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Local Peace Agreements in Contemporary Armed Violence

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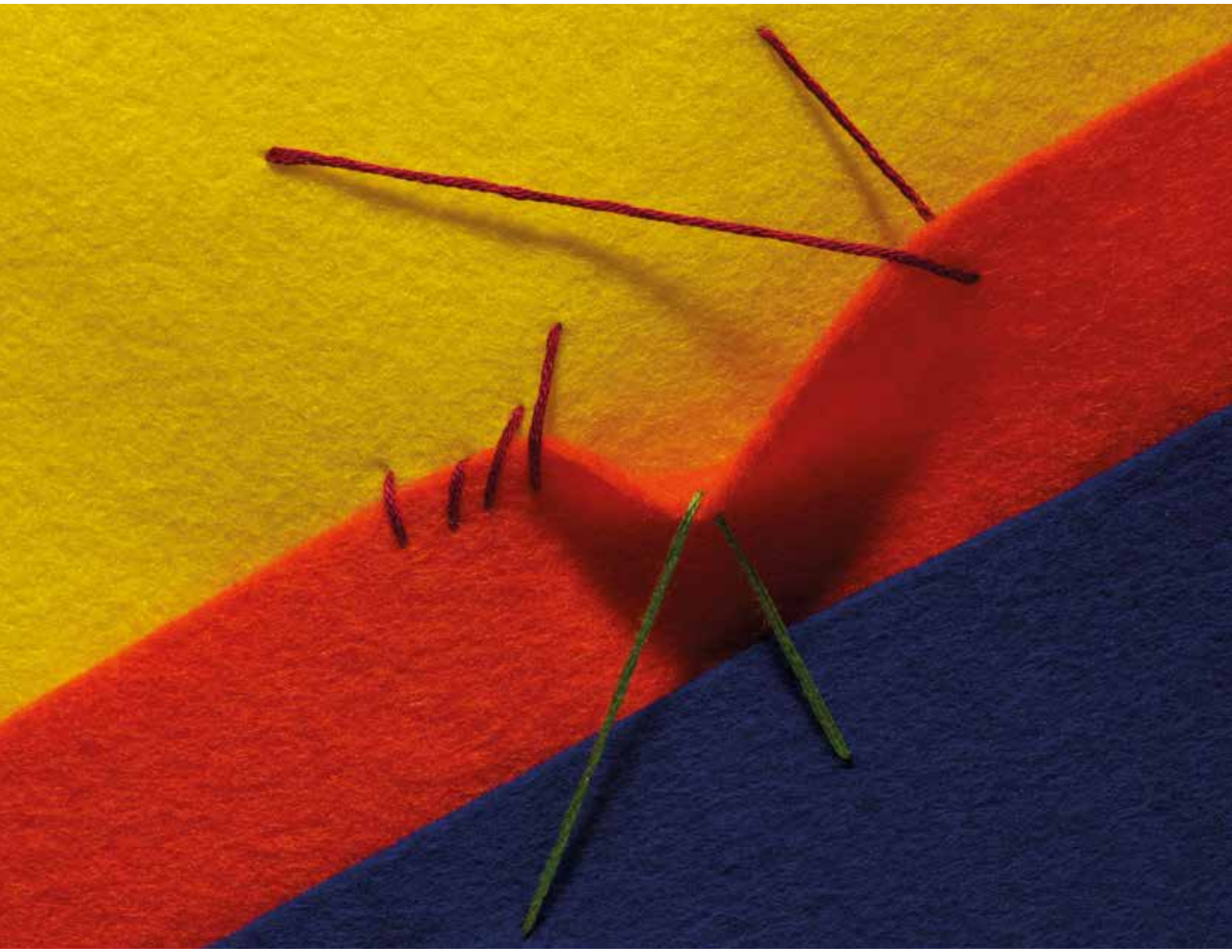
UNTANGLING CONFLICT:
LOCAL PEACE AGREEMENTS IN CONTEMPORARY ARMED VIOLENCE

ASPR REPORT NO. 5
POLITICAL SETTLEMENTS RESEARCH PROGRAMME

Jan Pospisil, Laura Wise, Christine Bell



LOCAL AGREEMENTS JOINT ANALYSIS WORKSHOPS REPORT

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This research draws on discussions held at two Joint Analysis Workshops in October and November 2019 organised by the Political Settlements Research Programme (PSRP). The workshops were held in cooperation with The British Academy (BA) and the Rift Valley Institute (RVI). In total, over 100 participants from 25 countries involved with or researching on local peace agreements contributed to thematic discussions. The research also draws on the PA-X Peace Agreements Database (www.peaceagreements.org), a database of all peace agreements at any stage of the peace process from 1990 to 2019. The database is fully searchable and supports both qualitative and quantitative examination of peace agreements.

