in their weapons under phase two of the ceasefire agreement. July 1992.* Credit - UN Photo/Pernaca Sudhakaran

DPPA
Preventing Conflict Sustaining Peace

Purpose of this Guidance

Ceasefires are as old as armed conflict. The United Nations and its partners – Member States, regional and sub-regional organizations, community leaders, non-governmental and local entities – have all worked on and implemented ceasefire agreements. Unique and context-specific, ceasefires defy a rigid template and instead follow a flexible set of technical, thematic and political parameters.

This Guidance is not meant to be prescriptive, nor does it replace the need for ceasefire expertise in mediation teams. Mediators are encouraged to seek this additional expertise when supporting the negotiation and implementation of ceasefires.

While recognizing that ceasefires are inherently political in nature, the Guidance pays particular attention to the technical considerations that affect ceasefire mediation processes, both at the conceptual and practical levels. Specifically, it reviews challenges posed by the increasing asymmetry and complexity of conflicts, including their regional or international dimensions.

In view of the wide spectrum of conflict settings worldwide, the Guidance provides a framework of basic building blocks that can be adapted to any given context. In referring to examples from around the globe, it refrains from making judgments on the success or failure of any given peace process.

The Guidance is designed to support United Nations senior leadership and staff, mediators, and facilitators within and outside the UN, along with their teams, conflict parties, representatives of States and regional organizations, national and international non-governmental organizations, women's groups and other stakeholders in peace processes.

Disarmament in Côte d'Ivoire
An ex-combatant holds up ammunition. He is one of several to have participated in a disarmament, demobilization and reintegration operation, 2012.
Credit: UN Photo/Patricia Esteve

Foreword

Rosemary A. DiCarlo
Under-Secretary-General for
Political and Peacebuilding Affairs

"Ceasefires are a major opportunity to set the foundation for inclusive and comprehensive peace talks".

"Ceasefires are not only about stopping the fighting between belligerents. Effective ceasefire agreements protect civilians and enable humanitarian access to vulnerable populations. From a political standpoint, ceasefires are a major opportunity to set the foundation for inclusive and comprehensive peace talks.

In responding to hostilities – be it classic two-party war or a fragmented conflict landscape involving multiple armed actors – mediators, conflict parties, civil society and other stakeholders can benefit from concrete technical know-how as they prepare, execute and monitor ceasefire agreements.

This Guidance draws on the wealth of experience of ceasefire experts and mediation practitioners of the United Nations, regional organizations, Member States, and national and international non-governmental organizations. Its aim is to provide mediators, conflict parties and other stakeholders with a baseline level of knowledge on ceasefire mediation, transitional security arrangements, and monitoring and verification mechanisms.

While every ceasefire mediation is unique, the tools and approaches presented here can serve to strengthen agreements to stop hostilities and support a more sustainable peace process in any setting. I invite mediators, conflict parties and other stakeholders in peace processes to use this Guidance as a reference when seeking a path out of conflict".

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List of abbreviations

CBM	Confidence-building measure
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DDR	Disarmament, Demobilization and Reintegration
DPPA	Department of Political and Peacebuilding Affairs
ERW	Explosive Remnant of War
FARC	Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)
FSA	Final security arrangement
IED	Improvised Explosive Device
ISA	Interim security arrangement
MINURSO	United Nations Mission for the Referendum in Western Sahara
M&V	Monitoring and verification
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
SPLM/A	Sudan People's Liberation Movement/Army
SSR	Security Sector Reform
TSA	Transitional security arrangement
UNMOGIP	United Nations Military Observer Group in India and Pakistan

Chapter 1

TERMINOLOGY AND A TYPOLOGY OF CEASEFIRES

This chapter reviews how ceasefires have been defined and classified in different contexts. In so doing, it draws out the possible implications for a ceasefire negotiation planning process.

1.1 Terminology

Armed conflicts, be they inter-state or intra-state, typically involve two or more conflict parties, which may comprise armed (or military) and political components. This Guidance uses the term "conflict party" to refer exclusively to armed actors who play formal roles on negotiation delegations in the context of a ceasefire process.

The terms "ceasefire" and "cessation of hostilities" are often used interchangeably. Agreements for the latter are generally perceived as less structured than ceasefire agreements, which feature more detailed provisions on objectives, timelines, security arrangements, and monitoring and verification mechanisms. In practice, the level of detail in individual ceasefire or cessation of hostilities agreements varies significantly, regardless of the formal title.

"Truce" and "armistice" similarly refer to situations in which conflict parties enter an informal or formal ceasefire or agree to halt military operations. Numerous other terms have also been used to denote ceasefires or cessation of hostilities, including "normalization", "stabilization", "standstill", "stand-down", and "suspension of military offensive". The choice of terms is guided by preferences, as well as political, cultural and contextual sensitivities related to the conflict. For ease of reference and consistency, this Guidance uses "ceasefire" to capture the spectrum of such agreements.

There is no single, universally accepted definition of a ceasefire. As part of negotiations, parties agree on what a ceasefire entails in their context. Overall, however, a ceasefire agreement may be expected to:

- be a formal, written agreement between two or more conflict parties
- lay out its purpose and broad linkages to a political process
- specify the date and time at which it is to come into effect (and potentially stipulate how long it will remain in effect or when it is to be reviewed)
- define the geographical areas in which it is applicable
- outline prohibited and permitted military and non-military activities
- delineate modalities for monitoring and verifying the parties' compliance with the agreement or, in settings where elaborate monitoring and verification is not feasible, stipulate procedures for basic coordination, dispute resolution and de-escalation among the parties.

In 2006, the Government of Burundi and the Party for the Liberation of the Hutu People–National Forces of Liberation (Palipehutu–FNL) agreed to define a ceasefire as the "cessation of all acts of violence against the civilian population; acts of vengeance; summary executions; torture; harassment; detention and persecution of civilians on the basis of ethnic origin, religious beliefs and/or political affiliation; arming of civilians; recruitment and use of children; sexual violence; sponsoring or promotion of terrorist or genocide ideologies". [1]

In Liberia, in 1993, the Interim Government of National Unity agreed on a ceasefire with the National Patriotic Front of Liberia and the United Liberation Movement of Liberia for Democracy, with prohibitions on acts such as importing arms and ammunition; altering or attacking military positions; employing propaganda to incite hostilities; and using mines and incendiary devices. [2]

1. Comprehensive Ceasefire Agreement between the Government of the Republic of Burundi and the Palipehutu–FNL, 2006, https://peacemaker.un.org/node/127.
2. The Cotonou Agreement between the Interim Government of National Unity of Liberia (IGNU) and the National Patriotic Front of Liberia (NPFL) and the United Liberation Movement of Liberia for Democracy (ULIMO),1993, https://peacemaker.un.org/sites/peacemaker.un.org/files/LR_930725_CotonouAgreement.pdf .

Demobilization in the Democratic Republic of the Congo
A helmet of the Armed Forces of the Democratic Republic of the Congo in a demobilization transit camp, 2014.
Credit: UN Photo/Sylvain Liechti

1.2 A ceasefire typology

This section provides a broad overview of different types of ceasefires, based on dimensions such as their relationship to the broader peace process, their focus, and the number of parties involved. In practice, a ceasefire may fit into several of these categories.

1.2.1 Ceasefires in the context of broader peace processes

Ceasefires reached in the context of intra-state civil wars are usually part of a broader political context rather than stand-alone processes. As a result, they are often classified in terms of their relationship to a broader peace process: preliminary or definitive (also called permanent).

Preliminary ceasefires

A preliminary ceasefire may begin before, in parallel with, or after the start of a broader, formal peace process, although it is not necessarily a prerequisite for a peace process. A preliminary ceasefire typically seeks to reduce violence, alleviate a humanitarian crisis, foster an environment that is more conducive to negotiations and lay out a path for a definitive ceasefire.

In protracted conflicts, mediators may have to deal with a series of failing or fragile preliminary ceasefires. In some cases, the conflict parties or spoilers may seek to exploit a preliminary ceasefire to strengthen their positions on the ground. If properly designed, agreements can limit this risk.

In 2000, the Governments of Ethiopia and Eritrea signed a cessation of hostilities agreement.[3] It aimed to freeze the conflict and create space for negotiating a definitive ceasefire, which was signed in December of that year, as part of the Algiers Agreement.

Definitive ceasefires

A definitive (or permanent) ceasefire is usually the result of a successful political process, in which the parties have reached an accord on all aspects of the peace negotiations. It is not necessarily preceded by a preliminary ceasefire.

In addition to other issues, a definitive ceasefire addresses broader security arrangements. In most cases, the active phase of a definitive ceasefire ends with the disarmament or demobilization of identified forces, but the follow-on security arrangements may remain in place for many years after an agreement has been signed. Definitive ceasefires are intricately linked to the political, social and economic dimensions of the broader peace agreement.

The Government of Sudan and the Sudan People's Liberation Army/Movement agreed to a permanent ceasefire as part of the Comprehensive Peace Agreement of 2005.[4] One of its chapters outlined the permanent ceasefire and the security arrangements; its detailed annex stipulated implementation modalities.

3. Agreement on Cessation of Hostilities between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Eritrea, 2000, https://peacemaker.un.org/eritreaethiopia-cessationhostilities2000.
4. Permanent Ceasefire between the Government of the Republic of the Sudan (GoS) and the Sudan People's Liberation Movement/Army (SPLM/A), 2004, https://peacemaker.un.org/sudan-ceasefire-splma2004.

1.2.2 Ceasefires defined by focus

Some ceasefires can be characterized by their focus. They may be designed to meet humanitarian objectives; to focus on a specific geographical area; to prohibit specific attacks on certain targets or the use of specific weaponry or tactics; or to secure a temporary suspension of hostilities.

Humanitarian pauses

The UN Office for the Coordination of Humanitarian Affairs (OCHA) defines a humanitarian pause as a "temporary cessation of hostilities purely for humanitarian purposes". OCHA also notes: "Requiring the agreement of all relevant parties, [a humanitarian pause] is usually for a defined period and specific geographical area where the humanitarian activities are to be carried out." [5] International humanitarian law and related principles underpin all such arrangements and guide how negotiations for these arrangements should be undertaken with the stakeholders.

Negotiations for establishing and implementing humanitarian arrangements are best led by humanitarian actors, in part to ensure a focus on humanitarian objectives as opposed to political ends. If a humanitarian pause is sought while negotiations for a broader ceasefire are under way, close coordination of efforts on both tracks can help to avoid ambiguity around objectives, modalities and implementation mechanisms.

In 2004, the Government of Sudan, the Sudan Liberation Movement/Army, and the Justice and Equality Movement signed the Humanitarian ceasefire Agreement on the Conflict in Darfur, a 45-day, renewable accord to ensure humanitarian access. [6] *The parties signed it in the context of a broader peace process.*

Geographical ceasefires

Geographical (or local) ceasefires are limited to a physical area, such as a town or city, a region, a state or a province. While they may be designed to manage a hotspot, de-escalate conflict in a particular location or protect a specific population, they can simultaneously demonstrate goodwill and a party's ability to exercise effective command and control over their forces. Geographical ceasefires can help to determine the feasibility of a wider ceasefire.

Among the challenges facing such ceasefires is the possibility that conflict parties will seek to redeploy or resupply forces in areas outside the ceasefire zone. Agreements can mitigate this risk if they include clear provisions on prohibited actions and if they establish a monitoring and verification mechanism to oversee ceasefire implementation (see Section 3.5 and Chapters 4 and 5). Mediators and conflict parties are encouraged to consider how geographical ceasefires could fit into a broader national ceasefire, should one be reached.

In 2018, the United Nations convened consultations during which the Government of Yemen and the Houthis signed the Agreement on the City of Hodeidah and Ports of Hodeidah, Salif, and Ras Isa. As the name suggests, this ceasefire agreement focused on a specific geographical region of Yemen (Hodeidah governorate). [7]

Sectoral ceasefires

Sectoral (or partial) ceasefires usually involve unilaterally declared or mutually agreed prohibitions on targeting certain groups (such as the police, civilians, women or religious entities) or infrastructure (such as the water or

BOX 1: The UN Secretary-General's call for a global ceasefire, 2020

On 23 March 2020, Secretary-General António Guterres issued an appeal for an immediate global ceasefire to foster conditions for the delivery of critical aid, revive diplomatic channels and support communities most at risk of COVID-19 infection.

The appeal for a global ceasefire was anchored in short- to medium-term humanitarian objectives, even as it sought to reinforce diplomatic action in pursuit of peace. The call received vocal support from many UN Member States, a range of regional organizations, and international and local civil society actors, including a significant number of women's organizations. The sustainability of such humanitarian truces depends on the cooperation of conflict parties (and their backers), whose calculations and objectives may be at odds with those of the humanitarian community.

5. OCHA, "Glossary of terms: pauses during conflict", June 2011, https://www.unocha.org/sites/unocha/files/dms/Documents/AccessMechanisms.pdf. For more details on humanitarian engagement with conflict parties, see OCHA, "Humanitarian access", https://www.unocha.org/themes/humanitarian-access.
6. Humanitarian Ceasefire Agreement on the Conflict in Darfur, 2004, https://peacemaker.un.org/sudan-darfur-humanitarian2004.
7. Agreement on the City of Hodeidah and Ports of Hodeidah, Salif, and Ras Isa, 2018, https://osesgy.unmissions.org/sites/default/files/hodeidah_agreement_0.pdf.

A ceasefire monitor from the United Nations Mission for the Referendum in Western Sahara looks through binoculars during a patrol in Oum Dreyga, Western Sahara, 2010
Credit: UN Photo/Martine Perret

electricity supply, schools, hospitals or transportation hubs), or on using certain tactics or weaponry (such as aerial bombardment, missiles, artillery, mortars or landmines). Such ceasefires can help to build trust or signal a commitment to pursuing peace to a wider group of stakeholders. Mediators and conflict parties may use them in conjunction with other arrangements, such as geographical ceasefires (see Box 1).

In 2015, the Revolutionary Armed Forces of Colombia (FARC) declared in a unilateral ceasefire that the group would not attack certain infrastructure – such as electrical pillars, pipelines and ports – or national security forces. In response, the Government of Colombia announced a unilateral suspension of bombardments on FARC camps, which helped the parties build mutual trust and facilitated the ongoing peace process.

Temporary ceasefires

Temporary ceasefires are established for a limited time, during which parties mutually agree to specified commitments, often in a particular geographical region. Such agreements can boost trust among parties as they negotiate a broader ceasefire.

In 1994, the Republic of Tajikistan and Tajik opposition agreed to a temporary ceasefire and the cessation of other hostile acts, on the Tajikistan - Afghan border and within the country, until the referendum on the draft of the new constitution and the election of the president.[8]

In 2018, both the then Government of Afghanistan and the Taliban observed unilateral, three-day Eid al-Fitr ceasefires.

1.2.3 Ceasefires defined by the number of actors involved

A ceasefire falls into one of three categories based on the number of conflict parties involved in its negotiation or declaration: unilateral, bilateral or multilateral.

Unilateral ceasefires

As the name suggests, unilateral ceasefires are declared by a single conflict party rather than as a result of negotiations between parties. Such ceasefires may be open-ended or apply for a specific period, with a provision for extension by a single party. The opposing party or parties may declare reciprocal unilateral ceasefires with their own terms and commitments.

Unilateral ceasefires can serve as declarations of good intent and as confidence-building measures. They may be linked to an occasion or activity, such as a festival, religious holiday, harvests, a planned peace process or a recent natural disaster.

In the absence of detail, cross-party coordination, and monitoring and verification procedures, unilateral ceasefires are prone to being viewed with suspicion and collapse. Mediators may encourage parties to consider such a ceasefire as part of an incremental approach, while offering technical support and advice for designing more sustainable unilateral ceasefires, as well as options for expanding those that may already be in place.

In 2004, after Indonesia was struck by a tsunami, the Free Aceh Movement declared a unilateral ceasefire, with the goal of facilitating the delivery of humanitarian aid. The Government of Indonesia reciprocated with its own unilateral ceasefire, similarly guaranteeing the safety of aid workers.

Bilateral ceasefires

Bilateral ceasefires, or those between two parties, can be preliminary or definitive and may share characteristics with other ceasefires described in this section.

In 2016, the Government of Colombia and the FARC committed to a definitive, bilateral ceasefire. The agreement specified the manner in which the FARC would move its forces to designated normalization zones and camps. [9]

8. Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, https://peacemaker.un.org/sites/peacemaker.un.org/files/TJ_940917_TehranAgreement.pdf.
9. Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities, and the Laydown of Weapons between the National Government and the FARC-EP, 2016, https://peacemaker.un.org/ceasefire-colombia-2016.

Multilateral ceasefires

Multilateral ceasefires are agreed among three or more conflict parties and can be preliminary or definitive. Considerations for a sustainable multi-stakeholder ceasefire may include the demarcation of geographical areas, arrangements for overlapping areas of control or influence, and the adoption of arrangements for liaison, communication and coordination.

In 2000, 19 parties to the Burundian civil war – 17 political parties and armed movements, the Government of Burundi and the National Assembly – signed the Arusha Peace and Reconciliation Agreement with various protocols and annexures. The third chapter of Protocol III ("Peace and Security for All") contains provisions for a permanent ceasefire and cessation of hostilities. [10]

1.2.4 Other ceasefires

Based on their genesis or evolution, the following types of ceasefire may share attributes with some of those listed above.

Informal ceasefires

Informal ceasefires are "handshake agreements" or unwritten arrangements in which parties may agree to minimum prerequisites to avoid clashes, usually for a limited amount of time. They may be unilateral or bilateral and do not necessarily include monitoring.

In 1914, during the first Christmas of World War I, British and German enlisted troops instituted a day-long informal ceasefire, complete with exchanges of gifts and a football match.

De facto ceasefires

De facto ceasefires often refer to "frozen" conflicts in which both sides have obtained what they consider possible from a military standpoint, but there is no clarity on how political negotiations are to take place or how the state of conflict is to be terminated. De facto ceasefires tend to freeze the situation and manage the conflict rather than resolve it.

Since these ceasefires can promote a status quo of "no war, no peace", parties in such situations are encouraged to adopt enhanced liaison, communication and coordination measures, as well as a monitoring and verification mechanism to build trust and prevent incidents. These steps can facilitate a move towards a more definitive solution to protect the civilian population, which would otherwise continue to bear the brunt of any continuing incidents.

A de facto ceasefire has persisted in Cyprus since August 1974, even though the parties never signed a formal bilateral ceasefire agreement. [11] *The military status quo, as recorded by the United Nations Peacekeeping Force in Cyprus at the time, became the standard used to assess whether changes constituted violations of a ceasefire.*

Imposed ceasefires

Imposed ceasefires are rare. They may be imposed by the UN Security Council or a regional or subregional organization. To ensure the parties feel bound by an imposed ceasefire, the imposing entities usually need to exert leverage over them or constitute a credible deterrent to stop them from violating it. Unless an imposed ceasefire is based on a realistic assessment of the context and an ability to follow up on the state of compliance by parties, it can become unstable and damage the credibility of those seeking to impose it.

Through United Nations Security Council resolution 2401 (2018), the Council demanded that all parties to the Syrian civil war suspend hostilities for a 30-day period to facilitate the delivery of humanitarian aid. It specified that the ceasefire did not apply to operations against terror groups, including Al-Qaida and the Islamic State. [12]

Through United Nations Security Council resolution 54 (1948), the Council ordered an unconditional ceasefire in Jerusalem, to take effect 24 hours from the time of the adoption of the resolution. It also instructed the Truce Commission to take any necessary steps to make this ceasefire effective, among other actions. [13]

10. Arusha Peace and Reconciliation Agreement for Burundi, 2000, https://peacemaker.un.org/node/1207.
11. The Comprehensive Settlement of the Cyprus Problem, 31 March 2004, https://peacemaker.un.org/sites/peacemaker.un.org/files/Annan_Plan_MARCH_30_2004.pdf.
12. UN Security Council resolution 2401, 2018, http://unscr.com/en/resolutions/2401.
13. UN Security Council resolution 54, 1948, http://unscr.com/en/resolutions/54.