Imprint

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KEY FINDINGS

• Local peace agreements are difficult to define and to delineate from the regional and national level. In many cases, they result from long-lasting traditions of conflict management and customary legal processes. They are not a new phenomenon. Still, the number of written and publicly available local peace agreements is increasing, which provides greater visibility of their role and relationship to both local conflict and national peace processes.

• Compared to national-level agreements, local peace agreements are considerably shorter and issue-centred. They deal with a wide variety of contextualised topics around the predominant aim of managing local patterns of armed conflict and violence. In their variety, local peace agreements represent the diversity but also the splintered nature and patchiness of what is contemporary armed conflict.

• The actors involved in local peace agreements differ from peace negotiations at the national and international level. Besides armed factions, community representatives, villagers, women's groups, and other sectors such as business are involved in negotiations. Traditional leaders, faith-based groups, and humanitarian actors are the most common mediators in these processes. Overall, while they deal with smaller geographic areas and populations than national peace processes, they are often broader in terms of the actor groups involved.

• But many of these groups wear multiple 'hats', and have direct or indirect relationships with state and non-state armed actors, as local battalions, mayors of municipalities, members of national reconciliation commissions, or bodies such as churches, which may also have a national presence.

• Local peace agreements appear in different conflict contexts. They occur in ongoing large-scale armed conflict as an outcome of local and regional conflict management initiatives, such as in Syria, Yemen, Libya, Somalia, Afghanistan or South Sudan; in the aftermath of national-level peace or ceasefire deals, such as in the Philippines, Nepal or Myanmar; or in generally fragile situations addressing regional conflict dynamics, such as in the Democratic Republic of Congo, the Central African Republic, Pakistan or in Kenya.

• It is possible to roughly distinguish between six types of local peace agreements: (1) local ceasefires and truces, either between armed factions or localised truces between armed groups and state actors; (2) efforts of local conflict management about, for instance, grazing rights, migration routes, or the settlement of inter-community disputes; (3) humanitarian agreements, often mediated by humanitarian actors about relief access and the joint use of basic infrastructures such as roads, water, or electricity; (4) peace agreements in the closer sense, for instance, aiming at establishing a local peace process or 'islands of peace'; (5) 'city deals' which address particular aspects of armed fighting within city boundaries; and (6) agreements attempting to attach hold-out groups in particular localities to a national-level settlement.[1]

• Implementation of local peace agreements is often linked to existing local legitimacy structures and people who exercise some type of public authority. Nevertheless, implementation also depends on a favourable national and international context. Local agreements are often short-term in focus, which means that the production of an agreement itself can be a significant milestone in what might be called implementation because it marks a restoration of relationships. What is understood as the implementation phase of comprehensive peace deals or ceasefire agreements at the national level is not the same at the level of local peace agreements. At the local level, agreements are often less about a set of commitments to be complied with, and more about a joint statement as to conflict realities and how to change them.

• Local peace agreements rarely attempt to address what are understood as the main fault lines of the national-level conflict. They occur due to the existence of subnational or local conflict. While it can be tempting for donors to view support for local processes as an alternative to a stalled national peace process, attempts to link them or scale them up to produce a national level peace process prove challenging.

• Local conflicts, however, are deeply enmeshed with the national conflict and so play important roles in forestalling national conflict. Negotiations at the local level, therefore, bring local forms of peace to the fore, contribute to confidence in the national process, and manage local violence that has the capacity to destabilise or re-spark the national process.

• Not all local agreements which ostensibly focus on reducing conflict are about 'peace'. Some are agreed to create new

alliances, to reduce conflict in one direction and increase it in another. The impact and meaning of a local agreement vary depending on context. Local agreements may, however, play crucial de-escalation roles with relation to national conflict, and therefore be indirectly supportive of national peace efforts.

• The decision of how to engage and invest in local peace agreements by external actors needs to be taken on a case-by-case basis, even within countries. Technical support, political recognition, and funding can have supportive roles if done in a contextualised way. At the same time, over-funding or over-burdening with expectations may hamper or even de-legitimise such efforts. Sensible engagement needs to accept the limitations inherent to local peacemaking and withhold from trying to do too much. A careful approach, which understands that even within country local agreements of several different types may arise, is particularly advisable when negotiations at the national level are stalled and supporting local peace agreements appears like a viable alternative strategy.