KEY GUIDANCE POINTS: TERMINOLOGY AND A TYPOLOGY OF CEASEFIRES

- Ceasefires in intra-state civil wars are normally part of a broader political context. They are rarely stand-alone processes.
- Ceasefires can be preliminary or definitive. Each type is context-specific and involves distinct considerations, activities and mediation approaches.
- Ceasefires can be categorized according to dimensions such as their focus (humanitarian aid, geography, sector, permanence), the number of parties involved and their level of formality.
- The various types of ceasefire described in this chapter are illustrative only; mediators and conflict parties are encouraged to be innovative in adapting these broader frameworks to their respective contexts. This flexible approach is designed to assist mediators in navigating sensitivities around terminology, which may reflect political, regional or cultural preferences, translation-related issues, historical factors or local conflict dynamics.
- An understanding of the objectives and implications of different types of ceasefire can help conflict parties and mediators better identify and develop appropriate options for discussion in a given conflict setting.

Demobilization processes in Burundi
Weapons being burnt during the official launch of the Disarmament, Demobilization,Rehabilitation and Reintegration process under the auspices of United Nations peacekeepers and observers, 2004.
Credit: UN Photo/Martine Perret

Chapter 2

PREPARING FOR CEASEFIRE NEGOTIATIONS

This chapter proposes principles and planning considerations to help guide preparations for ceasefire negotiation processes. Complex, protracted efforts are typically required to achieve a ceasefire. Planning assumptions and decisions may have to be revisited multiple times in response to the evolving dynamics of the underlying conflict.

Negotiations for a ceasefire in Korea
The United Nations Command liaison officers meeting with delegates in Kaesong, Democratic People's Republic of Korea, 1951.
Credit: UN Photo

2.1 Guiding principles

The UN Guidance for Effective Mediation outlines eight fundamentals for enhancing the effectiveness of a mediation process.[14] These are equally relevant in the context of ceasefires, as detailed in Section 2.2. The fundamentals are:

- preparedness
- consent
- impartiality
- inclusivity
- national ownership
- international law and normative frameworks
- coherence, coordination and complementarity of the mediation efforts
- quality peace agreements.

2.2 Planning considerations

This section outlines planning considerations for mediating a ceasefire. Since conflicts are constantly evolving, mediators are advised to adapt their strategies accordingly.

2.2.1 Setting realistic ceasefire objectives

One of the fundamental objectives of a ceasefire, especially in the case of intra-state conflicts, is to minimize risks to the safety and protection of civilians, humanitarian space and civilian infrastructure.[15] In addition, each ceasefire has context-specific objectives, as well as a range of actions that conflict parties agree to undertake or renounce so as to achieve the main objectives. Ceasefires are always pursued in a broader political, security, economic, social and hu-

14. UN Guidance for Effective Mediation, 2012, https://peacemaker.un.org/guidance-effective-mediation.
15. For the purposes of this Guidance, the term "civilian" broadly refers to non-combatants.

man rights context; any of these factors can affect what an agreement is technically and politically able to achieve. A solid understanding of this dynamic context – and particularly its political dimensions – can assist mediators in working with the parties to formulate a ceasefire whose scope is realistic.

In the case of a preliminary ceasefire, the mediator tends to concentrate on seeking a reduction in the levels of violence and building trust among conflict parties, with a view to creating a space for broader political discussions. The conflict parties, however, may have their own objectives and reasons for agreeing to a preliminary ceasefire. The extent to which they commit to the process has implications for its scope. If, for example, parties consent to a proposed ceasefire without having agreed on the nature of political discussions, the scope of the ceasefire is likely to be limited.

Definitive ceasefires are generally pursued within the framework of a broader peace process, as part of efforts to negotiate a comprehensive end to a conflict. Ceasefire negotiations are thus closely linked to the agreed framework of modalities for broader peace negotiations.

The following questions can be useful in building an understanding of conflict parties' positions and other contextual factors that can influence the scope of a proposed ceasefire, especially with respect to a preliminary ceasefire:

- Does the ceasefire precede or form part of a broader political process? Have the details and modalities for the political discussions already been agreed? How will this ceasefire link with other activities in the broader process?
- Have any previous ceasefires or peace processes failed? If so, what can be learned from them in terms of causes and effects?
- Is the ceasefire's focus geographical, sectoral or temporal? How might it affect the broader conflict or peace process?
- What motives, interests or other factors might encourage or prevent a conflict party from engaging in ceasefire negotiations?
- Do the conflict parties have effective command and control over their combatants? What is the extent and nature of their control over geographical areas?
- What is the level of political and military asymmetry in the given context? How might this impact on the parties' capacity to negotiate and implement potential provisions in a ceasefire?
- What are the parties' core – often unspoken – positions or interests, and what are the commonalities among their needs?
- Is there a sufficient level of mutual trust to implement the ceasefire, as well as guarantees for security and access to allow meaningful monitoring and verification?
- What differentiated impacts is the conflict having on communities, women, minority groups, and civil society – and vice versa? To what extent are conflict-related sexual violence and grave violations against children used as tactics? What do local communities identify as the most urgent issues to address in a ceasefire agreement?[16]
- What resources will be required for the implementation of specific provisions, should they be included in the agreement? Who will provide these resources and in what time frame?

2.2.2 When and how to seek a sustainable ceasefire

Each conflict presents diverse challenges and opportunities that affect whether a ceasefire will be respected by all parties. Determining when and how to seek a sustainable ceasefire requires a thorough appreciation of the political nature of ceasefires, as well as an understanding of the parties' motivations, the broader political, security, social and economic context, the gendered impacts of the conflict, and pertinent cross-border, regional or international dynamics. Gender- and age-sensitive conflict analysis that takes these factors into account can help mediators to select appropriate timing for a ceasefire, including through incremental steps, if appropriate.[17]

Preliminary ceasefires are often negotiated in environments of low trust, in which the conflict parties may still be weighing their options for a negotiated settlement versus a continued pursuit of a military solution. Understanding their respective perceptions can allow mediators to assess entry points and strengthen the parties' motivation to negotiate.

If parties agree to negotiate a definitive ceasefire in the absence of a preliminary ceasefire, they are effectively selecting a "talking-while-fighting" approach, in which the political negotiations continue without

16. The term "conflict-related sexual violence" refers to rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. That link may be evident in the profile of the perpetrator, who is likely to be affiliated with a State or non-State armed group, including terrorist entities; the profile of the victim, who is likely to be an actual or perceived member of a political, ethnic or religious minority group or targeted on the basis of an actual or perceived sexual orientation or gender identity; a climate of impunity, which is generally associated with State collapse, cross-border consequences such as displacement or trafficking, and/or violations of a ceasefire agreement. The term also encompasses conflict-related trafficking in persons for the purpose of sexual violence or exploitation. See Conflict Related Sexual Violence: Report of the Secretary-General, 2019, https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2020/07/report/conflict-related-sexual-violence-report-of-the-united-nations-secretary-general/2019-SG-Report.pdf.

17. Gender-sensitive conflict analysis examines the causes, structures, stakeholders and dynamics of conflict and peace through a gender lens. "Practical Guidance for Gender-Sensitive Conflict Analysis", https://peacemaker.un.org/sites/peacemaker.un.org/files/Gender-sensitive_Conflict_Analysis_infographic.pdf.

agreement on any type of ceasefire. In such contexts, mediators need to be prepared to protect the political negotiations from the fallout of potential hostilities. One way to motivate the parties to look beyond current events is to establish a clear road map for talks, which can help to put incidents on the ground into a wider perspective.

Mediators can also choose to pursue context-specific de-escalation and confidence-building measures, especially when pursuing preliminary ceasefires (see Box 2). Such measures can help the parties retain their forward-looking focus by reducing levels of violence and mistrust. A formal preliminary ceasefire may thus be preceded by a series of informal or formal steps for de-escalation and trust building, which can be helpful in protracted conflicts with a history of failed ceasefires.

The following questions can be helpful in determining the most suitable timing for ceasefire negotiations:

- Do the parties perceive that no one can win through the continued use of force (a "mutually hurting stalemate")?
- Do any regional or international dynamics have a strong positive or negative impact on this "hurting stalemate"?
- Does the leadership of each conflict party have the authority required to explore and negotiate a ceasefire?
- Do the conflict parties have sufficient levels of cohesion and coherence within their hierarchy to facilitate implementation of a potential agreement?
- Could a ceasefire initiative contribute to the fragmentation of the parties and, consequently, to a ceasefire implementation environment in which both signatories and non-signatories continue to operate in the same geographical space?
- Can the ceasefire be linked to a plausible political road map or framework?
- Can any other external, unforeseen factors help the mediator forge common ground on a ceasefire (such as a humanitarian emergency, disruptive natural or climate-related event and threats)?
- Is there strong support for a ceasefire from the broader host communities – and specifically from women, religious groups or business entities?

Cantonment process in Cambodia
Young soldiers of the Khmer People National Liberation Armed Forces, one of the four Cambodian factions, before entering the designated cantonment site in 1992.
Credit: UN Photo/Pernaca Sudhakaran

BOX 2: Confidence-building measures in the context of ceasefires

Confidence-building measures (CBMs) reflect the will of a party or parties to prevent avoidable escalation, build trust and signal positive intent to engage or recommit themselves to a process. They are typically useful throughout the cycle of a ceasefire, from negotiation to implementation. In settings where agreement on broader political matters is not yet possible, CBMs focus on pragmatic, concrete or operational issues, including ones that are political, economic, humanitarian or security-related. In the early stages of negotiations CBMs can play a critical role in reducing distrust and violence among the conflict parties, while efforts on a broader ceasefire gain traction.

The declaration of CBMs cannot bring peace on its own. CBMs require diligent follow-up actions and active maintenance by all parties involved. They can serve as incremental building blocks, delivering short-term gains to build confidence in the mediation space and prevent escalations, especially in the context of a preliminary ceasefire with limited entry points. CBMs are most effective when they are not expressed, framed or accepted as preconditions, especially if they are considered before the formal negotiations start.

To demonstrate goodwill, a conflict party can decide to adopt CBMs unilaterally or together with one or more other parties. The following security-related CBMs may be particularly relevant in the context of ceasefires:

- the establishment of no-fly zones
- a cessation of specific practices or types of attack
- orders to ensure the protection of civilians, for example through the prohibition of conflict-related sexual violence
- a release or exchange of prisoners
- the establishment of emergency or 24-hour hotlines
- joint patrols
- the exchange of deployment maps or patrol plans
- the disengagement of heavy weapons or other materiel
- a cessation of mine laying
- demining.

In Colombia, the Government and FARC delegations undertook a number of unilateral and bilateral CBMs that incrementally fostered mutual trust and momentum in the negotiation process. As a result, a bilateral, definitive ceasefire was included in the 2016 Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace. The security-related CBMs included FARC's unilateral ceasefire declaration in December 2014; the Government's subsequent announcement, in February 2015, that it would stop bombing raids on FARC positions; and the parties' 2015 agreement on joint demining in two regions of Colombia.

2.2.3 Understanding critical stakeholders

By carrying out stakeholder mapping, ceasefire mediators can better evaluate how and when to engage with conflict parties and other relevant actors, including local, national, regional and international stakeholders.[18] Since conflicts are dynamic, this type of analysis requires regular updating to help guide mediators in preparing appropriate, inclusive engagement strategies and mediation processes. This section highlights aspects of stakeholder mapping that are particularly relevant to ceasefire mediation.

Conflict parties

Key considerations for analysing conflict parties include:

- **Structures**
  - the organization of all relevant conflict parties, as well as their social or ethnic composition; deployment strategies; command, control and communication systems; and the levels of coordination of their political and military structures
  - the relationships between the political and the military structures of conflict

18. United Nations, "UN Conflict Analysis Practice Note", 13 May 2016, https://unsdg.un.org/resources/un-conflict-analysis-practice-note.

- parties and their potential impact on negotiations
- the distinctive traits of party leaders, the processes by which they are selected, and any listing under international, regional or national sanction regimes
- recruitment methods and main recruitment areas and groups, including any use of forcible recruitment
- the role, seniority and agency of women in conflict party structures, and the methods used to recruit them
- the role of children in conflict party structures, and the methods used to recruit them
- the nature of the formal security sector and its relationship with the executive, the legislature and the judiciary.

- **Resources**

  - the types of weapon system, ammunition, vehicle and equipment held and used by conflict parties
  - the sources of funding and sustenance
  - the form and modalities of logistical support.

- **Modi operandi**

  - the topography of the conflict area (urban, rural or other)
  - the nature and extent of the parties' territorial control and influence
  - the parties' relationship with local communities and their role in local governance
  - areas of intense engagement and hotspots
  - recent battlefield trends of "wins and losses"
  - the use of conflict-related sexual violence (including objectives, circumstances, persons targeted and prevalence)
  - levels of interest in or willingness to adhere to international law on issues such as the targeting of civilians, conflict-related sexual violence, child protection in situations of armed conflict, or trafficking in persons
  - the parties' approach to public outreach and communications, including the use of social media and digital technologies.

- **Motivations and convictions**

  - the parties' declared ideal end states
  - methods and measures that could increase the parties' level of motivation or commitment to engage in ceasefire negotiations
  - non-State parties' perceptions regarding formal and informal State actors and their capacities
  - the nature of linkages to illicit economies, if prevalent in the region
  - narratives that support party positions.

- **Engagement strategy and mediation process design**

  - conflict parties' previous engagement in mediation processes
  - parties' methods for determining the composition of negotiation teams
  - individuals and entities that have influence over the conflict parties.

National and local stakeholders

Key considerations that can guide the assessment of national and local stakeholders include:

- the presence and nature of relevant civil society and community-based organizations, women's groups, youth groups, trade unions, business associations, faith-based groups, traditional leaders, and academic and media groups or associations
- responses to the conflict, especially among women's organizations and other civil society groups or local communities that are most directly affected by the hostilities or that represent those that are
- conflict parties' perceptions of civil society groups, and vice versa
- levels of trust in State institutions
- the relationships and points of friction within civil society networks and between these networks and the conflict parties, including levels of polarization
- the potential security threats to civil society organizations, community-based organizations, women leaders and other groups or actors engaged in peace efforts
- previous and potential roles of stakeholders in peacemaking, reconciliation and ceasefires
- the stakeholders' capacities, funding sources, degree of independence and flexibility to operate in a given context.

Regional and international stakeholders

An analysis of regional and international stakeholders – which may include neighbouring or distant States, regional or subregional organizations, and international entities or organizations – could include a review of:

- their positions, interests and motivations
- their support for conflict parties (in terms of morale, human resources, technical support, territorial sanctuaries, financial backing and equipment)

- roles they could play during the exploratory, engagement, mediation and implementation phases of a ceasefire
- the relationships among external stakeholders
- possible ethno-social, religious and ideological linkages to the national actors involved in the conflict
- geographical proximity and economic interdependence, in both formal and informal sectors
- past and ongoing roles and participation in formal and informal groups or forums, in support of the peace process.

2.2.4 Designing a ceasefire mediation process

Most mediation processes – including those involving ceasefires – involve several stages. Some of these stages are informal, such as the early stage of "talks about talks", while others are more formal. In broad terms, a ceasefire mediation process covers all stages and identifies the following elements:

- the main objectives
- the participants and the scope for their participation in the negotiations
- the mediation format and structure
- the main issues to be discussed by the parties
- ground rules
- channels of communication and outreach with internal and external stakeholders
- the arrangements for required financial and logistical support.

The design of a mediation plan is guided by the type of ceasefire being mediated. If a preliminary ceasefire is not anchored in a clearly defined political track, for example, mediators may have to develop a dedicated process framework. In contrast, the mediation modalities for definitive ceasefires usually follow the format agreed for all other tracks of a broader peace process.

In designing a mediation process, mediators may wish to pay particular attention to the following elements, especially when pursuing preliminary ceasefires:

- **Mediation approaches**. Mediators may use facilitative, suggestive or persuasive approaches during the process. The choice of approach usually reflects contextual dynamics, the type of ceasefire being sought, the nature of the issues being negotiated, comparative capacities of conflict parties to negotiate technical issues and the mandate of the mediator (see Box 3).

- **Format for the talks among parties**. Format options include direct (face-to-face) talks, indirect talks in close proximity ("proximity talks") and shuttle diplomacy. The format for talks often evolves as the negotiation process proceeds. Talks increasingly involve virtual platforms or hybrid options that combine in-person and online interactions, so long as all parties provide their consent.

  At the outset of the process, before formal talks begin, mediators typically engage in a series of separate, informal interactions with the parties and other key stakeholders. Doing so allows them to discreetly ascertain the interests and needs of the parties and identify potential points of departure before launching formal negotiations. In the context of preliminary ceasefires, mediators may need additional time to build a minimum level of trust – through informal engagement and backchannels, if possible – before any direct talks can materialize. They can also use this time to collaborate with mediation support entities in organizing consultations with stakeholders other than the conflict parties. The outcomes of such collaborative processes can inform the strategy for formal negotiations.

- **Sequencing of the ceasefire in relation to political talks**. With respect to political and other components of the broader peace process, ceasefires are typically pursued in one of three ways:

  - in advance of wider political talks, with a focus on pursuing a preliminary ceasefire even if its sustainability depends on the launch of political talks and on the progress parties achieve
  - in parallel to wider talks, so that political or other issues are negotiated at the same time as the ceasefire and progress along all tracks is interlinked
  - in sequential negotiations that produce agreement on one issue at a time (such as political arrangements, economic arrangements, a definitive ceasefire or transitional justice), often with the proviso of "nothing is agreed until everything is agreed".

Timetable for meetings. A schedule of sessions can help to provide a clear path forward and may mitigate the effects that actions on the ground might have on the talks, especially if conflict parties are "talking while fighting". Ceasefire negotiations may be accomplished in:

- one extended session
- a series of sessions, interspersed with breaks that allow parties to communi-

- cate and consult with their constituencies
- a more flexible set of meetings, depending on the context and how the process evolves.

- **Composition of delegations**. Before delegation members are selected, conflict parties decide on the number of members, their seniority and considerations such as gender balance. Ceasefire mediators are encouraged to clarify the benefits of inclusivity and meaningful direct participation of women, especially if conflict party representatives view ceasefire mediation as the exclusive domain of the military. Negotiation teams are more likely to achieve their goals if they include people with the authority to take decisions on all sides (see Section 2.2.5 and Chapter 3).

- **Setting ground rules**. Ground rules are mutually agreed among parties, preferably before or at the beginning of the first engagement. In addition to guarantees on safety and security, the rules usually cover elements such as levels of confidentiality; information sharing; media outreach, which could include the use of social media platforms by delegates or by entities associated with them; conduct and behaviour, especially with respect to women delegates, wherever applicable; modalities of the mediation process, including dispute resolution; decision-making; and cultural or religious obligations and sensitivities. By clarifying how confidentiality and information are to be protected, ceasefire mediators may be able to ease parties' concerns about providing information on or discussing sensitive military issues, particularly if they are "talking while fighting".

- **Communications and outreach with stakeholders**. The management and dissemination of information and communications associated with ceasefire negotiations are key to minimizing disinformation and other risks, especially with respect to preliminary ceasefires. While clearly formulated and mutually agreed ground rules can address some concerns during formal negotiations, mediators are encouraged to consider this issue during informal engagements as well.

- **Selecting the venue**. Decisions on venues for a ceasefire mediation process can be complex, especially in the case of preliminary ceasefires, in part because the choice of venue can directly affect the physical safety of the delegations and thus their willingness or ability to participate in the process. Key factors to consider in selecting a venue include:
  - the venue's acceptability to parties and host authorities
  - the distance from the conflict zone
  - the availability and security of means of communication that allow parties to engage with their respective constituencies
  - guarantees for safety and security during transit to and from the venue
  - cultural sensitivities
  - the logistical needs of women and other delegates, including individuals invited as observers.

- **Agenda setting**. When a ceasefire is being negotiated as part of a broader peace process, the overall agenda for peace talks usually informs the agenda for ceasefire negotiations. If an agenda is set specifically for ceasefire negotiations, then the parties are best guided by what they intend or hope to achieve through the ceasefire. Agreeing on the agenda and on a sequence in which the issues are to be negotiated constitutes a key phase of a mediation effort. Agendas of ceasefire negotiations, which usually reflect the proposed content of the eventual ceasefire, are most effective at bringing about a credible, sustainable end to hostilities if they are comprehensive and cover all required elements, while avoiding gaps that may create confusion at the implementation stage.

  As part of their preparatory informal engagements, mediators can usefully assess areas of possible agreement among parties with a view to recommending the addition of those issues to the agenda. They can also help to ensure that conflict parties agree on how to sign off on agenda items, for example by closing each topic as it is agreed, or by signing off on the whole package only ("nothing is agreed until everything is agreed"). Unpacking complex technical issues and taking an incremental or phased approach may be helpful, especially with respect to preliminary ceasefires, which are often mediated in contexts of minimal trust.

- **Building technical knowledge and negotiation capacities of stakeholders**. Mediators can discreetly assess the negotiation capacities of the conflict parties during informal and formal engagements, bearing in mind that this is often a sensitive issue and that stakeholders may not be aware of or willing to acknowledge deficiencies.

  Capacity-building support is more likely to be effective if it is offered to all the parties – including observers and civil society participants – in a transparent and impartial

manner. Mediators can contribute to the impact of such support by being realistic about the time and resources required to address knowledge gaps. In some circumstances, entities or actors other than the mediator or the mediation support team are better placed to provide capacity-building, especially if it is directed towards only one of the conflict parties.

Workshops on relevant technical and thematic issues can serve as useful tools for identifying and discussing options, especially if all parties are present. Mediators may offer to facilitate such events prior to and during the negotiations, or they may recommend other facilitators. If conflict parties request dedicated advisers, mediators are encouraged to make them available to all stakeholders with the utmost transparency, resources permitting (see Box 4).

- **Drafting a ceasefire agreement**. Parties may agree on modalities for the drafting of a ceasefire even before detailed negotiations commence. Members of a drafting committee can be drawn from among the parties and charged with following the negotiations closely, to capture the positions of the parties and any emerging consensus, in line with an agreed methodology. The committee may work on a draft as the negotiations proceed, produce text each time an issue has been resolved or generate a draft at the end of the negotiations. Regardless of which approach the committee takes, the negotiation record reflects progress and emerging agreement, which helps to prevent backsliding on settled issues in subsequent sessions.

In some cases, a mediator may wish to propose an outline, or even a full negotiating text that reflects the essence of discussions between the parties. Given the potential implications for the conflict parties' ownership of the agreement, however, such steps require careful consideration and consultation. Short of drafting the negotiating text, the mediator may offer options or even specific bridging proposals for overcoming difficult issues that arise in the negotiations. While approaches vary across negotiation settings, mediators are encouraged to ensure that all sides have a solid understanding of the evolving ceasefire text.

BOX 3: Third parties and the mediation space

The frameworks and parameters within which a mediator seeks to facilitate a ceasefire between conflict parties can vary substantially. For the sake of consistency, this Guidance uses the term mediator, but a third party who supports ceasefire negotiations can play a variety of roles, from host or convenor of talks to facilitator or mediator, occasionally with the ability to make substantive proposals related to the ceasefire itself. A mediator's mandate may be quite narrow in scope, such as when it relates only to ceasefire negotiations, or it may be broad, perhaps covering the facilitation of a comprehensive peace agreement on security, political, economic and human rights issues.

Mediators – whether of the UN or not – often operate in a crowded political and mediation space that can include envoys appointed by regional organizations, sub-regional organizations, and Member States, as well as national or local mediators. National and international non-governmental organizations may also be involved, either directly, in negotiations with the conflict parties, or in backchannel efforts, to allow parties to explore ideas and proposals confidentially. Mediators may therefore need to coordinate such efforts, either informally or through forums or mechanisms specifically created for this purpose, to ensure unity of purpose in a given context. The same forums can serve as platforms for engaging with international stakeholders on issues related to resource mobilization for the implementation of ceasefire agreements.

Mediators cannot assume that their mandates provide automatic or constant consent from the conflict parties, who may seek alternative forums or facilitators with a view to procuring a more favourable negotiated outcome. The ability of a mediator to influence and guide ceasefire discussions between the conflict parties thus depends on a range of contextual factors.

Raising awareness of local communities on DDR provisions of ceasefire agreement
Darfur drama actors perform at El Srief, North Darfur, Sudan, as part of DDR outreach activities supported by the African Union – United Nations Hybrid Operation, 2011.
Credit: UN Photo/Albert Gonzalez Farran

2.2.5 Enhancing inclusivity in a ceasefire mediation process

Ceasefire negotiation processes that are inclusive – in that they include various constituencies and ensure their differentiated needs are addressed – are likely to benefit from greater legitimacy and national ownership, produce better quality agreements and lead to sustainable implementation arrangements. Mediators have an important role to play in promoting greater inclusivity in consultations, negotiations and implementation, especially with reference to the inclusion of women.

From a normative standpoint, inclusivity is based on the recognition that since civilians bear the brunt of a conflict, they ought to inform and be engaged in peace-making and implementation efforts. Inclusive negotiations allow stakeholders the opportunity to speak about their experiences, needs, concerns and aspirations, as well as to participate in decision-making that leads to a responsive, effective and sustainable outcome.

The full and meaningful participation of women – as well as youth, civil society and minority groups – in ceasefire negotiations can help to engage a variety of perspectives, ideas, networks and resources. In addition to enhancing the sustainability and community ownership of a ceasefire, ongoing peacemaking or peacebuilding efforts by these groups can contribute to the durability of an agreement. By pursuing inclusivity, mediators can help foster ownership among stakeholders and accountability among conflict parties.

Ahead of negotiations for a preliminary ceasefire, a mediator can usefully inform the parties about the benefits of including a wide range of voices and perspectives, so that by the time negotiations begin, they are prepared for the process and more willing to agree to an inclusive scope and modalities. The variety of forums and formats that can be used to encourage a more inclusive process are addressed in greater detail in Chapter 3.

In Guatemala a Civil Society Assembly was established following the 1994 Framework Accord, with the aim of institutionalizing the participation of civil society in the peace process between the Government and the Guatemalan National Revolutionary Unity. The Assembly formulated non-binding recommendations and guidelines, including with respect to the ceasefire and security arrangements, and provided these to the UN moderator and two parties. [19]

19. Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the UNIDAD Revolucionaria Nacional Guatemalteca, 1994, https://peacemaker.un.org/sites/peacemaker.un.org/files/GT_940110_FrameworkAgreemenResumptionNegotiatingWithURNG.pdf.

2.2.6 Addressing issues related to the safety and protection of civilians

The safety and protection of civilians and critical humanitarian infrastructure are at the core of all stages of the ceasefire mediation process, starting with the preparatory phase, which typically involves informal engagements (see Section 2.2.4). The preparatory phase alone can extend over long periods of time, during which mediators may have to develop a set of context-driven options to address escalations in violence against civilians, including women, children, humanitarian aid and medical workers, minority communities and populations displaced by the conflict.

By serving as consistent advocates for the safety and protection of civilians, humanitarian infrastructure, and the accountability of conflict parties during the preparatory and formal negotiation phases, mediators can help to foster the conflict parties' compliance with corresponding norms, principles and legal obligations as early in the mediation process as possible, and not only once a formal ceasefire agreement has been finalized. They can also play a part in securing ceasefire agreements that aim to advance the protection and security of civilians, for instance by ensuring that negotiation processes incorporate the participation of communities affected by the conflict.

In general, mediators can develop strategies for reinforcing the safety and protection of civilians by:

- fostering a comprehensive understanding of the various impacts of violence and conflict and ensuring that conflict parties understand the human rights and gender dimensions of the conflict in discussions during the negotiation process
- promoting an inclusive process that engages a diverse set of stakeholders – including civil society and community-based organizations, women's groups and networks, youth organizations, and local, national and international bodies and actors that focus on humanitarian, human rights, gender equality and child protection issues
- assessing the types of violence that are present and need to be addressed; the availability of services for survivors of violence; the roles and experiences of women and children associated with armed forces and groups; the perceptions of non-combatant women associated with armed groups; and potential strategies to ensure child protection and prevent sexual violence
- reviewing past ceasefire and peace agreement implementation mechanisms – which may include provisions related to gender equality, child protection, and the prevention of and protection from conflict-related sexual violence – and analysing the extent to which their implementation is gender-responsive, with an eye to assessing gaps, effectiveness and potential linkages to the current context and process
- examining existing or planned action plans and communiqués jointly signed by the UN and the conflict parties, and advising the parties to reference and acknowledge these documents in the ceasefire agreement [20]
- identifying existing data collection, information management systems, and monitoring and reporting mechanisms [21]
- assessing the capacities of local, subnational and national authorities, as well as non-governmental organizations, to provide services for survivors of conflict-related sexual violence
- preparing accessible and contextualized information on international legal obligations to protect civilians from war crimes, crimes against humanity, and breaches of international humanitarian law and international human rights law
- conducting advance planning to respond to occurrences such as the spontaneous demobilization or release of women combatants, children associated with armed forces and groups, or family members associated with armed forces and gangs, especially during ceasefire mediation processes in a protracted conflict.

2.2.7 Collaborating and coordinating with humanitarian actors

Humanitarian pauses may be sought and negotiated at any stage of a conflict, before or in parallel with negotiations for preliminary or definitive ceasefires. In some cases, the parties may agree to the inclusion of specific humanitarian provisions in ceasefire agreements.

Mediators are advised to seek technical advice from and consult, collaborate and closely coordinate their efforts with the United Nations Humanitarian Coordinator or other humanitarian actors or networks, as applicable. At the same time, they can support humanitarian aims by ensuring that the agenda for negotiations includes the protection of civilians and the parties' responsibility to ensure safe, timely and unimpeded humanitarian access. Doing so involves reminding conflict parties of their obligations and accountability under international humanitarian law, international human rights law and relevant resolutions of the UN Security Council.

20. The Special Representative of the Secretary-General on Sexual Violence in Conflict has issued several communiqués on preventing and responding to conflict-related sexual violence, including joint communiqués with conflict parties.
21. Such mechanisms may include monitoring, analysis and reporting arrangements on conflict-related sexual violence; gender-based violence information management systems; monitoring and reporting mechanisms on grave violations against children; information management systems on mine action; and community-based systems of data collection on violence and rights violations.

BOX 4: Preparing parties for ceasefire negotiations

The following three-step exercise allows mediators to prepare conflict parties for negotiations and to obtain a better understanding of their perspectives. Throughout the exercise, the parties meet separately, and their work is kept confidential.

Level 1: Optimum outcome. In this step, the objective is for each party to determine what its ideal outcome from the ceasefire would be – without examining the interests of the other party or parties.

Level 2: Minimum needs. This step is focused on establishing what is necessary if the optimum outcome cannot be achieved. Together with the mediator, representatives of each party discuss their minimum needs with respect to the prospective ceasefire, identifying the conditions that need to be satisfied for the fighting to stop. Being clearer and more aligned on their minimum needs and various ways these could be achieved or protected helps parties to make concessions on aspects that are less crucial to them. Such conversations within parties are typically difficult and may require facilitation. The outcome is confidential unless the parties decide to share it or parts of it.

Level 3: In the other side's shoes. In the third step, a party revisits all the decisions it took in the previous rounds, but from the perspective of the other side. The party examines its own optimum outcome from the point of view of the other parties and assesses the extent to which it may be acceptable to them. Then the party repeats this exercise with respect to its minimum needs. Looking at these options from the other perspective – which may also require facilitation – can enable parties to generate alternatives for issues that are likely to be problematic during negotiations.

2.2.8 Securing the requisite financial and human resources

Ceasefire mediation or facilitation processes are resource-intensive and often continue over long periods of time, sometimes with no clear end date in sight. Adequate resources are required for activities such as establishing and maintaining an operational office; engaging a team to support the mediator; facilitating mediation processes (which involves travel costs and venue rental); arranging capacity-building for the parties and other stakeholders; offering childcare and other family support for delegates; and hiring experts. To stay focused on their primary task, the mediators require efficient support teams, including relevant thematic experts and operational logistics advisers who can undertake regular assessments and forecasts, handle procurement and manage resources.

Deminers at work in Mwanga, Democratic Republic of the Congo, 2007.
Credit: UN Photo/Martine Perret

KEY GUIDANCE POINTS: PREPARING FOR CEASEFIRE NEGOTIATIONS

Planning considerations

- Embedding a ceasefire in the broader political context ensures that it is linked to progress on addressing the root causes of the conflict.
- Determining when and how to seek a sustainable ceasefire requires a context-specific approach based on gender- and age-sensitive conflict analysis, comprehensive stakeholder mapping and a clear understanding of the proposed ceasefire's relationship to the broader peace process.
- Since conflicts are dynamic, this type of stakeholder mapping and analysis requires regular updating to help guide mediators in preparing appropriate, inclusive engagement strategies and mediation processes.
- The nature and scope of any confidence-building measures in the context of a ceasefire should be guided by their intended objectives, which might be to build trust, regain momentum for stalled negotiations or support implementation. The most effective confidence-building measures are relevant, clear, simple and not framed as "conditions" for negotiation.
- Mediators are encouraged to collaborate and coordinate ceasefire mediation efforts with relevant humanitarian coordinators, agencies, funds and programmes.
- Information management and outreach are key throughout all stages of planning and execution. Mediation teams that have the capacity to plan and implement information collection, analysis and an outreach strategy are better able to reach all segments of the community, including vulnerable and marginalized groups.

Designing a ceasefire mediation process

- The design of a mediation process and plan is guided by the type of ceasefire being mediated – either a preliminary or a definitive ceasefire.
- In discussing key elements of a process design with the conflict parties, mediators can help them to set realistic objectives and build consensus by providing options and explaining corresponding opportunities and risks.
- In designing a ceasefire process, mediators may wish to pay particular attention to mediation approaches; format, venue, timetable and ground rules for the talks; sequencing of the ceasefire in relation to political negotiations; agenda setting; and building the technical knowledge and negotiation capacities of the parties.
- Capacity-building and engagement of the parties on technical issues can open mediation entry points, even before formal talks commence. Such activities help mediators to understand the parties' interests, positions and minimum needs, while facilitating agenda setting and sequencing.

- Capacity-building support is more likely to be effective if it is offered to all the parties in a transparent and impartial manner; in some cases, a mediator may recognize that other entities or actors are better placed to provide such support.

- Early in the process, mediators can provide the parties with access to experts and advisers with relevant gender- and age-sensitive thematic expertise and operational-level knowledge of issues such as child protection and conflict-related sexual violence. Doing so can equip conflict parties with the knowledge and skills required to contribute to the safety and protection of civilians, starting with the informal preparatory phases of the process.

- Mediators are encouraged to ensure that all sides have a shared understanding of the evolving text and that it is consistent with relevant national and international legal obligations and frameworks. At the outset of talks, parties may agree on modalities for the drafting of a ceasefire to follow the negotiations and capture the positions of the parties and any emerging consensus.

- Mediators – whether of the UN or not – often operate in a crowded political and mediation space that can include envoys appointed by regional organizations, sub-regional organizations, and Member States, as well as national or local mediators. National and international non-governmental organizations may also be involved, either directly, in negotiations with the conflict parties, or in backchannel efforts. Mediators may therefore need to coordinate such efforts, either informally or through forums or mechanisms specifically created for this purpose, to ensure unity of purpose in a given context.

Addressing inclusivity, safety and protection of civilians in ceasefires

- Mediators have an important role to play in promoting greater inclusivity in ceasefire consultations, negotiations and implementation. Mediation processes that include various constituencies are likely to benefit from greater legitimacy and ownership, produce better quality agreements and develop sustainable implementation arrangements.

- In promoting civilian safety and protection measures, mediators can base their advocacy on international norms, international humanitarian law, international human rights law and resolutions of the UN Security Council. They can also identify related opportunities and challenges in their specific contexts. Moreover, mediators are in a position to impress on the conflict parties that they can enhance or restore their international legitimacy by acting in accordance with defined frameworks of accountability.

Meeting of Ceasefire and Transitional Security Arrangements Monitoring Mechanism in Juba, Republic of South Sudan
The members of the committee discussing the latest report from monitors on violations and disputes between signatories, 2016.
Credit: UN Photo/JC McIlwaine

Chapter 3

MEDIATING INCLUSIVE CEASEFIRES

This chapter explores how greater inclusion can increase the prospects for an effective, comprehensive and sustainable outcome from ceasefire negotiations and agreements. It emphasizes the full and meaningful participation of women and introduces innovative process design options to strengthen inclusion.

3.1 Why is inclusion in ceasefires important?

Ceasefires have traditionally been considered a matter for military forces and their personnel, whose focus is on armed groups and on securing an end to violence. This approach has often narrowed the field of participants by sidelining unarmed civilians, including women, despite the critical role they tend to play in persuading belligerents to engage in ceasefire talks. Such approaches run the risk of rewarding belligerent parties with a seat at the negotiating table, while inadvertently incentivizing other groups to turn to violence to secure their goals.

The argument for inclusion in mediation is premised on the understanding that integrating diverse societal perspectives can help to address the root causes of conflict, reflect the needs and experiences of those affected by violence, and generate a sense of ownership in the agreement among local populations. Inclusion can strengthen the legitimacy of a process, transform community relations, reduce external risks and, above all, increase the sustainability of outcomes.

Furthermore, as noted in Chapter 2, the safety and protection of civilians and of the infrastructure that sustains their lives and livelihoods are fundamental to any ceasefire mediation or negotiation process. An inclusive ceasefire negotiation process can advance the safety and protection of civilians, notably by generating an agreement that promotes gender- and age-sensitive outcomes that are compliant with international humanitarian law and human rights law; commits parties to dedicated provisions on the safety and protection of civilians; and contains inclusive implementation modalities that allow civilians – and particularly women – to play central roles in all dimensions of ceasefire implementation.

In 2003, Muslim and Christian women in Liberia came together to launch the Women of Liberia Mass Action for Peace campaign to put pressure on belligerents to negotiate. During subsequent ceasefire talks in Accra, Ghana, Liberian women conducted sit-ins directly outside the negotiating rooms, refusing to allow delegates to leave until an agreement had been signed.

In the Philippines, in 2003, the women-led Mindanao People's Caucus helped mobilize more than 10,000 internally displaced persons, who demanded an immediate ceasefire between the Armed Forces of the Philippines and the Moro Islamic Liberation Front.

3.2 Goals and policy framework of inclusive mediation

In the context of pursuing a ceasefire, inclusivity refers to the extent and manner in which the views and needs of civilian actors and stakeholders beyond the immediate warring parties are represented and integrated into the process and outcome of a mediation effort.[22] A central concern is the participation of women, youth networks and civil society organizations, as well as social, ethnic, religious, regional and other minority groups. An inclusive process does not necessarily involve all stakeholders directly in formal negotiations; rather, it can facilitate a structured interaction between conflict parties and other stakeholders, with the aim of including multiple perspectives in the mediation process.

Efforts to secure the full, equal, meaningful and direct participation of women in ceasefire and peace negotiations reflect a recog-

22. This Guidance draws on the definition of "inclusivity" provided in UN Guidance for Effective Mediation, 2012, p. 11, https://peacemaker.un.org/sites/peacemaker.un.org/files/GuidanceEffectiveMediation_UNDPA2012%28english%29_0.pdf.

Symposium on "Afghan Women: Messengers of Peace"
Afghan women from across the country gathered in Kabul to discuss their experiences, vision and contribution to peace in the country, 2017.
Credit: UN Photo/Fardin Waezi

nition that women account for at least half of the residents of most areas, that they have an inherent right to be represented in decisions that affect their lives, and that the sustainability of any peace agreement depends on the extent to which women's needs, experiences and perspectives of conflict inform peacemaking.

The UN recognizes the need for women's full, equal and meaningful participation in peacemaking through 10 Security Council resolutions that set out the women, peace and security agenda.[23] In two concurrent resolutions from 2016 on the UN peacebuilding architecture, the Security Council and General Assembly also emphasize the importance of including civil society organizations in peace processes.[24]

Moreover, the international community recognized the role of youths in promoting and maintaining peace and security through UN Security Council resolutions 2250 (2015), 2419 (2018) and 2535 (2020).[25] The global policy paper We Are Here (2019) calls for greater participation of young women and men in, around and outside the negotiation room to enhance the prospect that outcomes of peace processes will be widely accepted and sustainable.[26] In 2022 the Global Coalition on Youth, Peace and Security set out a five-year strategic action plan on how this goal could be achieved.[27]

3.3 Inclusion in ceasefire mediation

While the strategic and rights-based need for inclusion is increasingly accepted at the global level, securing it in a given ceasefire negotiation takes time and requires political sensitivity. It is thus vital to sensitize conflict parties to the principle of inclusion in mediation as early as possible, ideally before any formal ceasefire mediation efforts commence.

The process of securing inclusion in ceasefire negotiations is shaped by context. To be effective, it considers the causes and dynamics of the local conflict, triggers and types of violence, positions of the conflict parties, needs of the population, objectives of the ceasefire, and potential linkages to political negotiations that may be ongoing or planned.