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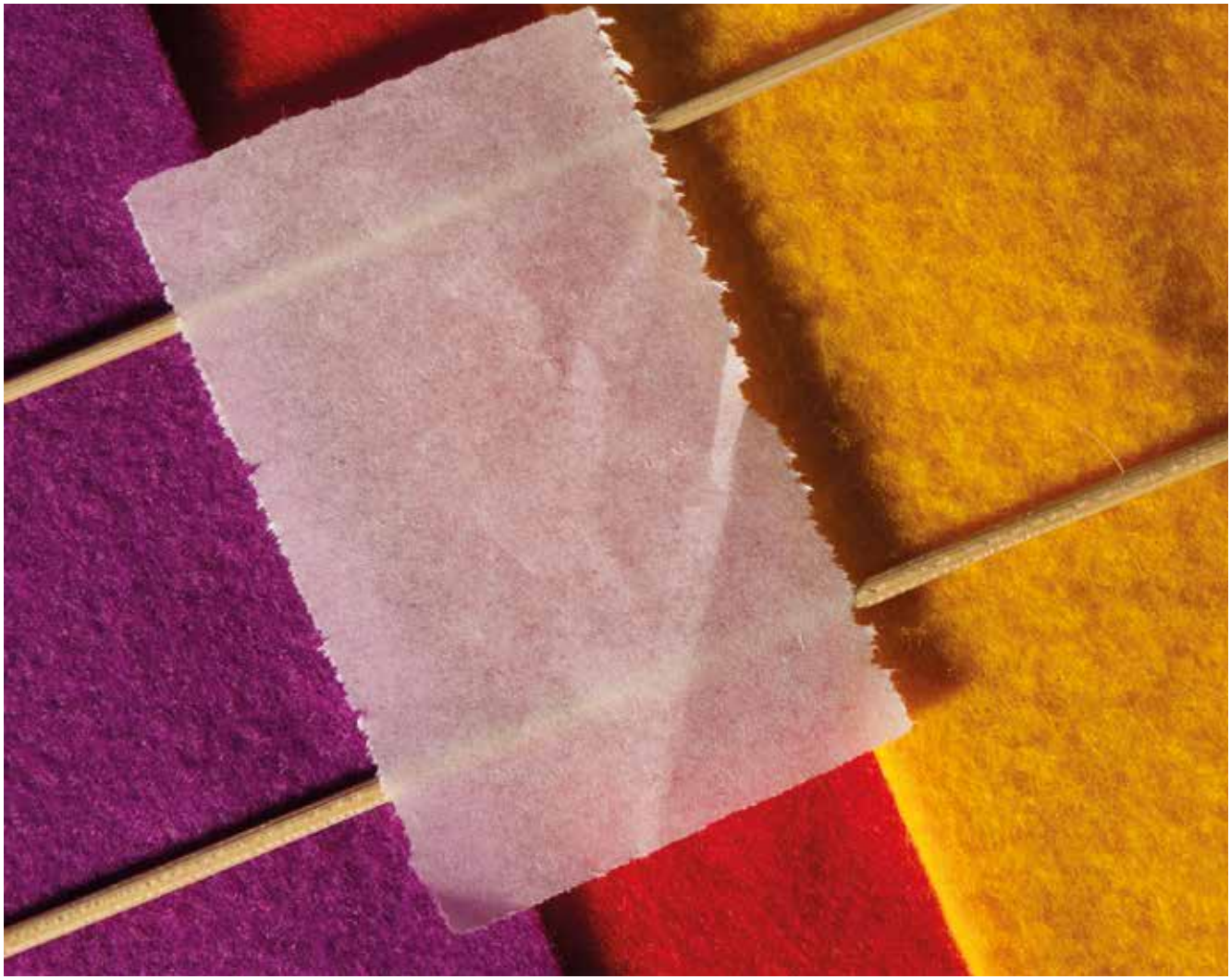
[1] Christine Bell, Robert Forster, and Laura Wise, 'Big Peace, Little Piece? Local Peace Agreements and National Peace Processes', forthcoming.



INTRODUCTION

Recent years have seen a proliferation of local and sub-national peace agreements negotiated and signed in conflict settings as different as Pakistan, Yemen, Syria, Afghanistan, South Sudan, Kenya, Nepal, Libya, and Somalia. Such agreements are not a new phenomenon. Local truces and agreements on humanitarian access were already being signed in considerable numbers during the wars in Bosnia and Herzegovina and Croatia in the early 1990s. In recent years, local negotiations in violent conflict seem to be becoming increasingly better documented and formalised. This development may be caused by the comparably easy availability of electronic means of documentation and communication, even in remote areas.