Critically, inclusion in the context of preliminary ceasefire negotiations can set the stage for participation in subsequent peacemaking efforts – such as by identifying which actors are to have a seat at the table and whose views are sought on process design and agenda setting. Inclusion in ceasefire negotiations – and its absence – can have lasting impacts far beyond the immediate cessation of violence, including on the effectiveness of long-term peace efforts.

23. UN Security Council resolution 1325 (2000) on women, peace and security was the first resolution to recognize the differentiated impact of conflict on women, women's role in preventing and resolving conflict, their fundamental right to be included in peace processes, and calls for women's equal participation in peacemaking efforts.
24. Security Council resolution 2282 (2016) and General Assembly resolution A/RES/70/262 emphasize that "inclusivity is key to advancing national peacebuilding processes and objectives in order to ensure that the needs of all segments of society are taken into account", while stressing that "civil society can play an important role in advancing efforts to sustain peace".
25. Security Council resolution 2419 (2018) in particular calls for the meaningful inclusion of youths in formal and informal peace processes. The Security Council describes youths as "persons of the age of 18-29 years old". See resolution 2250 (2015).
26. Ali Altiok and Irena Grizelj, We Are Here: An Integrated Approach to Youth-Inclusive Peace Processes, 2019, https://www.youth4peace.info/system/files/2019-07/Global Policy Paper Youth Participation in Peace Processes.pdf.
27. Irena Grizelj and Ali Saleem, We Are in This Together: Operationalizing a Five-Year Strategic Action Plan for Youth-Inclusive Peace Processes, Global Coalition on Youth, Peace and Security, 2022, https://www.un.org/youthenvoy/wp-content/uploads/2022/01/YPS-five-year-strategic-action-plan.pdf.

Outreach event organized by United Nations Mission in South Sudan
A woman representative discusses the role of youth, traditional chiefs, women representatives and local officials in promoting peace and stability in Jonglei, 2012.
Credit: UN Photo/Martine Perret

Securing inclusive approaches that enable the direct participation of civilian stakeholders can be more difficult in preliminary ceasefires, which are often attempted in environments of escalating violence, humanitarian urgency and a complete lack of trust. In contrast, definitive ceasefires, which allow for more formal inclusion arrangements among stakeholders, may more readily enable all parties and stakeholder groups to be represented in agreed formats and numbers. Given that definitive ceasefires are fundamentally forward-looking and tend to feature provisions on the functioning, form and restructuring of the security sector, they represent a rare opportunity to integrate inclusiveness into negotiations and outcomes that have far-reaching consequences for society at large.[28]

3.4 The role of mediators

The principle of inclusivity is foundational to the work of all mediators. By embedding inclusion into the analysis, advocacy, design and recommendations that guide a mediation process, mediators can send important signals within their own teams and beyond.

Within the mediation teams, mediators can practice gender and age inclusivity by ensuring that women occupy senior and influential roles, aiming for gender parity among the staff, ensuring that all team members have a strong understanding of the gender and age dimensions of their thematic areas of specialization, and including dedicated gender expertise on the mediation support team.

Inclusive mediation builds on conflict analysis that is gender- and age-sensitive and takes human rights dimensions into account. To develop a solid understanding of the root causes of a given conflict and the forces that promote violence or peace, such analysis can usefully involve comprehensive stakeholder mapping, as discussed in Section 2.2.3, and consider the full range of power structures and dynamics.

To support this work, mediators can engage with women's organizations, civil society groups and representatives of survivors of sexual violence, as well as youth networks, faith-based groups, traditional leaders, academia and private sector representatives. One way to do so is to build partnerships and establish regular consultations to ensure various views inform the mediation process, preferably starting as early as possible.

Mediators are uniquely positioned to ensure that the conflict parties understand the benefits of direct participation of civil society in the mediation process. They can advocate that women participate directly in the talks, not only as members of conflict party negotiation teams, but also, if appropriate, as part of independent third-party delegations. While conflict parties ultimately determine the composition of negotiation delegations, mediators can encourage them to appoint women to at least one-third of the senior positions in their negotiation delegations.

28. Roshni Menon, Gender-responsive Ceasefires and Ceasefire Agreements, UN Women, 2021, https://asiapacific.unwomen.org/sites/default/files/Field%20Office%20ESEAsia/Docs/Publications/2021/06/af-Sustianing-Peace-brief-Ceasefires-English.pdf.

To ensure that all ceasefire provisions apply to all people, mediators can counsel delegations to use inclusive terminology. They can also advise parties to demonstrate their commitment to implementing an agreement in line with international humanitarian law, international human rights law and women's rights, for example by citing relevant international agreements and national laws, both under the ceasefire principles and as part of the provisions on monitoring and verification mechanisms.[29] In addition, provisions can specifically reaffirm the equal rights of men and women, address the differentiated needs of women in conflict, commit to gender-responsive and age-sensitive implementation of the agreement, and secure the engagement of women, youths and other civil society actors in ceasefire monitoring and verification mechanisms, as well as other interim or transitional arrangements.

3.5 Measures to support the participation of women and civil society

The direct participation of women, youth networks, civil society groups and other civilian stakeholders is the preferred approach to inclusion, however difficult or elusive it may be in certain contexts. Ceasefire negotiations during which these groups actively participate at the table are more likely to reflect their specific needs, address root causes of conflict and ensure a sense of ownership. If their mandate allows them to structure the process, mediators can provide incentives to encourage direct participation, for example by introducing quotas or granting conflict parties extra seats for negotiation delegations that must be filled by women, civil society representatives or independent third-party delegations.

Securing inclusive negotiations for ceasefires – or any other peace processes – requires multiple entry points and diverse modalities for engaging women and civil society actors. In addition to supporting their direct participation in ceasefire talks, mediators have a number of innovative, multi-track inclusion options at their disposal to ensure that the positions of the conflict parties and the mediation process itself are informed by diverse community perspectives. Among the options are holding civil society consultations, establishing specialized working groups, forming advisory boards, organizing forums for conflict parties to consult civilian actors, facilitating the presence of observers in talks, requesting suggested inputs for the agreement, sharing civil society groups' demands for peace with the parties and enabling working groups of civil society actors to review the agreement before it is finalized.

An inclusive approach to a ceasefire and security arrangements can extend beyond the mediation and negotiation phases if meaningful roles for women and civil society groups are formalized in the implementation of a ceasefire agreement. Once ceasefire agreements are finalized, mediators can arrange to provide women and civil society organizations with additional capacity-building to enable them to take up these formal roles in support of implementation. A central role for women and civil society representatives in ceasefire oversight and monitoring mechanisms can give them an ability to offer advice, ask questions, seek clarifications and make parties more accountable during implementation.

In Syria, the United Nations played a central role in configuring the Syrian Constitutional Committee and securing nearly 30 per cent of the 150 seats for women. Notably, the tripartite design of the structure of the Committee allowed for a 'middle third' component (civil society delegates), nearly 50 per cent of whom were women.

3.6 Facilitating the participation of women and civil society

Ensuring the meaningful and effective engagement of women and civil society in ceasefire negotiations requires advance planning. Mediators are encouraged to reach out to representatives of women's groups, youth networks, and other civil society organizations as early in the mediation process as possible, including through tailored strategic communications and information sharing campaigns. Adequate advance notice of talks and related consultations is essential in this context.

Mediators can reinforce their efforts by facilitating dedicated capacity-building support for potential and engaged representatives. To identify concrete requirements for the participants' ongoing involvement in the talks, mediators can carry out risk assessments guided by the "do no harm" principle, so as to prevent any unintended harm to women and civil society representatives.
The participants' safety is among the most important considerations. In several contexts, women civil society representatives have been subjected to hate speech and other targeted attacks, both in person and online.

29. Relevant international agreements include UN Security Council resolutions 1325 (2000) and 2419 (2018), the Convention on the Elimination of All Forms of Discrimination Against Women, the Beijing Declaration and Platform for Action, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights.

Agreement on a code of conduct governing behaviour towards women delegates may be required, as may physical protection or security measures, including for women who participate in consultative mechanisms or serve on technical bodies.

Mediators can also provide support services, such as access to appropriate subsistence allowances (to cover local transportation, airfare, hotel, meals, incidentals and other expenses), as required and on an equal basis for all delegates. Additional assistance can take the form of childcare, escorts and the scheduling of meetings in locations and at hours that help to maximize women's participation. By regularly engaging with donors who are involved in financing the talks, mediators can help to ensure that any financial regulations do not inadvertently limit logistical support in a way that restricts participation.

Civil society representatives who are involved in ceasefire talks or in the implementation of a final agreement may require specialized technical knowledge to make meaningful contributions. To that end, mediators can provide additional capacity-building opportunities, including via coordinated strategies with local and international partners that can deliver tailored training sessions. Innovative approaches to technical workshops – such as the use of digital technologies, hybrid participation models and the linking of women delegates to other women who have participated in previous ceasefire negotiations around the world – can support strategizing, experience sharing and lessons learned meetings.

By providing a platform through which women's groups and civil society organizations can meet with conflict party delegations throughout ceasefire talks, mediators facilitate the communication of demands and grievances of the local population, while also building pressure on conflict parties to finalize an agreement and galvanizing momentum for an outcome. Such meetings may further benefit from supporting organizational arrangements, which the mediator could also facilitate.

More holistically, it is worth bearing in mind that women's groups and civil society organizations can face political and financial challenges that impinge on their ability to participate in mediation efforts. In such situations, mediators can help by apprising donors of the need for ongoing, reliable and flexible funding to support inclusion and participation in the negotiations.

Release of former child soldiers in Yambio, Republic of South Sudan
Children associated with armed conflict released by armed groups in Yambio, 2018. The next steps include their reintegration into the community and learning new skills to support themselves.
Credit: UN Photo/Isaac Billy

KEY GUIDANCE POINTS: MEDIATING INCLUSIVE CEASEFIRES

- Inclusion in ceasefire negotiations can strengthen prospects for an effective, comprehensive and sustainable outcome, while also improving relations with and among local populations during implementation.
- Promoting the protection and security of civilians is a combined function of an inclusive ceasefire negotiation process, an agreement that commits parties to dedicated provisions on the safety and protection of civilians, and inclusive implementation modalities that allow civilians – and particularly women – to play central roles in all dimensions of ceasefire implementation.
- Inclusion in informal engagements before the actual ceasefire negotiations commence can be instrumental in setting the stage for who participates in subsequent peace talks. Focused, early engagement with conflict parties on inclusion is essential.
- The full, equal, meaningful and direct participation of women in ceasefire negotiations is fundamental to an inclusive process. Inclusivity also extends to the engagement of youth networks, civil society organizations and social, ethnic, religious, regional or other groups, depending on the context.
- In comparison to definitive ceasefires, preliminary ceasefires can present more challenges with respect to securing the direct participation of civilian stakeholders, largely because they are often negotiated with a narrow scope and in periods of escalating violence and limited trust. Informal engagements with a diverse set of stakeholders and consideration of their perceptions and concerns can help enhance inclusivity in such cases.
- Mediators can inform the parties of the benefits of inclusion, demonstrate the value of women's participation in their own teams, base their work on gender- and age-sensitive analysis and the advice of gender experts, and engage in regular consultations with women's groups and other civil society actors.
- Innovative process design options can help to strengthen inclusion and are worth exploring. Options include offering conflict parties' incentives, for example by providing additional seats at the table, so long as they are filled with women delegates; proposing reserved seats for women and civil society representatives in negotiations, including third-party delegations; and making strategic use of digital platforms.
- To complement women and civil society delegates' direct participation in ceasefire processes, mediators can pursue broader inclusion options. For example, they can establish specialized working groups, civil society consultation forums and advisory boards; facilitate the presence of observers in talks; transmit civil society demands for peace to negotiators; and enable gender-inclusive civil society working groups to review the draft agreement before finalization.
- Inclusive implementation of ceasefire agreements is essential. The use of inclusive terminology helps to ensure that all provisions apply to all people. Mediators can also encourage parties to consider inclusive monitoring and verification mechanisms that incorporate the participation of women and civil society actors.
- Ensuring that women and civil society representatives can effectively participate in ceasefire negotiations may require the provision of dedicated support. Working with local and international partners, mediators are well placed to enable delegates to access technical advice, capacity-building, security services, transportation, childcare, financial compensation, access to technology and other support, as required.

Chapter 4

MEDIATING THE CONTENTS OF A CEASEFIRE AGREEMENT

There is no single template for ceasefire agreements. This chapter explores some of the mediation approaches to the most common technical elements in ceasefire agreements. The chapter is not exhaustive; additional issues and technical elements may be relevant in certain contexts.

FARC ex-combatants readying for assembly process, Colombia, 2017
Credit: United Nations Verification Mission in Colombia

4.1 The contents of a ceasefire agreement

Depending on the context, ceasefires may seek to address a small number or a wide range of issues, such as:

- the protection of civilians and human rights
- the status of combatants, their weapons and their ammunition
- interim or transitional security arrangements
- interim or transitional governance arrangements
- humanitarian coordination and arrangements.

In formulating a basic agenda for ceasefire negotiations – with facilitative support from the mediator – parties try to build consensus around the scope of a potential ceasefire, the issues to be addressed, and the sequence in which they will be negotiated. They also agree on modalities for negotiating contentious issues and resolving disputes. While an initial agreed agenda for ceasefire negotiations typically provides a general direction, the conflict parties may expand it and introduce changes throughout the negotiations, so long as all parties signal their consent.

The format and final contents of a ceasefire agreement are informed by the outcomes of negotiations on all issues, based on the agenda that was initially agreed between the parties and possibly adapted during the course of the talks. In turn, a formalized ceasefire agreement – one that clearly articulates all negotiation outcomes in detail and in an agreed sequence – helps to build trust and encourage compliance. An agreement is more likely to be sustainable if it provides clarity on signatory parties and identifies other parties that are associated with, under the control of or aligned with signatory parties. Throughout the mediation process, mediators can call for such clarity in the evolving ceasefire agreement, including by arranging for technical advice and support. Box 5 provides a summary of the core elements of an effective ceasefire agreement.

BOX 5: Core elements of a ceasefire agreement

The following elements can strengthen a ceasefire agreement:

- identification of the signatory conflict parties and their affiliates or associates
- clearly stated joint principles, objectives of the ceasefire and definitions to promote a common understanding of the terms used (see Section 4.2)
- clarity on the geography of ceasefire areas, including the type and sources of maps used in all negotiation stages (see Section 4.3)
- modalities for the regulation, control and management of forces, such as the separation, disengagement and redeployment of combatants, weapons and ammunition (see Section 4.4)
- a code of conduct that sets out permitted and prohibited activities, with the aim of strengthening compliance (see Sections 4.5. and 4.6)
- monitoring and verification modalities and mechanisms, designed to enable effective political oversight and to strengthen compliance and accountability (see Chapter 5)
- mechanisms and modalities for dispute resolution and de-escalation, with clear lines of communication and information sharing (see Chapter 5)
- interim, transitional and final security arrangements, and their links to other transitional governance mechanisms and bodies (see Sections 4.7 and 4.8)
- provisions on accountability under international humanitarian law, international human rights law and global normative frameworks on gender, conflict-related sexual violence and children associated with armed forces and groups (see Section 3.4)
- a timeline and matrix that serve as a snapshot of the parties' obligations under the ceasefire agreement, provided as an annex (see Section 6.3)
- the date and time of the ceasefire's entry into force
- signatures on the document, to create a sense of contractual commitment.

4.2 Objectives, principles and definitions

Reaching agreement on the objectives, principles and definitions of a ceasefire can build trust among the parties and provide momentum for negotiating other ceasefire-related issues.

Objectives. The objectives of a ceasefire sets out its context, the relevant military, political, humanitarian, social or economic purpose, and how the ceasefire is linked to a wider peace process. A preliminary ceasefire may have - broad objectives, such as to create an environment that is conducive to a political peace process. Definitive ceasefires, which are mostly pursued as part of comprehensive peace processes, tend to have the objectives of conclusively ending a conflict and achieving a comprehensive resolution by dismantling or reforming some or all of the security structures involved in the hostilities.

Principles. A ceasefire's principles are its guiding tenets and an expression of the parties' goodwill and commitment to a set of mutually agreed values. Discussions and negotiations around principles provide a mediator with opportunities to build a minimum level of consensus and trust among the conflict parties, before turning to more sensitive operational issues. Through advocacy on relevant principles, mediators can elicit the parties' commitment to international humanitarian law, international human rights law and normative international frameworks (for example, on gender, child protection and sexual violence).

Definitions. On the whole, technical terms used in ceasefire agreements have no universally accepted definitions. Based on regional, cultural or linguistic preferences, conflict parties and mediators in any given context may use different concepts interchangeably or ascribe another meaning to a given term. By encouraging conflict parties to produce and regularly update a glossary of agreed terms, mediators can help to reinforce a common understanding of the issues. Such a reference source provides a standard against which parties and mediators can assess (translated) language; it also helps to avoid ambiguity during the implementation stage.

4.3 Defining the geographical scope of a ceasefire

To be effective, a ceasefire requires clarity and agreement on the geographical areas to which it applies. Geospatial information and technology[30] can be employed to provide details and context with respect to the natural and built-up environments where a conflict has taken place. Maps and imagery (satellite imagery and aerial photographs) can also be helpful in increasing situational awareness and resolving issues through realistic visualization. Mutual consent is required on the type, scale and source of maps that may be referenced in the agreement text and used during implementation. A useful tool for facilitating technical discussions and coordination is a common "planning map", which can be updated based on verified information from the parties.

4.4 Regulation, management and control of combat forces and weapons

The regulation, management and control of combat forces and weapons can involve a range of modalities. While a ceasefire seeks to "break contact" between forces to reduce the risk of incidents or further conflict, it does not necessarily require the separation or movement of all forces. In some cases, the forces may be "frozen in situ" at their last-known or last-held positions; in others, a ceasefire may call for the physical separation of forces (for example, gradually along front lines).

The parties may use different terms to describe the management of forces, including *disengagement, withdrawal, redeployment, demarcation of areas of control or zones, assembly, cantonment and concentration of forces*. The choice of terms is guided by cultural, regional and contextual factors; some terms may be culturally or politically sensitive in certain contexts. Cross-party agreement on definitions is critical to ensuring clarity on the implied actions associated with each term (see Section 4.2). To ensure a high degree of understanding, ceasefires describe modalities from a technical perspective, using agreed terms.

While mediators can limit misunderstandings by suggesting that the parties standardize terminology, the timing of all actions related to the movement and control of combat forces is inevitably highly political and symbolic. In considering modalities for the management of forces and combatants, mediators can advise the parties to assess potential implications for local communities and women, especially in contexts with high rates of conflict-related sexual violence.

Sections 4.4.1 to 4.4.3 provide an overview of key elements relating to the separation of forces. They outline important considerations for mediators regarding the management of combatants, weapons, airspace and marine territories.

4.4.1 Separation of forces

Separation of forces. The breaking of direct contact between forces is commonly referred to as the separation of forces. As part of this process, forces may take up defensive positions or postures, or they may move out of the direct line of fire or the range of certain weapon systems. The process of separating forces involves a carefully orchestrated and phased movement of troops from one geographical location to another, sometimes focused only on specific locations of concern rather than the full conflict theatre. As noted above, parties may use disengagement or other terms to refer to the separation of forces, depending on preferences and political sensitivities.

Withdrawal. In the context of ceasefires and de-escalation modalities, withdrawal often refers to a retreat of forces from a forward-leaning or offensive posture to a less threatening position or posture. This process may be a stand-alone action or part of a broader disengagement plan. Ensuring that the parties have negotiated and agreed on withdrawal modalities – and that the agreement provides clear provisions to explain the corresponding steps – is more likely to contribute to a sustainable ceasefire than "agreeing to agree" later, especially in the case of a preliminary ceasefire (see Box 6).

Redeployment of forces. From a ceasefire standpoint, redeployment involves the movement of forces from one tactical position to another. Such a modality is also undertaken to create a clear separation zone between the forces, which can be monitored if required. In selecting geographical areas for redeployment, parties consider aspects of the terrain, such as its topography, accessibility and defensibility in case of attack (see Box 6). Through consultation with the parties prior to the finalization of such plans, mediators can highlight the need to consider possible ef-

30. For more information, refer to UN Geospatial or contact geospatial@un.org.

BOX 6: Modalities for the withdrawal and redeployment of forces

The withdrawal and redeployment of forces are usually highly choreographed and can involve the following steps, so long as the conflict parties agree:

- identification of the geographical positions occupied by each party and the types of weaponry and equipment deployed
- identification of preliminary assembly areas, alternative defensive or redeployment areas, and cantonment sites, taking into account possible implications for local communities and critical infrastructure
- comprehensive planning and management of the movement of forces, covering aspects such as route identification and protection, communications, information sharing, public information, timing and movement procedures
- identification of routes, areas for redeployment, and security protocols for the regulation, control or redeployment of weapons (see Section 4.4.2)
- communications and notification procedures ("hotlines") for responses to actions
- monitoring and verification, and resources required for both (see Chapter 5).

fects of redeployment on local communities.

Demarcation. The risk of clashes is higher wherever conflict parties have competing, overlapping or ill-defined areas of control or governance. The demarcation (referred to as delimitation in some contexts) of boundaries or zones facilitates the separation of forces and establishes which forces may operate in specific areas. Conflict parties agree on the broad criteria and modalities of demarcation during the negotiations. An effective monitoring and verification mechanism can enhance the sustainability of a demarcation arrangement (see Chapter 5). If a preliminary ceasefire aims to "freeze" the conflict and to create space for a political process, the separation of forces may be limited or incremental.

Establishment of zones. In the context of ceasefire mediation, zones can be understood as distinct geographical areas that are clearly defined or demarcated using readily identifiable ground features or locations. Zones serve as notional barriers between conflict parties. If the parties agree to establish a zone, the ceasefire agreement usually sets out rules on aspects such as access by parties, permitted and prohibited activities, and the provision of services to affected populations. These rules typically govern zones and define their purpose. The most common types of zones are:

- buffer or demilitarized zones, also known as exclusionary zones, where the presence of military personnel and equipment is forbidden
- restricted zones, where certain types of weaponry or activities are prohibited or restricted
- coordination zones, where the movement of forces must be announced and coordinated, usually through a ceasefire commission or other mechanisms established to oversee the ceasefire.

The demilitarized zone on the 38th parallel between the Democratic People's Republic of Korea and the Republic of Korea may be the most famous of zones. Established by the provisions of the 1953 Korean Armistice Agreement, it is 250 km long and approximately 4 km wide. [31]

In Western Sahara, the ceasefire line between Morocco and the Polisario Front is marked by a sand wall or berm, on either side of which are three areas or zones in which activities are prohibited or restricted: a buffer strip, a restricted area and areas with limited restrictions. These zones and their geographical alignment are defined in a military agreement, signed in 1991 by both parties with the United Nations Mission for the Referendum in Western Sahara (MINURSO). The demilitarized buffer strip (5 km wide) is off limits to armed forces. In the restricted area (30 km wide), prohibitions apply to the firing of weapons; the reinforcement, redeployment and movement of troops and equipment; improvements of defence infrastructure; and flights by military aircraft. The areas with limited restrictions allow for most routine military activities, while prohibited actions include: reinforcement of existing minefields; laying of new minefields; concentration of troops; construction of new headquarters, barracks or ammunition storage facilities; and holding of military exercises without prior notification to MINURSO.

31. The Korean Armistice Agreement, 1953, https://peacemaker.un.org/sites/peacemaker.un.org/files/KP%2BKR_530727_AgreementConcerningMilitaryArmistice.pdf.

Assembly of forces. The action of regrouping combatants in a geographical area or location is known as an assembly of forces and is often linked to the separation of forces. Ceasefire agreements that stipulate such a movement of troops specify not only the number of combatants to be assembled and the precise location and modalities for selection of these areas, but also the types of weapons that may be part of an assembly plan.

The locations associated with the assembly of combatants may be referred to as assembly areas, concentration areas or cantonment sites; the action of gathering combatants is variously referred to as assembly, concentration, barracking, quartering or cantoning. Mediators can enhance clarity by ensuring that all parties agree on the selected terminology.

Among the factors to consider during discussions on the assembly of forces are the number and type of assembly areas that may be required; accessibility for, proximity to and anticipated effects on local communities; modalities of logistical sustenance; permitted and prohibited actions; and the management of weapons and ammunition within these areas. In some cases, ceasefire agreements contain provisions on the selection criteria for assembly sites and even on mutually agreed locations; in others, parties agree to defer these discussions to the implementation stage, although doing so may cause delays in the assembly process.

Mediation of the separation of forces. The symbolism associated with a separation of forces – and particularly the surrender of territorial control and the acceptance of restrictions on freedom of action – makes it a highly sensitive endeavour. Effective mediation of disengagement involves an assessment of the broader political, economic and security guarantees that conflict parties may seek in exchange for their commitment. In some cases, disengagement is more acceptable to the parties if it is incremental and linked to political guarantees and relevant confidence-building measures. Joint monitoring and verification mechanisms, with representation of all conflict parties, can also build the trust and confidence needed for disengagement (see Chapter 5).

During the negotiation and implementation of a separation of forces, parties may be expected to provide information on their weapons, equipment, and the size and locations of their forces. Should that be the case, mediators can usefully call attention to this requirement from the outset of nego-

United Nations Peacekeeping Force in Cyprus monitors the buffer zone, 2021
Credit: UN Photo/Luboš Podhorský

tiations, as parties are generally reluctant to share such sensitive military information. In this context, it is up to the mediator to continually assess the parties' willingness to cooperate, and to determine to what extent the information they provide can be verified within the given time frame and with available resources.

Given the high levels of sensitivity, it may be easier for mediators to open discussions by focusing on the criteria for redeployment rather than actual geographical positions. Likewise, it may be less complicated to approach the separation of forces through the demarcation of buffer zones between the parties, as opposed to zones of control. Based on factors such as the type and nature of the ceasefire and levels of progress on the broader peace process, mediators are able to assess the extent to which they can realistically address issues surrounding disengagement.

Negotiations on disengagement in a preliminary ceasefire may be limited to the selective withdrawal and redeployment of forces in certain geographical areas. In contrast, similar negotiations in the case of a definitive ceasefire are focused on establishing a detailed road map – of actions, schedules and locations – for achieving the mutually agreed final status of combat forces.

In asymmetrical conflicts, which may have a number of non-signatory as well as non-participatory entities operating in the same geographical space, the separation of forces poses considerable challenges. In such cases, ceasefire modalities can be introduced to respond to additional considerations, such as the security of signatories, their right to self-defence, incremental weapon management, and robust means for coordination and communication.

Disengagement may not be required across a whole theatre; mediation teams can support the conflict parties in establishing priority geographical areas in which the separation of forces is needed. In this context, it falls to mediators to encourage the parties to agree on specific security and governance arrangements, particularly for areas that may become vacant due to the withdrawal of forces. Mediators are also well placed to consult the local communities on such measures, to include their perspectives in the negotiation process.

4.4.2 Weapon regulation, control and management

The regulation, control and management of small, light and heavy weapons and ammunition can be undertaken on their own or as part of a separation of forces. During negotiations, the parties identify and define the types and categories of weapon involved, ideally using simple language and specifications that allow for easy monitoring. Regulatory measures may include prohibitions or restrictions on the use and deployment of certain weapon systems in a geographical area; in situ management of specific weapon systems under an agreed monitoring regime; and the concentration or handover of certain categories of weapon to a third party. In the ceasefire agreement, parties can also commit to complying with international standards on the safe storage of weapons and ammunition, and to granting access to stored weapons and ammunition for maintenance purposes. Mediators can facilitate related negotiations by offering the parties technical support.

In many cases, especially in preliminary ceasefires, weapon regulations limit or control the parties' use of certain weapons without removing their access to those weapons. Such measures can be particularly useful if trust levels among the parties are low, as they help to focus attention on de-escalation and create a better environment for talks. Weapon control may also be implemented as an initial step towards the separation of forces.

Weapon control discussions may be perceived as one-sided, particularly if proposed measures disproportionately target only one or a few conflict parties, such as armed opposition movements. To ensure all actors see the process as balanced, mediators may wish to recommend weapon control measures that apply to all the conflict parties.

Key considerations for mediation with respect to the regulation, control and management of weapon systems include:

- the information required to prepare a framework for weapon and munitions control, and means for gathering this information
- the effects of topography or terrain on weapon mobility, ranges and munitions (regarding use and stability)
- the geographical areas covered by weapon control, physical routes available for the redeployment or regrouping of weapons, potential weapon storage locations and related supervision

- the types and quantities of weapons and ammunition that need to be immobilized, rendered safe or destroyed on site
- the monitoring systems required for weapon control and the resources needed to establish them
- the scale of planning maps as well as the methods and styles for marking them up, including agreement on colour codes, symbols and signs
- the potential utility of reciprocity regarding weapon control as a means of balancing demands on the conflict parties
- in asymmetric conflicts, methods for establishing perceptions of quid pro quo in weapon regulation, particularly in contexts of aerial, technologically advanced or strategic weapon systems
- the technical expertise required to mediate and implement weapon control.

In 2006–2007, as part of the peace process in Nepal, the Government of Nepal agreed to secure the same number of weapons as the Communist Party of Nepal (Maoist) rebels.[32] This was a restrictive option for the Army, especially in view of its broader responsibility to safeguard national borders. The measure enhanced trust, however, and served as a confidence-building step and guarantee for the Communist Party of Nepal (Maoist).

4.4.3 Management of airspace and marine territories

The management of airspace – especially over conflict areas – is increasingly challenging due to advances in arms, ammunition, aircraft and unmanned aerial vehicles. In most contemporary conflicts, the issue of airspace management and coordination is vital. It can also be useful in building confidence among parties before and throughout ceasefire negotiations, as well as during implementation.

Mediators are well placed to ensure that conflict analysis entails assessments of the scope and implications of airspace management, including issues of sovereignty and international aviation guidelines. They may wish to seek technical advice and support, particularly if airspace management is part of an agreement, not least because related monitoring and verification mechanisms require specific technological resources and expertise.

The management of marine territories and areas can assume critical importance in some contexts, with potential implications for international shipping lanes. In addition to alerting parties to the need to manage and coordinate activities in marine territories and areas, where relevant, mediators can offer to make technical expertise available to them during the negotiations.

In Colombia, the 2016 Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace imposed restrictions on the use of airspace by military aircraft. The agreement prohibited aircraft from flying below 1.5 km above the security zones where FARC forces were concentrated in advance of laying down their weapons.[33]

4.5 Codes of conduct to strengthen compliance

A code of conduct sets out agreed norms of behaviour for conflict parties, which helps strengthen compliance and sustainability of an agreement. In an agreement, the definition of a ceasefire and other provisions may explicitly permit or prohibit certain actions; cumulatively, these elements translate into a code of conduct. The permitted activities usually refer to routine administrative and weapon maintenance tasks that are to be conducted by combat units. A ceasefire can also spell out how signatory parties may respond to potential actions by spoilers such as non-signatory groups, especially with respect to actions of self-defence against such entities.

Levels of detail vary across ceasefires. Definitive ceasefires tend to feature a detailed code of conduct, whereas preliminary ceasefires may have more limited references or none. To promote coherence and prevent ambiguity, mediators can encourage parties to list all permitted and prohibited activities in one place in an agreement, under the heading "code of conduct". This section can serve as an agreed reference tool.

Mediators can play a key role in encouraging parties to commit, through specific provisions in the ceasefire agreement, to disseminating a code of conduct to their respective conflict party members – up and down their chains of command – and to other stakeholders, such as national, regional and local government officials, local communities, women's groups and youth networks. Publicly distributing a code of conduct furthers the affected population's understanding of what behaviour to expect from the conflict parties; in some cases, it also supports monitoring and verification frameworks (see Chapter 5).

32. Agreement on Monitoring of the Management of Arms and Armies, 2006, https://peacemaker.un.org/sites/peacemaker.un.org/files/NP_061108_Agreement%20on%20the%20Monitoring%20of%20Arms%20and%20Armies.pdf.
33. Agreement on the Bilateral and Definitive Ceasefire and Cessation of Hostilities, and the Laydown of Weapons between the National Government and the FARC-EP, 2016, https://peacemaker.un.org/ceasefire-colombia-2016.

Signed by the Government of Sudan and the Liberation and Justice Movement in 2011, the Doha Document for Peace in Darfur had an explicit provision on "prohibited activities and positive undertakings".[34] The provision barred parties from launching offensive, provocative or retaliatory actions; carrying out any acts of hostility, violence or intimidation against the civilian population and internally displaced people in Darfur; disseminating hostile propaganda; carrying out the unauthorized redeployment and movement of forces; perpetrating prohibited acts of gender-based violence and sexual exploitation; and imposing any types of restriction on the safe, free and unimpeded movement of humanitarian agencies.

In 2006, the Government of Nepal and the Communist Party of Nepal (Maoist) agreed on a ceasefire code of conduct. During the cantonment period that followed, they produced a further list of permitted and prohibited activities, which was included in the Agreement on the Monitoring of the Management of Arms and Armies of 2006.[35]

4.6 Safety and protection of civilians

A code of conduct is not restricted to outlining the conflict parties' acceptable behaviour towards one another; depending on the context, it may also permit and prohibit actions that affect the civilian population or other stakeholders. In contexts where actors have used sexual violence as a tactic of warfare, for instance, a code of conduct can be an effective tool for putting an end to its use.

In addition to reviewing agreed provisions in the evolving ceasefire text through a gender-responsive and protection-sensitive lens, mediators can encourage the parties to consider including explicit provisions on the following elements in the agreement:

- the immediate cessation of violence against all civilians, including conflict-related sexual violence, in accordance with international humanitarian law and international human rights law

- relevant national laws and policies on the protection of civilians, women's rights and gender equality, including any ratification of international or regional conventions and policy frameworks[36]

- freedom of movement and access for all civilians and humanitarian actors, as well as the needs and rights of displaced people, including their right of return
- missing persons, abductees and detainees, including with reference to:
    - their locations
    - the release of political prisoners
    - access by the International Committee of the Red Cross or other appropriate agencies to detention facilities and detainees
    - the release of all abductees.

- a list of prohibited military activities, such as the following, with specific reference to the safety and protection of civilians:
    - laying of mines
    - stockpiling of weapons
    - movement of weapons, equipment and troops
    - training exercises
    - conscription and recruitment in all forms
    - trafficking
    - abductions
    - conflict-related sexual violence
    - arbitrary arrest
    - attacks on camps of internally displaced persons
    - forced relocation
    - seizure of land or property
    - attempts to damage, control or block access to critical civilian infrastructure

- measures for restoring services for civilians, including through efforts to vacate, rebuild or repair civilian facilities (such as markets, hospitals, schools and playgrounds) and re-establish access to critical health, education and economic activities

- measures for managing weapon-related threats, so as to protect civilians from harm, promote safe freedom of movement, and secure access to livelihoods, health and education, potentially through the conflict parties' mutual commitment to identifying stockpiles, minefields, unexploded ordnance and chemical weapons

- gender-responsive and gender-sensitive interim and transitional security arrangements on the separation and assembly of forces (see Section 4.7).

During preliminary ceasefire negotiations in particular, mediators are advised to stress the need to comply with international norms and laws to protect civilian lives. The mediation

34. Doha Document for Peace in Darfur (DDPD), 2011, https://peacemaker.un.org/sudan-dohadocumentpeace2011.
35. Agreement on the Monitoring of Arms and Armies, 2006, https://peacemaker.un.org/nepal-monitoringarmies2006.
36. Relevant agreements include the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the 1989 Convention on the Rights of the Child; the 1998 Rome Statute of the International Criminal Court; and policy frameworks such as CEDAW implementation plans and national action plans on women, peace and security.

process for such ceasefires may face a range of challenges, including access and other restrictions that can hamper the monitoring of parties' commitments to cease all violence against civilians, including conflict-related sexual violence. In response, mediators may wish to develop strategies to help the conflict parties define minimum levels of commitment for a sustainable ceasefire (see Box 4).

Mediators may find that parties that are pursuing a definitive ceasefire are more willing to negotiate commitments on the safety and the protection of civilians. These negotiations typically take place in the framework of a broader peace process, which provides stakeholders with access to additional platforms for addressing the political, social and economic root causes and drivers of a conflict.

The Nationwide Ceasefire Agreement signed between the Government of Myanmar and ethnic armed organizations in October 2015 features a detailed "military code of conduct".[37] The provisions on the protection of civilians prohibit acts of violence against civilians (including killing, forced labour and acts against personal dignity), sexual violence against women and children, and the recruitment of children. The agreement also forbids attacks on schools, healthcare facilities and religious infrastructure.

The 2018 Revitalized Agreement on the Resolution of the Conflict in South Sudan contains provisions for the cantonment of forces to facilitate accountability, disarmament and demobilization.[38] The selection criteria for assembly sites stipulate that the areas should be located away from civilian populations and chosen in consultation with local communities.

4.7 Interim and transitional security arrangements

The meaning, scope and implications of interim security arrangements (ISAs) and transitional security arrangements (TSAs) vary widely, depending on how the parties agree to define them during negotiations. In preliminary ceasefire agreements, ISAs may refer to temporary arrangements that the parties agree to adopt, but that are not necessarily connected to any transitional phase of the peace process or longer-term security sector and governance arrangements. In certain definitive ceasefires, the term relates to security arrangements that are in place before the formal transitional phase of an agreement commences. In contrast, TSAs are typically synchronized with a broader political transition plan that follows a road map with a set of scheduled activities to which the parties have agreed. Mediators can advise parties to negotiate and agree on such a road map to guide the evolution of ISAs or TSAs into long-term or final arrangements for the security sector and its governance.

ISAs and TSAs are often politically sensitive, since they may be perceived as an acknowledgement of a State's absence in certain areas or a legitimation of a non-State actor's authority. At the same time, these security arrangements provide one of the most visible peace dividends for local communities. Without them, the separation of forces and prohibitions on their activities can create a "security vacuum", leaving territory open to control by other groups, and potentially to lawlessness. ISAs and TSAs thus represent an essential political and security guarantee for the conflict parties and other stakeholders, including the civilian population.

As part of the negotiations on ISAs or TSAs, mediators can encourage the parties to consider the concerns, aspirations and perspectives of local communities before deciding who is to provide security in which areas, for whom and how. Similarly, the negotiations can cover issues related to the governance of the security sector and security providers during periods of transition.

By providing access to technical expertise and advice, mediators can help the conflict parties to generate realistic ISA and TSA options, such as:

- an acceptable third-party actor or actors that can secure an area, either under an executive mandate – from the UN Security Council, for example – which would allow them to arrest and detain people, or at the request of the parties, which would authorize them to work alongside national security providers
- joint units or patrols involving all sides of a conflict, often alongside a third-party presence
- community policing services, which may be considered more accountable than a force brought in from outside, provided the conflict parties and the local communities agree
- modalities whereby designated police or security entities are allowed to operate in a given area under specific conditions, such as prior consent or joint operations, either with local entities or alongside a third-party actor.

37. The Nationwide Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations, 2015, https://peacemaker.un.org/node/2701.
38. Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan, 2018, https://www.peaceagreements.org/wgenerateAgreementPDF/2112.

Participants in Disarmament, Demobilization and Reintegration meeting
A delegation of the government of the Democratic Republic of the Congo negotiates with Ituri militia groups on the disarmament of combatants and their integration in the Armed Forces of the Democratic Republic of the Congo, 2016.
Credit: UN Photo/Martine Perret

Options that involve third parties require prior consultation with the proposed third party. These options are resource-intensive, and third parties need reasonable amounts of lead time to be operational. Before they can deploy, external actors may require a mandate and a status of forces agreement, in addition to other formal arrangements with host authorities. Regardless of which ISA or TSA option is selected, gender inclusiveness in the respective units or patrols is preferred (see Chapter 3).

4.8 Final security arrangements

For the purpose of this Guidance, "final security arrangements" (FSAs) refer to the agreed, ultimate status of combat forces, combatants, the security sector and its governance. In practice, however, conflict parties may choose to use different terms to denote such arrangements. Given that FSAs reflect the relative strengths, positions and interests of the parties, decisions on their scope and on the elements and institutions they may cover vary from one conflict to another.

For ease of comprehension, Figure 1 presents a generic model of FSAs. This section of the Guidance also briefly discusses security sector reform (SSR) and disarmament, demobilization and reintegration (DDR), two critical issues commonly discussed as part of broader security arrangements.[39] Mediators are encouraged to seek relevant thematic expertise when advising the parties on these issues. FSAs are not necessarily preceded by ISAs or TSAs. If parties incorporate ISAs or TSAs in a ceasefire, mediators can usefully encourage them to agree on a clear, timeline-based road map for long-term security sector arrangements, in conjunction with plans for the political transition. The mechanisms and processes associated with such a road map typically outlive some of the other activities agreed within the framework of a ceasefire. The ceasefire monitoring and reporting modalities, for example, generally cease at an agreed stage in the peace process.

In contrast, FSAs, especially those related to SSR elements, continue over an extended time frame, following their own road map as well as their own monitoring, evaluation and reporting modalities within broader political processes. Since many SSR-related and other FSA processes are resource-intensive, mediators may wish to remind the parties about the need to consider their cost and feasibility.

If the root causes or drivers of a conflict involve the security sector or its governance, negotiations on SSR typically assume primacy and result in more detailed provisions on the subject.[40] In the framework of ceasefire agreements and with reference to SSR, the parties may negotiate and agree on commitments to broad principles of institutional and governance arrangements, to be discussed

39. UN resources on DDR and SSR include the Integrated DDR Standards (www.unddr.org) and the SSR Integrated Technical Guidance Notes (http://dag.un.org/handle/11176/387400).
40. It is widely recognized that security sector governance deficits are among the root causes of conflict, as highlighted in Security Council resolutions 2151 (2014) and 2553 (2020). See also UN and World Bank, Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict, 2018, https://openknowledge.worldbank.org/handle/10986/28337.

Officials from the United Nations Mission in Liberia meet with commanders of the Liberians United for Reconciliation and Democracy to discuss the Disarmament, Demobilization, Rehabilitation and Reintegration programme in 2004
Credit: UN Photo/Astrid-Helene Meister

as part of the peace process and taken up through national political, legislative and constitutional processes.

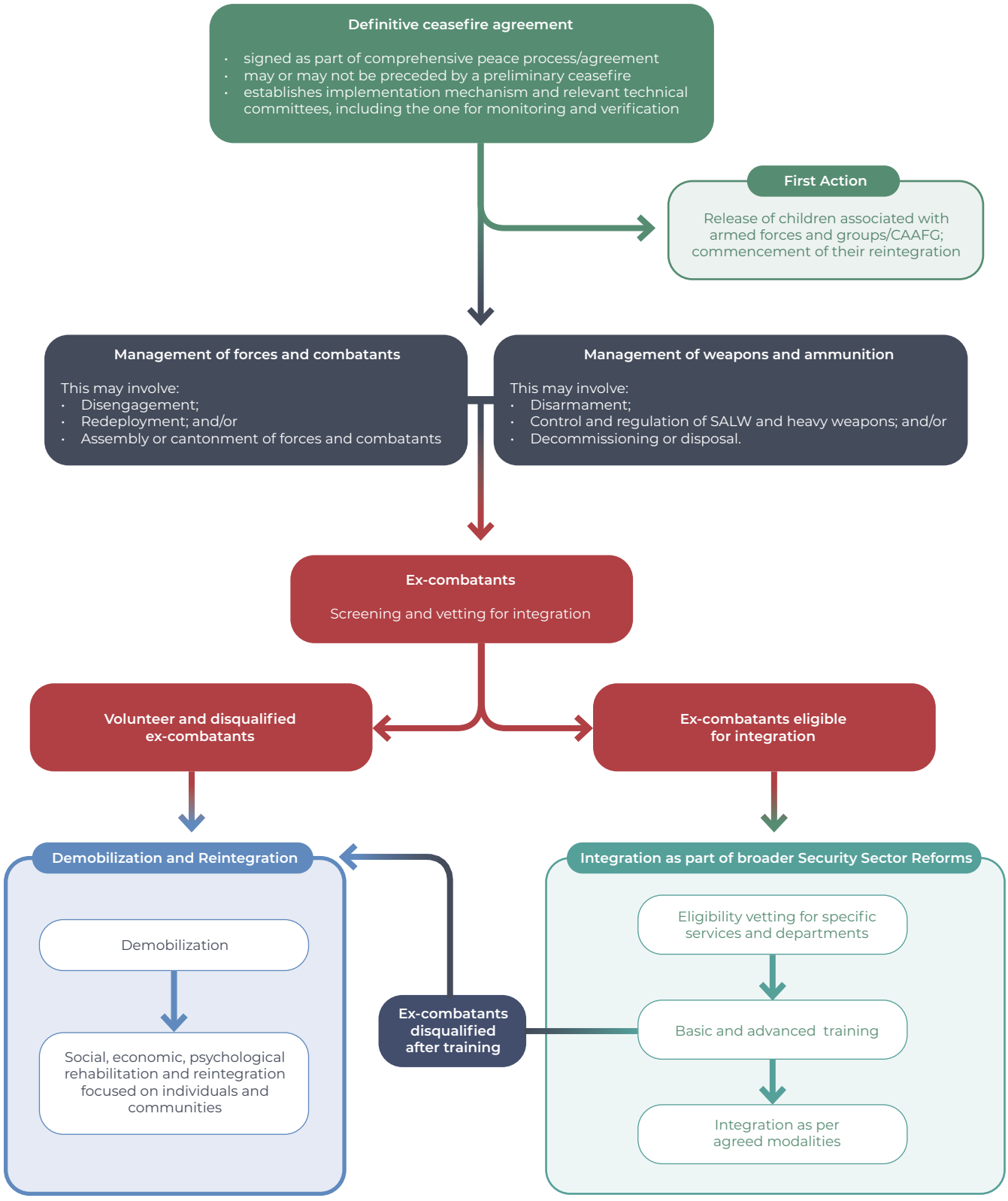
DDR processes serve to disband armed groups or entities and assist former combatants in returning to civilian life.[41] In addition to non-State actors, such processes may also include combatants from national military or paramilitary forces. The integration of former combatants into security institutions is usually linked to long-term SSR processes. In this context, mediators can encourage parties to be realistic in their assessments of integration-related political, institutional, governance and funding demands, within the framework of a broader peace process. DDR processes have increasingly addressed and supported transitional weapons and ammunition management,[42] as well as community violence reduction during the transitional stages. Definitive ceasefire agreements usually contain more detailed references to DDR, although parties tend to negotiate and incorporate provisions and principles that are relatively broad in nature. The actual design and operationalization of an integrated DDR process is typically discussed and agreed through mechanisms established by the ceasefire agreement, during the implementation phase and over an extended time frame. DDR-related principles and provisions cover various timelines and conditions, such as: the establishment of institutions charged with governing and executing DDR programmes; their composition and mandates; the expected role of the international community (including donors, UN missions and UN bodies); the timelines and locations for disarmament; the moment at which forces are scheduled to be fully demobilized; institutions tasked with executing the integration process, if relevant; the concept of reintegration; and the official conclusion of the programme.

Parties may wish to use names other than "DDR", in line with their cultural preferences and conflict-related sensitivities (see Figure 1). In the Mindanao peace process in the Philippines, participants agreed to use terms such as "normalization" and "decommissioning" rather than DDR. In Colombia, the disarmament of FARC members was referred to as the "laying down of weapons", while their reintegration into civilian life was called "reincorporation".

Given the diversity of functions performed by women in conflict-affected settings, promoting gender-responsive DDR at all stages is crucial for the success and sustainability of interventions. As part of this approach, mediators can seek to create a protective environ-

41. See Module 2.10 of the UN's Integrated DDR Standards, https://www.unddr.org/wp-content/uploads/2021/02/IDDRS-2.10-The-UN-Approach-To-DDR.pdf.
42. See Module 4.11 of the UN's Integrated DDR Standards, https://www.unddr.org/wp-content/uploads/2021/02/IDDRS-4.11-Transitional-Weapons-and-Ammunition-Management.pdf.

Figure 1: A generic model of final security arrangements in a definitive ceasefire



ment, grant access to benefits and ensure women's meaningful participation in the assessment, design and implementation of DDR initiatives.[43]

4.9 Mines, explosive remnants of war and improvised explosive devices

The scope and extent of provisions on mine action and the clearance of explosive remnants of war (ERW) and improvised explosive devices (IEDs) vary based on the ceasefire and munitions used in a given context. Where relevant, mediators and mediation support teams have a responsibility to ensure these issues are part of the discussions and to provide or offer access to information on potential clearance activities, as well as related sequencing and time frames. Definitive ceasefire negotiations typically cover the complete spectrum of mine action issues, including the establishment of or linkages with the national mine action coordination bodies.

Humanitarian mine action and efforts to clear ERW and IEDs can be undertaken at any stage of a conflict. If conflict parties are not immediately open to clearance activities, then risk education or other activities can provide a "softer" entry point. When implemented during negotiations, mine action can serve as a confidence-building measure and even as an entry point for engaging with conflict parties.

Unless attempts to leverage clearance activities for the purpose of the mediation are carefully managed, such activities may become politicized. Mediators can help to minimize this risk by emphasizing that humanitarian mine action efforts are not dependent on reaching a formal ceasefire agreement.

4.10 Logistical sustenance of conflict parties

Conflicts foster different kinds of legal and illicit economies. They help parties sustain their potential to wage war by providing the means to pay, support and supply their combatants. Peace processes can reduce some parties' access to funds and resources if income-generating activities such as illegal taxation, illegal exploitation of natural resources, human trafficking and the operation of check-point economies become defined as violations of an agreement.

In the run-up to and during a ceasefire implementation phase, mediators can encourage conflict parties to discuss the modalities of their sustenance and to consider pragmatic ways to meet their non-military needs, especially if the ceasefire prohibits activities on which they previously relied. The parties' activities and perceptions of the wider peace process may influence their willingness to discuss these issues. In the absence of logistical sustenance solutions, reducing the parties' ability to sustain themselves too early may threaten their survival, which can lead them to disengage from the talks or implementation. Mediators can call for the perceptions of local communities to be factored into any assessment of combatants' non-military needs.

The provision of assistance is a complex issue, especially prior to the signing of a definitive ceasefire or a comprehensive peace agreement. In some cases, a multi-donor trust fund or a single-donor-driven initiative may be established to provide assistance. In others, the national government may assume overall responsibility, although non-State parties, which would need to agree to such an arrangement, may be wary of State support. Such assistance is usually in-kind, as per an agreed scale and modality, with monitoring and verification mechanisms in place.

4.11 Informing stakeholders of a ceasefire agreement

Among stakeholders, the prospect of a ceasefire and eventual peace raises expectations as well as apprehension. In deciding how to share the final ceasefire agreement with all stakeholders, conflict parties address issues such as the means and modalities of dissemination, translation requirements, formatting preferences and timing. Dissemination also requires a resource needs estimate and the identification and pre-positioning of resources.

Delays in the dissemination of a ceasefire agreement may have an impact on its credibility and sustainability. Distribution via social media can be an expeditious way to reach target constituencies. Parties may also consider unpacking and presenting salient aspects of the agreement in a comprehensible and engaging manner by using innovative design and infographics.

43. UN Department of Peace Operations, Gender-Responsive DDR: Promoting the Women, Peace and Security Agenda, 2020, https://peacekeeping.un.org/sites/default/files/ddr_wps-promoting-the-wps-agenda.pdf.

Raising mine awareness in Somalia
A section of ground is cordoned off during a demonstration held by the United Nations Mine Action Service in Mogadishu, Somalia, 2013. The aim was to draw attention to the large number of mines and unexploded ordnance that still exist in the country.
Credit: UN Photo/Tobin Jones

KEY GUIDANCE POINTS: MEDIATING THE CONTENTS OF A CEASEFIRE AGREEMENT

Structure and contents of an agreement

- There is no universal template for an ideal ceasefire agreement. The contents, scope and sequence of issues that can be negotiated and agreed are guided by the conflict parties, the conflict dynamics and the objectives of the ceasefire, within the broader political, social and economic context.
- A simple text, phased approaches, clearly defined modalities for implementation and linkages to the broader political process enhance the sustainability of a ceasefire agreement.
- Reaching agreement on the objectives and principles of a ceasefire can build trust among the parties and provide momentum for negotiating other ceasefire-related issues.
- By encouraging conflict parties to produce and regularly update a glossary with definitions of agreed terms, mediators can help to reinforce a common understanding of the issues.
- A ceasefire agreement is more likely to be sustainable if it provides clarity on signatory parties and identifies other parties that are associated with, under the control of or aligned with signatory parties.
- To be effective, a ceasefire requires agreement and clarity on the geographical areas to which it applies.
- Ceasefire negotiations tend to focus on issues that are of critical importance to the conflict parties. A ceasefire is more likely to be credible and sustainable, however, if negotiations also emphasize the safety and protection of civilians.

Regulation, management and control of combat forces and weapons

- The regulation, management and control of combat forces and weapons can involve a range of modalities. While a ceasefire seeks to "break contact" between forces to reduce the risk of incidents or further conflict, it does not necessarily require the separation or movement of all forces.
- Modalities for the management of forces and combatants are most effective if they address potential implications for women and local communities, especially in contexts that have high rates of conflict-related sexual violence.
- Conflict parties may use different terms to describe the management of forces, including *disengagement, withdrawal, redeployment, demarcation of areas of control or zones, assembly, cantonment and concentration of forces*. The choice of terms is guided by cultural, regional, political and other factors.
- The separation of forces poses particularly serious challenges in asymmetrical conflicts, in which a range of non-signatory actors and spoilers may be active. Mediators can help to protect the ceasefire implementation process by urging parties to consider negotiating methods and modalities that can minimize potential interference by such groups.
- Approaches to the regulation, control and management of conflict party forces – especially with respect to preliminary ceasefires – are most effective when they are dynamic, incremental, innovative and linked to other actions in the broader peace process, rather than considered in isolation.
- The regulation, control and management of small, light and heavy weapons can be undertaken on their own or as part of a separation of forces. An objective analysis of weapons, ammunition and combat equipment is a prerequisite for advising the parties on the development of a pragmatic strategy in this area. Mediators are encouraged to seek expert guidance on these issues.
- In situ weapon regulation and control may provide a feasible alternative to a large-scale separation or redeployment of forces, especially in relation to preliminary ceasefires. As this option allows the parties to retain control of some of their weapons, mediators may wish to explore it as a preliminary step towards a ceasefire.

- In an agreement, the definition of a ceasefire and other provisions may explicitly permit or prohibit certain actions; cumulatively, these elements translate into a code of conduct. Codes of conduct help to reinforce accountability of the parties, strengthen compliance with provisions and enhance the sustainability of an agreement.

- Codes of conduct are not restricted to military issues; ideally, they also prohibit sexual violence as a tactic or weapon of war and govern parties' behaviour towards the civilian population and critical civilian or humanitarian infrastructure. During preliminary ceasefire negotiations in particular, mediators are advised to stress the need to comply with international norms and laws to protect civilian lives.

- The growing complexity and need for management and coordination of airspace and marine territories require mediators to seek specialized advice to enable informed discussions.

- Demining covers a range of options to improve the general sense of security and build trust. Mediators can enable parties to access the technical expertise and advice they need to explore these options. Implementation of options such as humanitarian demining, risk identification and education are not dependent on reaching a ceasefire agreement.

- In the run-up to and during ceasefire implementation, mediators can encourage conflict parties to discuss logistical sustenance and to consider practical ways to meet their non-military needs. This approach is especially applicable if the ceasefire prohibits activities on which the parties previously relied.

- A sustainable and durable separation of forces requires an effective, gender-inclusive monitoring and verification mechanism, which, in turn, has funding and resource implications.

- The innovative use of maps can facilitate discussions and help to track progress or consensus between the parties, such as with respect to the separation of forces. This approach requires parties to consider and agree on map sources, scales and types (such as digital or printed), as well as on marking techniques and safekeeping. Where applicable, maps with agreed action timelines or phases can be integrated in ceasefire agreements, for example as annexes.

Interim, transitional and final security arrangements

- The separation of forces and prohibitions on their activities can create a "security vacuum", leaving territory open to control by other groups, and potentially to lawlessness. As part of the negotiations on interim security arrangements (ISAs) or transitional security arrangements (TSAs), mediators can encourage the parties to consider who will provide security in these areas and how.

- ISAs and TSAs are often politically sensitive since they may be perceived as an acknowledgement of a State's absence in certain areas or a legitimation of a non-State actor's authority. At the same time, they provide one of the most visible peace dividends for local communities.

- For the purpose of this Guidance, the term "final security arrangements" (FSAs) refers to the agreed, ultimate status and governance of combat forces, combatants and the wider security sector that may feature in a definitive ceasefire agreement. FSAs vary in terms of their scope as well as the elements and institutions they may cover in each context. Two of the most common issues that are discussed in the context of FSAs are security sector reform (SSR) and disarmament, demobilization and reintegration (DDR).

- Mediators can usefully highlight the temporary nature of ISAs and TSAs to the parties, while also advocating that they formulate and agree to implement a timeline-based FSA road map – one that includes both institutions and modalities for governance. Undue extensions or delays in ISAs or TSAs can have a negative impact on the sustainability of a ceasefire and the broader peace agreement.

Chapter 5

MEDIATING A CEASEFIRE MONITORING AND VERIFICATION MECHANISM

This chapter reviews the building blocks and principles that guide the establishment of a ceasefire monitoring and verification (M&V) mechanism. These mechanisms are intended to enhance the accountability of parties and increase the predictability of their actions, with the aim of contributing to the sustainability and credibility of the ceasefire.

5.1 Key M&V elements and terminology

As part of broader guarantees, conflict parties often negotiate the establishment of political and operational mechanisms that are designed to oversee, promote and measure compliance with a peace agreement through a set of supervisory structures, committees or bodies. A ceasefire M&V mechanism can be visualized as a subset of this wider oversight framework. The most effective M&V mechanisms are realistic, implementable and sustainable.

M&V mechanisms may involve a range of explicitly stated or implied activities, including monitoring, verification, coordination, information sharing, early warning, investigation, reporting and dispute resolution, not all of which are necessarily stipulated in a ceasefire agreement. The level of detail on an M&V mechanism in negotiations and in formal agreements varies across contexts.

Preliminary ceasefires that focus primarily on de-escalation may require very basic levels of monitoring, mutual coordination, information sharing and reporting, without any capacity to undertake verification. In contrast, M&V frameworks for definitive ceasefires tend to be more elaborate, covering not only the ceasefire, but also interim, transitional and final security arrangements.

There are no set definitions for the broad elements of M&V mechanisms. It is therefore vital that the conflict parties understand and agree on terminology and the implied actions associated with each term. This section offers general descriptions of the scope, actions and activities associated with commonly used terms in the context of ceasefires: monitoring, verification, investigation and reporting.

Monitoring refers broadly to the process of following up on the status of compliance with an agreement using visual and technical means of observation, as well as the gathering of information and reports from various sources. Observer teams and technical devices carry out these activities remotely or on site, continuously or periodically. Monitoring may be passive – that is, reliant on a range of dedicated or open sources for information, yet with limited or no ability to verify that information. In contrast, an active monitoring modality allows for the credible verification of inputs through dedicated resources. Active monitoring is not always possible, especially during the initial stages of some preliminary ceasefires, when trust levels are low and monitoring teams have limited access. Monitoring teams may be the conflict parties themselves; a mutually agreed third party; or joint groups of representatives from all conflict parties, with or without third-party representatives.

Verification serves to corroborate the veracity of incidents or actions, with the aim of establishing whether actions by a conflict party or parties are in compliance with provisions of an agreement. The conflict parties jointly agree on the modalities and mechanisms for the verification of incidents or actions, such as the redeployment of forces from one location to another, or an alleged violation of a ceasefire agreement. If verified incidents are cate-

gorized as violations of an agreement and the relevant provisions of the agreement call for an inquiry, an investigation may be launched to help establish attribution. Regular monitoring and information gathering can support a verification process. Single mechanisms tend to undertake both the monitoring and the verification functions, although the parties may agree to form separate mechanisms depending on the contextual requirements.

Investigations are an integral part of a verification process. The aim of an investigation may include ascertaining the circumstances around a verified event or attributing responsibility for an incident to an individual or entity that belongs to or is aligned with a conflict party or parties. Mediators can encourage conflict parties to agree on the broad guiding principles for investigation mechanisms as part of the main ceasefire agreement, while detailed modalities may be developed later, as part of implementation plans. The terms used to refer to investigations may vary according to regional and cultural sensitivities.

Investigative bodies typically require technical or forensic expertise, have specific terms of reference, and are expected to conduct and report on their work in the strictest confidence. A separate investigation mechanism may be used in the case of highly sensitive violations that could have far-reaching political and security implications. The inclusion of women in investigation mechanisms helps to promote gender equality and can facilitate sensitive investigations, including into violations involving conflict-related sexual violence. The results of investigations are usually submitted to oversight bodies that review findings and, in the case of proven violations, attribute culpability. Both the investigation and verification processes are predicated on unhindered access and security guarantees for the designated teams or personnel.

Reporting is essential to M&V and underpins all its modalities. Ideally, the ceasefire agreement clearly lays out broad reporting lines with respect to M&V operations. More specific instructions can be set out in standard operating procedures or similar documents prepared to guide implementation. The level of detail to be negotiated among the parties needs to be assessed on a case-by-case basis.

Fundamental reporting issues include the procedures and cycles of reporting on M&V activities, both internally and to external partners; procedures for reporting on ceasefire violations and outcomes of investigations, both for individual cases and as compiled data; and the management of information and its confidentiality, particularly with respect to the identity of survivors of sexual violence, for whom social stigma and other consequences may have life-long impacts. Periodic reports, which are jointly developed by conflict parties, to mutually identified and agreed stakeholders helps enhance transparency and build trust in the process. The conflict parties need to agree on the contents of such reports.

5.2 Designing a basic M&V mechanism

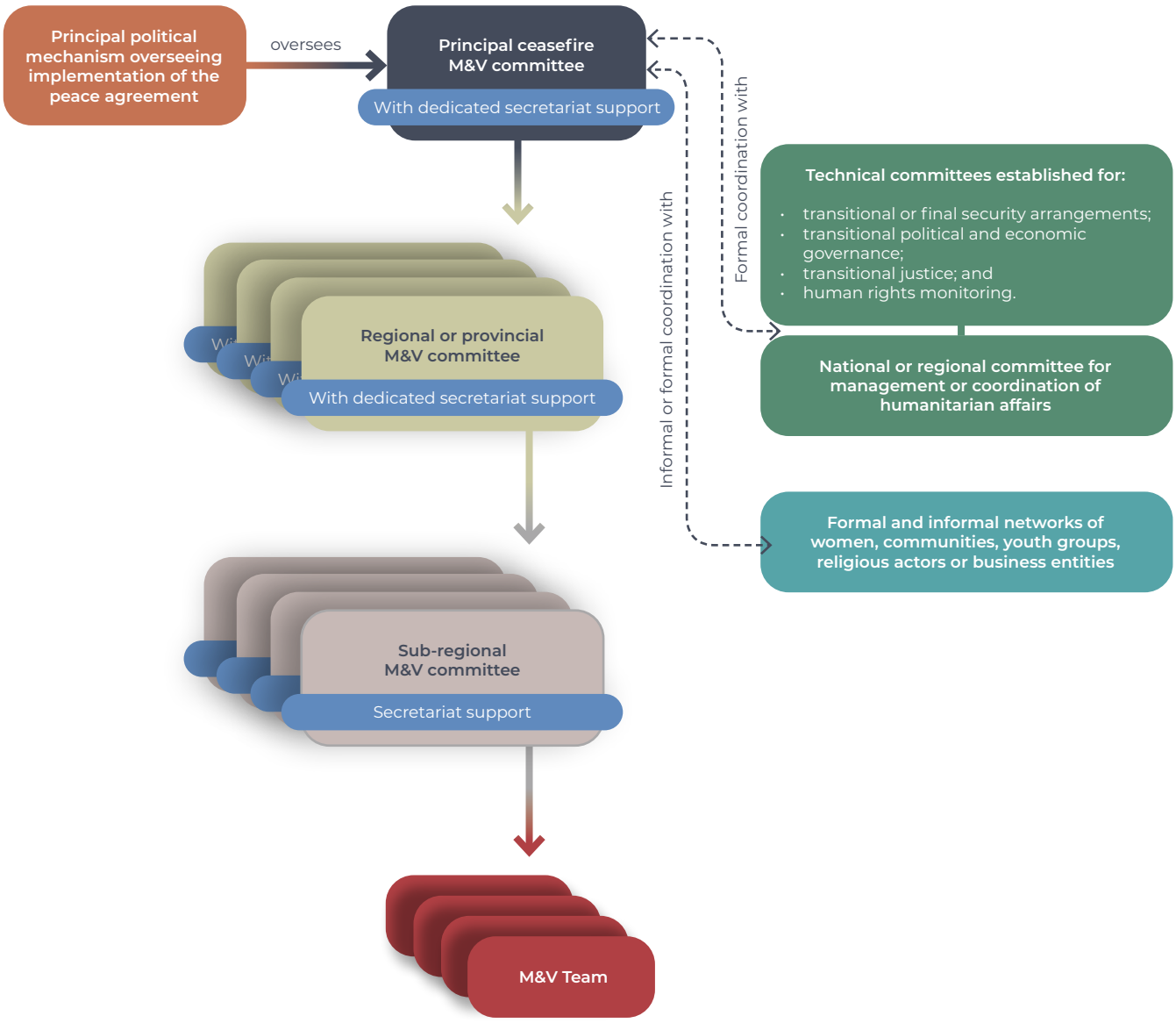
The scope, role, function and composition of a ceasefire M&V mechanism vary from one context to another, as these systems require tailored approaches. Certain elements, however, tend to be common to M&V mechanisms and can strengthen a ceasefire agreement.

In general, an M&V mechanism is an integral part of a broader framework entrusted with overseeing the implementation of a peace agreement. The M&V mechanism usually reports to a designated political oversight body, which may also be responsible for guiding political and economic mechanisms defined by a comprehensive peace agreement. In preliminary ceasefire negotiations, however, conflict parties may decide that such political oversight is neither feasible nor required to start with, and that it could be added later.

Within an M&V mechanism, a principal ceasefire monitoring committee, or its equivalent, usually sits at the apex and assumes overall responsibility for M&V functions. Subcommittees or substructures may assist the principal committee in providing comprehensive coverage of the ceasefire area; each may be entrusted with managing M&V functions in specific ceasefire area sectors. The committee and subcommittees are generally supported by monitoring teams that operate at the local level. These teams represent the most visible monitoring presence in affected communities (see Figure 2).

Decision-making is often delegated to lower levels to support the timely resolution of disputes and to prevent escalation. Only disputes that cannot be resolved locally or on the ground are referred to a higher-level committee. The joint composition of an M&V mechanism and its principal committee or subcommittees and teams can allow conflict parties to interact, exchange information, build personal relations, foresee potential conflicts and undertake prevention and resolution activities, all of which helps to sustain a ceasefire.

Figure 2: A generic model of a monitoring and verification mechanism



NOTES

- The principal ceasefire M&V mechanism generally takes guidance from and reports to a principal political oversight mechanism, if one is established.
- The number of committees and M&V teams at the regional and sub-regional levels varies across contexts, details of which are formally negotiated and agreed by the conflict parties.
- The nature of relationships between the ceasefire M&V mechanism and formal and informal networks of communities, women, youth groups, religious actors or business entities varies across contexts and requires formal agreement between the parties.
- Gender-inclusive composition of all committees is essential for a credible and responsive M&V mechanism.
- A third party, if invited to support a M&V mechanism, can play a wide range of roles, including provision of technical advisors and staff for secretariats to chairing or facilitating the mechanism at some or each level.

5.3 The roles of different actors in M&V mechanisms

The establishment of an M&V mechanism is guided by the type of ceasefire agreement, its mandate and the local conflict dynamics, which can affect access and security guarantees for monitors. Conflict parties play a pivotal role by instituting various forums of the mechanism and agreeing on the designated representatives' number and composition, including with respect to rank and gender balance. This section outlines various options around roles that can be played by third parties, national actors, civil society and local communities in support of M&V mechanisms.

5.3.1 Third parties

A credible third party typically serves as an additional guarantee for transparency and accountability, and as a deterrent against ceasefire violations and impunity. Third parties are often critical to the effective functioning of an M&V mechanism. Indeed, unless third parties play a formal or informal role in the operation of an M&V mechanism, some conflict parties may perceive it as lacking in transparency or objectivity.

This Guidance defines a "third party" as an individual, organization, one or more UN Member States, or any combination of these entities, so long as they are not a party to the conflict, are mutually acceptable and, at the request of the conflict parties, can play a specific role in the monitoring and verification of a ceasefire. The need for, identification, scope and mandate of third parties tend to be contentious issues during peace processes, especially during ceasefire negotiations.

A third party can be a national or an international entity. An international third party may coordinate, collaborate or work jointly with national third-party actors, or operate independently of them. Historically, the United Nations, regional and subregional organizations, individual UN Member States, a consortium of States created for a specific context, and religious organizations have all played different types of international third-party roles in ceasefire M&V mechanisms (see Section 5.3.2 and Table 1).

Conflict parties may invite a national entity to support an M&V mechanism without any direct or formal input or support from external third parties. They may do so based on preferences or in view of contextual security and political dynamics that prevent international third parties from playing a formal M&V role. While all M&V mechanisms are resource-intensive, those supported by a national third party tend to face additional challenges related to technical, financial and human resources and capacities. In comparison to external actors, however, they typically operate on more detailed knowledge of the local situation.

By advising the parties to consider funding, the availability of secretariat support staff, and the technical capacities and timelines required for establishing such secretariats and support structures, mediators are able to assist them in negotiating options for M&V mechanisms. In so doing, mediators can clarify that a third party may take on one or several of the following responsibilities:

- full participation in all functions and across all levels of an M&V mechanism
- implementation of monitoring and verification, either as an integral part or independent of a national M&V mechanism
- strategic oversight through participation in supervisory committees as observers, guarantors or members
- provision of resources for an M&V mechanism
- provision of secretariat services to an M&V mechanism
- provision of technical support or advice, without being integrated in an M&V mechanism.

In 2019, in the Bangsamoro peace process in the Philippines, a national M&V mechanism operated alongside an international oversight body without being integrated into it. [44]

In October 2015, the Government of Myanmar and ethnic armed organizations signed the Nationwide Ceasefire Agreement, which established a tripartite Joint Ceasefire Monitoring Committee involving the national military, ethnic armed organizations and civil society. International third parties had no role in the mechanism. [45]

5.3.2 Civil society and local communities

Among the most critical stakeholders in a peace process are national and local civil society organizations, including women's groups and civilian communities. Through direct engagement in M&V mechanisms, these groups can enhance the inclusivity and credibility of the structures. The following considerations can help to guide whether and how they may be involved:

44. The Terms of Reference of International Monitoring Team, https://peace.gov.ph/wp-content/uploads/2019/04/IMT-TOR-APR-2019.pdf.
45. The Nationwide Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations, 2015, https://peacemdaker.un.org/node/2701.

- How are civil society groups or local communities defined and perceived in the local context? How are they represented?
- Can local communities play an impartial role? What is their relationship with the conflict parties?
- How are these individuals or groups of people to be selected, assigned tasks, nominated or permitted to volunteer? How are they to be equipped to play their role?
- What has been and what could be the scope and nature of their formal or informal roles in the mechanism or conflict resolution more broadly?
- Do they need to be integrated into the M&V mechanism or should they work in a parallel, coordinated manner? Could they serve as credible third-party actors (see Section 5.3.1)?
- Do they have a history of involvement in previous M&V mechanisms and, if so, what was the nature of their involvement and its outcome?
- How will their personal safety be assured?

The roles that civil society groups and local communities could or should play in a ceasefire M&V mechanism depend on the specific context. Mediators may wish to familiarize themselves with the corresponding benefits, risks and opportunities, guided by the "do no harm" principle (see Section 3.6).

The M&V roles played by civil society and local communities generally fall into either of the following categories, although parties may wish to develop hybrid approaches (see Table 1):

- **Civilian ceasefire monitoring.** Groups or individuals from civil society or community-based organizations perform this function by monitoring and reporting violations in line with relevant provisions of a ceasefire. Their degree of involvement in other M&V aspects – such as verification, investigations and attribution in case of proven violations – varies widely, from extensive to none. The relationship between these monitors and the M&V mechanism is normally formalized and can evolve over time.

- **Civilian protection mechanisms.** This approach is more focused on conflict or incident prevention, early warning, protection and de-escalation, and less on monitoring and reporting violations. Participants work collaboratively with the formal M&V structures without being formally integrated into them.

In encouraging parties to ensure gender and age diversity in M&V mechanisms, mediators can suggest the adoption of targeted, context-specific modalities. This approach is applicable regardless of whether the parties are considering a national or international third-party option, as the M&V teams and mechanisms of either model are expected to be gender-balanced and to include young people. Section 5.4 offers mediators specific considerations to help guide discussions on the advantages of gender-responsive M&V structures.

5.4 Reinforcing the protection and safety of civilians through M&V mechanisms

In highlighting measures for responding to ceasefire violations that threaten the safety and protection of civilians, this section notes the need to build awareness and support for age and gender diversity in M&V frameworks.

United Nations Observer Mission in Georgia
UN observers on patrol, 2005.
Credit: UN Photo/Luboš Podhorský

Table 1: Composition of selected monitoring and verification mechanisms

Context	Ceasefire M&V mechanism	Date established	Components		
			International third party	Conflict parties	Civil society
United Nations Military Observer Group in India and Pakistan (UNMOGIP) [46] *	United Nations Military Observer Group	1949	✓	✗	✗
Agreement for General Cessation of Hostilities (the Philippines) [47]	Coordinating Committees for the Cessation of Hostilities; Local Monitoring Teams	1997	✗	✓	✓
Nuba Mountains Ceasefire Agreement on Sudan [48]	Joint Military Commission	2002	✓	✓	✗
Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army [49]	Ceasefire Joint Military Committee	2005	✓	✓	✓
Nationwide Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations [50]	Joint Ceasefire Monitoring Committee	2015	✗	✓	✓
Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace (Colombia) [51]	Monitoring and Verification Mechanism	2016	✓	✓	✓ ++
Political Agreement for Peace and Reconciliation in the Central African Republic [52]	Executive Monitoring Committee	2019	✓	✓	✓

* The conflict parties coordinate with UNMOGIP as per agreed mechanisms. They do not form part of any joint M&V mechanism.
++ The Monitoring and Verification Mechanism had formal coordination mechanisms with civil society actors. The latter were not integrated into the M&V mechanism, however.
Ceasefire M&V mechanisms often develop informal coordination and collaboration mechanisms with civil society actors for their operations. This chart does not reflect those arrangements.

46. United Nations Military Observer Group in India and Pakistan (UNMOGIP), https://peacekeeping.un.org/en/mission/unmogip.
47. Agreement for General Cessation of Hostilities, 1997, https://www.peaceagreements.org/view/244.
48. Nuba Mountains Ceasefire Agreement on Sudan, 2002, https://peacemaker.un.org/sudan-nubamountains-ceasefire2002.
49. Comprehensive Peace Agreement between the Government of Sudan and the SPLM/A, 2005, https://peacemaker.un.org/node/1369.
50. The Nationwide Ceasefire Agreement between the Government of the Republic of the Union of Myanmar and the Ethnic Armed Organizations, 2015, https://peacemdaker.un.org/node/2701.
51. Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace, 2016, https://unmc.unmissions.org/sites/default/files/s-2017-272_e.pdf.
52. Political Agreement for Peace and Reconciliation in the Central African Republic, 2019, https://www.peaceagreements.org/viewmasterdocument/2147.

During negotiations, mediators can encourage conflict parties to consider integrating the following elements in the evolving ceasefire document, including by providing them with access to technical advice and assistance:

- the adoption of inclusive M&V mechanisms that allow for relevant stakeholders such as civil society, women, and youth groups to play a meaningful role (as part of or in support of committees established for the purposes of reporting, receiving, responding to and investigating violations) – a step that takes on particular importance with respect to the management of potential ceasefire violations related to the safety and protection of civilians, conflict-related sexual violence and humanitarian coordination
- principles on the provision of services and support for survivors of violence and abuse in ceasefire-affected areas
- provisions relevant to the protection of civilians, codes of conduct and management of violations, all of which can be highlighted in outreach messages and materials about the ceasefire for communities, including women and young people
- provisions for M&V mechanisms that can receive reports of violations directly from civilians and civilian organizations
- commitments to develop standard operating procedures that lay out gender- and age-sensitive modalities for receiving and collecting information on incidents and complaints from individuals who have experienced conflict-related gender-based or sexual violence
- clear commitments to provide an enabling environment for M&V activities and to protect the confidentiality of sensitive information and of the identity of individuals, especially those who provide information about sexual violence, in a way that reflects a survivor-centred approach and the principles of "do no harm" and informed consent
- clear commitments to comply with international humanitarian law and international human rights law while undertaking a wide range of M&V activities, especially with respect to the safety and protection of civilians.

In contexts where international third parties play a substantial role in supporting M&V activities, they are often expected to assume broader responsibilities. They may be tasked with providing technical expertise, delivering advice on the development of gender- and age-sensitive and -responsive standard operating procedures, training party representatives and reporting on the state of compliance regarding issues related to the safety and protection of civilians.

In some settings, however, M&V mechanisms may lack the mandate or technical capacity to respond to issues concerning the protection of civilians. In these situations, mediators can seek clarity on what systems or actors outside of the M&V mechanism are able or mandated to undertake monitoring and reporting on such issues, and how their efforts may be able to complement M&V work.

5.5 Problem solving, dispute resolution and decision-making in M&V mechanisms

Problem solving, dispute prevention and resolution, and de-escalation underpin all levels of any implementation mechanism. Following the signing of a ceasefire, these functions tend to assume greater importance, as the number of complaints and disputes may spike, and even minor infractions may lead to a rapid escalation of tensions.
The nature of disputes can vary significantly, as can the responses. Ceasefire-related disputes that revolve around ambiguities in specific agreement provisions are usually referred to higher security or political oversight bodies, preferably in line with terms set out in the agreement. Other disputes may be linked to the occurrence or outcome of a ceasefire violation verification or investigation, or to civil society or local community grievances and complaints, as conveyed to an M&V mechanism.

Mediators can advise conflict parties to include formal processes for problem solving and dispute resolution in their agreements, emphasizing that these provisions facilitate de-escalation, especially in the case of preliminary ceasefires. During the ceasefire implementation phase, such provisions can allow parties to develop their standard operating procedures.

The joint nature of M&V structures can provide an inbuilt set of guarantees and facilitate dispute prevention and resolution among stakeholders (see Figure 2). In many cases, such guarantees and functions are reinforced through the inclusion of third parties, which can take on any of a variety of roles, such as arbitration, monitoring, verification and investigations.

Most ceasefire agreements include a decision-making process based either on consensus or on a majority vote. While building such consensus may take time, doing so fosters ownership and trust among the parties. If conflict parties lead and manage ceasefire monitoring without the involvement of a third party, they may choose to support deci-

The United Nations Mission in South Sudan facilitates a community conflict resolution roundtable, 2015
Credit: UN Photo/JC McIlwaine

sion-making and conflict resolution through rotational or co-chairmanship options, or by balancing representation within the mechanism. If third parties are involved in M&V systems, their impartiality may help the conflict parties to reach consensus, or they may hold the "deciding vote" on a decision.

5.6 Technology and M&V mechanisms

In the broader context of ceasefire mediation and specifically with respect to facilitating M&V, mediators can advise the parties to explore the use of technological tools. While technology cannot replace human efforts on M&V, it has the potential to complement and support them.[53] The following ceasefire M&V activities may benefit from the use of technology:

- information management, which involves processes for collecting, collating, synthesizing, analysing, storing and disseminating information
- the reporting and management of ceasefire violations, including procedures for classifying and responding to violations, as well as means stakeholders can use to report alleged violations or file complaints, such as cell phone-based platforms enabled by a geographic information system
- monitoring and verification functions, including via aerial sensors (aircraft, unmanned aerial vehicles and other drones, or balloons) and ground-based platforms (radars, motion-detecting sensors, cameras), whose use may require an agreed concept of operations to address potential sensitivities
- data collection and management in the context of ISAs, TSAs and FSAs, and the use of technology for gathering data on combatants, weapons and equipment in these processes.

Mediators are encouraged to take the following considerations into account when assessing the applicability of technological options:

- the specific value added of the proposed technology
- the resources and technical skills required to set up, operate, maintain, repair and update the proposed technology
- the technical literacy, existing capacities and comfort level with the use of proposed technology, both among the parties and any persons or bodies required to operate it
- the information security and other risks associated with the proposed technology
- the enabling environment (for example, the presence of cellular telecommunication infrastructure and its coverage if open source ceasefire reporting is being considered)
- the sourcing of technology and its potential political implications, as well as the option of diversifying sources to obtain the conflict parties' support
- broader public trust and perceptions of the proposed technology.

53. UN Department of Political and Peacebuilding Affairs and Centre for Humanitarian Dialogue, Digital Technologies and Mediation in Armed Conflict, 2019, https://peacemaker.un.org/sites/peacemaker.un.org/files/DigitalToolkitReport.pdf.

KEY GUIDANCE POINTS: MEDIATING A CEASEFIRE M&V MECHANISM

The nature and type of an M&V mechanism

- Ceasefire monitoring and verification (M&V) mechanisms are intended to enhance the accountability of conflict parties and increase the predictability of their actions, so as to contribute to the sustainability and credibility of the ceasefire.
- The most effective M&V mechanisms are realistic, implementable and sustainable. That said, M&V mechanisms are enablers, at best. The sustainability of a ceasefire is rooted in the willingness of conflict parties to adhere to their commitments.
- An M&V mechanism is typically an integral part of a broader framework entrusted with overseeing implementation of a peace or ceasefire agreement. The M&V mechanism usually reports to a designated political oversight body.
- The concept, scope and structure of an M&V mechanism are driven and guided by the nature and objectives of a ceasefire. Preliminary ceasefires may feature only basic monitoring while the M&V frameworks for definitive ceasefires tend to be more elaborate, covering not only the ceasefire, but also interim, transitional or final security arrangements.
- A key function of the mediator is facilitating consensus among the conflict parties on the basic building blocks of an M&V mechanism, including M&V objectives, a conceptual framework, procedures, and roles and responsibilities of different stakeholders.
- Within an M&V mechanism, a principal ceasefire monitoring committee (or its equivalent) usually sits at the apex and assumes overall responsibility for M&V functions. Subcommittees or structures may assist the principal committee in providing comprehensive coverage of the ceasefire area. Their work is supported by monitoring teams operating at the local level.
- Clarity on how decisions are to be reached and disputes or disagreements are to be managed within the M&V structures can strengthen a ceasefire agreement and enhance its sustainability.
- The complexity of some contexts calls for an incremental approach to M&V. In such cases, mediators can encourage parties to incorporate provisions in ceasefire agreements that allow for an incremental expansion of M&V activities, which usually evolve in terms of scope, details and structures.

Capacities and resources for M&V mechanisms

- A good understanding of the technical aspects of M&V can help parties develop pragmatic options for negotiations. Mediators can support the parties by continually assessing their need for capacity-building and facilitating requested assistance in a transparent and equitable manner.
- M&V frameworks require specialized capacities, time and resources once ceasefire implementation commences. By ensuring that the parties have access to technical advice during negotiations, mediators can help them to be realistic about M&V framework options.
- Mediators can advise the parties to explore the applicability of technological tools. While technology cannot replace human efforts on M&V, it can complement and support them. M&V activities that may benefit from the use of technology include information management, remote monitoring and verification functions, and data collection for interim, transitional and final security arrangements.

Roles of stakeholders in M&V mechanisms

- Conflict parties play a pivotal role in designing M&V mechanisms by agreeing on the various processes and forums of the mechanism, and on their composition, including the number, rank and gender balance of their members.
- A credible third party can serve as an additional guarantor of transparency and accountability, and as a deterrent against ceasefire violations and impunity. They are often critical to the effective functioning of an M&V mechanism.
- An effective, well-resourced, gender- and age-responsive M&V mechanism is critical for ensuring the credibility and sustainability of a ceasefire that contains extensive provisions on the safety and protection of civilians. In cases where international third parties are tasked with supporting M&V mechanisms; they are often expected to assume some responsibility in these areas.
- Mediators can encourage conflict parties to negotiate, agree on and unambiguously articulate potential roles and responsibilities of women, youth groups, civil society and local communities in a ceasefire M&V framework. These steps can have the effect of broadening the ownership of a ceasefire among communities, while also enhancing its credibility and sustainability.
- The M&V roles played by civil society and local communities generally fall into one of two categories, although parties may develop hybrid approaches. The first category is civilian ceasefire monitoring, whereby civil society actors monitor and report on violations in line with relevant ceasefire provisions. The second approach is more focused on the protection of civilians, including through conflict or incident prevention, early warning, protection and de-escalation.

Ceasefire monitoring in Kidal, Northern Mali
A mixed commission visits Kidal in northern Mali to monitor the ceasefire agreement signed by the Government of Mali and Tuareg rebels in 2013.
Credit: UN Photo/Blagoje Grujic

Chapter 6

PREPARING FOR IMPLEMENTATION

Implementation of a ceasefire agreement is a complex process that involves detailed planning, extensive resources and the involvement of multiple stakeholders or entities, especially in the case of definitive ceasefires, which tend to have a wider scope. This chapter reviews related considerations with a view to facilitating the sustainable implementation of a ceasefire agreement.

6.1 Linkages between mediation and implementation phases

A mediator may not always be directly responsible for supporting, or mandated to support, the implementation of a ceasefire agreement. Similarly, members of the negotiation teams of the conflict parties may not have a direct role in the mechanisms established for overseeing the implementation of the agreement.

Some degree of continuity, at least for selected personnel, can be key to the smooth implementation of a ceasefire agreement. Unforeseen circumstances and demands can hinder such continuity, however. Mediators are thus advised to consult and engage government bodies that could potentially be involved in supporting implementation, and to begin this process long before the finalization of the agreement. In the same vein, mediators can advise parties to nominate personnel for implementation mechanisms.

From the perspective of the population, the most visible and impactful dividends of any peace initiative tend to be the end of military operations and the provision of security arrangements, as stipulated in a ceasefire agreement. Lengthy delays in the start of ceasefire implementation or ambiguities about what the ceasefire agreement entails can have serious repercussions in terms of credibility and broader trust in the peace process itself.

These risks underscore the imperative for a smooth transition from the negotiation and signing of an agreement to its implementation, as well as the critical role of a communications and outreach strategy for bridging this transition. Mediators can help to facilitate the transition by encouraging parties to communicate about and sensitize their respective command structures and forces to obligations and responsibilities arising under the ceasefire agreement. It is no less important to manage the expectations of other stakeholders and the broader public regarding what the ceasefire will deliver. In this regard, mediators can usefully encourage the parties to agree on arrangements for the dissemination of information related to a potential ceasefire.

Some peace agreements specify that the signing of an agreement and the activation of its provisions are to be set apart by an interim period, during which the parties are expected to undertake preparatory steps and implementation bodies are to be formed. Even under optimal conditions, however, some political and military factors are likely to complicate the implementation of agreed ceasefires.

6.2 Prioritizing clear and accessible text

This section considers the accessibility of a ceasefire agreement's contents, complementing Chapter 2, which discusses various modalities for ceasefire drafting. A ceasefire imposes multiple obligations and responsibilities, while conferring a range of benefits on implementers and other entities, including combatants and affected communities, some of whom may not have been part of negotiations. The ceasefire text should therefore be readily accessible, ideally with parties committing to deliberate plans for its

Darfuri stakeholders in Qatar to endorse a draft agreement for peace in Darfur, Sudan
The United Nations-backed inclusive consultations on the conflict in the Sudanese region of Darfur ends with delegates voicing support for a draft document that formed the basis of a permanent ceasefire and comprehensive peace agreement in 2011.
Credit: UN Photo/Olivier Chassot

dissemination through different media. Poor drafting can be costly; misunderstandings due to ambiguity in the text and changes in key personnel can result in ceasefire violations, which can potentially trigger a resumption of hostilities.

The most effective and implementable agreements are ones that are responsive to the parties' concerns, logically structured, unambiguous in their provisions and written in clear, jargon-free language. Keeping technical language to a minimum is one way to ensure comprehensibility; if technical terms cannot be avoided, it is helpful to provide clear definitions in a dedicated section (see Section 4.2). Mediators are well placed to facilitate the drafting of the primary or authentic text in a single language that is preferred by the parties. To avoid inconsistencies, relevant experts can produce verified official translations into other languages, if requested by the parties.

Mediators are encouraged to seek expert advice in ensuring that the evolving text is consistent with relevant national and international legal obligations and frameworks. They can also check that the ceasefire agreement is fully compatible with any comprehensive peace settlement into which it may be integrated, especially in the case of definitive ceasefires. By checking for a common understanding of the emerging agreement and the obligations it creates, mediators can help to prepare the parties for its implementation, based on shared assumptions. Doing so also provides an opportunity to refine the language to promote better understanding.

The final official text of an agreement requires careful consideration by the mediators, as does its safekeeping. Clarity on which entity or entities are to keep the document in their custody, how access is to be secured and when the document is to be available is helpful in case of potential disputes or ambiguities, which may arise during implementation. Where applicable, the UN copy of the original text should be sent to the UN Archives and Records Management Service.

6.3 Clarifying implementation timelines

Many ceasefire agreements include a summarized timeline of activities, usually in the form of a detailed matrix. In addition to fostering clarity and objectivity, timelines represent benchmarks against which the implementation process can be monitored. Ideally, they set out the activities that need to be accomplished, who is responsible for doing what and by when, and how such activities may be resourced. Timelines also specify the date and time at which a ceasefire is to take effect. The format of a matrix is usually easier to navigate than a lengthy narrative text; as a result, a matrix can more readily direct implementers to specific elements of the agreement. In a comprehensive peace agreement, the timelines on security-related issues are normally linked to the timelines and any conditionalities stipulated in the broader peace agreement, particularly political road maps.

During the negotiation and preparation of the text, mediators can remind the parties to agree on a set of activities that need to take place before the actual implementation of

an agreement begins. In contexts where the parties agree to have a pre-implementation phase, such activities should also be reflected in the matrix. Parties are often optimistic about the time it will take to accomplish these tasks. Mediators can encourage them to be more realistic in their estimates or make provisions for adjusting timelines that prove to be unworkable.

A detailed matrix of implementation activities can foster the parties' confidence in the agreement and in each other's intentions. It can also promote a holistic implementation of the ceasefire, in accordance with an agreed sequence and timelines.

6.4 Understanding the legal status of ceasefire agreements

Ceasefire agreements do not automatically have any legal status in the national or international sphere. If some form of formal legal status can subsequently be conferred on them, it is likely to provide them and their implementation mechanisms with an additional degree of legitimacy. Indeed, M&V mechanisms, security sector reform and disarmament, demobilization and reintegration programmes are also more likely to function effectively during the implementation phase if they either receive or are established through legislative endorsements or other formal executive decisions. Legal grounding of this kind can also assist in providing the basis for the allocation of requisite budgetary and other resources.

To facilitate implementation, mediators may therefore wish to encourage parties to ensure that the ceasefire agreement or its relevant provisions are incorporated into formal frameworks that confer legal status on its implementation modalities, for example through the adoption of:

- primary legislation
- secondary legislation
- an executive decision (such as a presidential decree)
- interim political arrangements.

To ensure effective coordination in a national context, the executive may need to give specific directives to other agencies or departments related to ceasefire processes. As ceasefire mechanisms are meant to function for a finite period, plans may also be needed for the eventual dissolution of bodies established under such agreements, and for the transfer of any remaining obligations to other national entities.

Endorsements from international and regional organizations or States – whose representatives may witness, participate in or act as guarantors at signing ceremonies – can bolster the signatories' political commitment and incentives to implement a ceasefire agreement. It should be noted, however, that such "guarantees" have a mixed track record in practice, as there can be no firm guarantee of the successful implementation of a peace agreement other than the parties' own political will. In addition to acting as

United Nations Security Council tasks UN Verification Mission to monitor ceasefire in Colombia
The Security Council unanimously adopts resolution 2381 (2017), welcoming the temporary, bilateral, national ceasefire announced on 4 September 2017 between the Government of Colombia and the FARC.
Credit: UN Photo/Cia Pak

witnesses or guarantors, external third parties may also play specific roles in supporting the implementation of an agreement. Mediators would do well to ensure that ceasefire agreements define these roles and responsibilities in a clear manner, after consulting and securing agreement from the third parties.

At the international level, the UN Security Council may endorse ceasefire agreements by adopting a dedicated resolution, following a request from one or more UN Member States, regional organizations or stakeholders. Through such a resolution, ceasefire agreements assume an international character, even if they are not legally binding under international law. Security Council resolutions may include direct calls on the conflict parties to show full respect for ceasefire agreements and to fulfil their commitments under them. The Council may also call on Member States to support implementation of a ceasefire and to use their influence with the conflict parties in this direction.

By seeking expert advice on legal matters, mediators and their teams can enhance their ability to assess legal requirements and advise parties on the advantages of including certain provisions in a ceasefire agreement. Mediators are encouraged to avail themselves of such expertise on legal and jurisdictional questions, and thus to help mitigate the risk of confusion in the implementation phase, including between the different branches of government.

In the case of Yemen, the UN Security Council adopted resolution 2451 (2018), endorsing ceasefire agreements reached by the parties on the city and governorate of Hodeidah and the ports of Hodeidah, Salif and Ras Issa (the Hodeidah Agreement).[54] *The Council called on the parties to implement the ceasefires as per their stated timelines.*

On 6 February 2019, the Central African Republic issued Presidential Decree 19.039 on the Creation of an Implementation and Follow-up Mechanism for the Political Agreement for Peace and Reconciliation in Central African Republic and Related Bodies.[55]

Burundi adopted the Arusha Agreement for Peace and Reconciliation by issuing Law No. 1/107 on 1 December 2000. The following year, on 28 October 2001, Burundi promulgated the Transitional Constitution of the Republic of Burundi by adopting Law No. 1/017.[56] *The constitution included provisions on security sector reform, which had initially appeared in a broader ceasefire agreement.*

6.5 Estimating resources required for implementation

Estimating the resources required to implement a ceasefire is a complex exercise. This is particularly so for definitive ceasefires, which typically have a much wider scope and address a broader range of activities than preliminary ceasefires. Foresight and planning are needed to procure, deploy and operationalize the resources required to implement a ceasefire agreement, and to sustain the momentum that typically follows a draft's finalization. Mediation teams are encouraged to give early consideration to the resource implications of a draft agreement, for example by seeking expert advice and engaging with relevant institutional counterparts. Mediators and their support teams are advised to underline to conflict parties that an agreement is not likely to be implemented within the negotiated time frame unless the requisite resources have been secured. While paying close attention to how conflict parties intend to raise their contributions, mediators can urge them to be realistic in their assumptions.

The parties usually negotiate and agree on specific roles and responsibilities for national or international entities in support of the ceasefire implementation process. Mediators can ensure that the parties consult the entities on a regular basis as the negotiations progress. A broad agreement between the parties on such issues, early in negotiations, can promote streamlined advance planning for implementation, even if the minutiae remain to be agreed. Such an agreement may enable mediators to involve relevant entities in discussions on issues that have a bearing on implementation planning.

Efforts to raise funds and to secure commitments in support of a ceasefire tend to be more difficult at the start of a process, when donors and other supporters may be less confident about engaging. Mediators can manage expectations by carrying out continuous evaluations of cost implications – with respect to both the negotiation process and the anticipated implementation requirements – and by briefing existing and prospective funders regularly.

54. UN Security Council resolution 2451, 2018, https://undocs.org/S/RES/2451(2018).
55. Décret N°19.039 portant création du mécanisme de mise en œuvre et de suivi de l'APPR-RCA, 2019, https://minetatddrrappr.org/documents/decret-n19-039.
56. Constitution de transition du 28 octobre 2001, https://www.peaceagreements.org/view/1425.

KEY GUIDANCE POINTS: PREPARING FOR IMPLEMENTATION

- From a planning standpoint, the mediation or negotiation of a ceasefire and its implementation are inseparable parts of the broader peace process, even though they entail distinct issues and requirements.
- Continuity among key personnel is essential to a smooth transition between the negotiation and implementation phases.
- Since a ceasefire imposes a range of obligations and responsibilities on a wide range of implementers and other entities, mediators are advised to ensure that the text is logically structured, unambiguous and written in clear, jargon-free language. Poor drafting can be very costly; misunderstandings may result in ceasefire violations that can trigger a resumption of hostilities. Mediators are encouraged to avail themselves of expert technical and legal advice.
- Most ceasefire agreements include a summarized timeline of activities, often in a matrix format. In addition to fostering clarity and objectivity, timelines represent benchmarks against which the implementation process can be monitored. Ideally, they specify the date and time at which a ceasefire is to take effect, lay out the activities that need to be accomplished, and specify who is responsible for doing what and by when.
- Ceasefire agreements do not automatically have legal status in the national or international sphere. Ceasefire provisions and implementation mechanisms, including monitoring and verification, are more likely to function effectively and to benefit from state resources in the post-settlement phase if they receive or are established through legislative endorsements or other formal executive decisions.
- Endorsements from international and regional organizations or other "third-party" States – whose representatives may witness, participate in or act as guarantors at signing ceremonies – can help to bolster the signatories' political commitment and incentives to implement a ceasefire agreement.
- The UN Security Council may endorse ceasefire agreements by adopting dedicated resolutions. Through such resolutions, ceasefire agreements may assume an international character, even if they are not legally binding under international law.
- Estimating the resources required to implement a ceasefire is a complex exercise. Mediators are advised to regularly consult and engage entities that could potentially be involved in supporting implementation, starting long before the finalization of the agreement.
- Substantial resources are likely to be required throughout the ceasefire mediation and implementation phases, and significant lead times may be needed to secure funds. An early and realistic assessment and delivery of these requirements can contribute to the sustainability of the whole process.

Documenting arms caches in Colombia, 2017
The UN Verification Mission in Colombia with security and logistical support from the Colombian Armed Forces and help from members of the Revolutionary Armed Forces of Colombia-People's Army, cleared 750 of 998 FARC-EP arms caches. The operation required major logistical planning and involving more than 40,000 kilometers travelled by helicopter, boat, land vehicles and horses.
Credit: UN Photo/Hector Latorre

Conclusion

This Guidance presents a broad set of principles, technical considerations and good practices for those who plan or participate in the negotiation of a ceasefire.

Mediators operate in an increasingly complex mediation space, in which their ability to manoeuvre can be impacted by a host of factors, such as the scope and nature of their mandates, the presence of overlapping mediation initiatives, fragmented conflict parties, and external intervention in intra-state civil wars. These dynamics have implications for their ability to design and support comprehensive ceasefire negotiation processes. Accordingly, the Guidance provides non-prescriptive suggestions that mediators may adapt and apply as required.

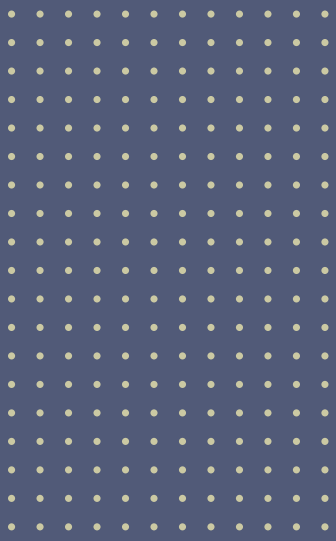
Ceasefires alone cannot guarantee peace or durable conflict resolution. While the Guidance discusses ceasefires in isolation, they are situated in the broader military, political and peacemaking context. Ceasefires are usually negotiated and implemented as part of the wider security arrangements of a peacemaking effort. The Guidance specifically aims to develop a baseline understanding of concepts and terminology commonly used in ceasefire negotiations, without elaborating on final security arrangements, which typically have a much longer lifecycle than a ceasefire.

Pursuing a ceasefire – either with the goal of creating conditions for a broader peace process or reaching the culminating point of an ongoing process – is a complex, multi-dimensional undertaking. It can span many days or months, punctuated by shifting conflict dynamics, false hopes, delays and failed efforts. A basic understanding of the concepts in this Guidance can enable mediators, other third parties and conflict parties to be both innovative and realistic in their planning and approaches.

Recognizing that the measure of any ceasefire agreement is its implementation, the Guidance stresses that successful ceasefire implementation requires diligent planning and execution. Such planning starts while ceasefire negotiations are still under way; it can be facilitated – and even prompted, if required – by mediators. Experience has demonstrated that extended delays in the availability of necessary resources and the establishment of implementation modalities lead to deepening mistrust and can contribute to the failure of agreements.

Since ceasefires and the contexts in which they are pursued are constantly evolving – exhibiting new dimensions, lessons, good and bad practices – this Guidance will be reviewed periodically.

FARC ex-combatants moving to designated areas for assembly process, Colombia, 2017
Credit: United Nations Verification Mission in Colombia



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