Local peace processes and resultant agreements have also gained more attention from national, regional, and international actors, in part due to their increased visibility. Interest in local agreements is also driven by the changing dynamics of conflict and peace. Structural shifts at the international level that result in a decreasing likelihood of comprehensive peace processes at the national level are one such factor. The model of the traditional 'peace process' at the national level assumes the existence of a state actor who is internationally recognised, and one (or more) armed opposition groups. Often, however, conflicts are more complex. Conflicts such as those in Libya and the Central African Republic (CAR) may be understood as contests about the control of the central state. They involve armed organisations with limited geographic reach and small localised groups who never had political or military ambitions at the national level. These actors come together in various short-term alliances to achieve particular objectives.

Other conflicts, such as in South Sudan, evolve from a complex interrelation between the national level and a variety of localised conflict settings that are largely based on context-dependent fault lines. These localised conflicts range from fighting between splinter factions and armed groupings to cattle raiding and revenge killings, whereby distinctions between these different types of violence may not be clear-cut. Another example for the close interrelation between a political conflict at the national level and localised conflicts is the post-election violence in Kenya in 2008. Whilst provoked by a disputed national-level election, it also occurred in highly localised forms. Local agreements, therefore, seem to play an important role across diverse conflict, in 'untangling' forms of conflict, that often operate as complex local-national-transnational-international conflict systems.

Against this background, the Political Settlements Research Programme (PSRP) organised two Joint Analysis Workshops in October and November 2019 focusing on local peace agreements, their negotiation, the actors involved, and their impact and modes of implementation. The workshops were held in cooperation with The British Academy (BA) and the Rift Valley Institute (RVI). The first workshop in London focused on conflicts in Asia and the Middle East and North Africa (MENA) region. The second event in Nairobi discussed local peace agreements and processes in Eastern and Central Africa and the Horn. In total, over 100 participants from 25 countries involved with or researching on local peace agreements contributed to thematic discussions.

The workshops discussed four guiding questions:
(1) What defines local peace processes? What sorts of 'local agreement' are signed in peace processes, and why? Who initiates the negotiations and what type of actor is involved? What do these agreements typically include, what is their particular character?
(2) To what extent can we understand common practices? Are these practices unique and locally rooted in a specific culture of peacemaking?
(3) How do these processes relate or sit towards the national and the international level? Is there any (positive or antagonistic) relation to a national peace process? What transitional landscape between conflict and peace do they create or contribute to?
(4) When and how have external actors engaged in such negotiations and with what consequences? What challenges do they pose for normative actors and institutions (for example, in the realm of human rights)?

This report provides a summary of the key debates and outcomes from both workshops. In doing so, the report aims at presenting the richness of the provided examples with a comparative analysis. Where no specific references to certain points or arguments are given, they are based on interventions by workshop participants which were made under Chatham House rules. Yet, the local specificities of local peace agreements result in a considerable diversity, so, in several instances, examples are not illustrative of broader practices but can only stand for themselves.

1. FRAMING 'LOCAL' PEACE AGREEMENTS

Defining local peace agreements is a challenging endeavour. The term 'local' in itself is a matter of debate since it can refer to the spatial dimension, a specific web of relationships as arising at the local level, the types of actors involved, or the scope of the goals associated with an agreement. All of these possible definitions of 'local' play a role when contrasting a 'local' peace agreement with agreements at the national or international level. The separate character of the conflict that needs to be settled best captures the distinct character of local agreements across contexts, as distinct from the contestation at the national level across contexts. This distinctiveness also applies when such agreements explicitly refer to the national level or include state actors – as many do. Concerning the spatial dimension, 'local' agreements do not just refer to remote or rural areas but are commonly negotiated in urban spaces as well.[2] It is not about remoteness, it is about the particularities of a given locality and its conflict setting.

Finally, the term 'peace' proves to be challenging as well. Local peace agreements diverge from traditional 'peace agreements' since they often do not aim for sustainable conflict transformation but mitigate or manage armed violence at a local level. Striking examples for this ambition are found in Syria, where armed groups in control of certain areas agree to sign a ceasefire and do so with the main aim of joining forces and collaboratively fighting a common enemy.[3]

Another issue is the overlap between local peace agreements and documents embedded in customary law and traditional methods of conflict management. What can appear to observers as an isolated and innovative approach might indeed have a long history, formality and regularity specific to the context. In some regions, there may also be considerable incentives to not document processes and to rely on oral traditions of peacemaking, which is discussed in more detail later in the report. Peace at the local level has a profoundly different meaning compared with peace is conceptualised at the national, regional, or international levels. Experiences from a variety of contexts suggest that concepts of societal friendship, community, and respect for laws and customs can be part of what peace means for local people. Peace is always embedded *in place*. It is materialised in the everyday.[4] But defining a conflict as 'local' is nonetheless a political decision. Actors may be able to generate political or economic gains by strategically confining conflict management to a subnational or local level, for instance, by avoiding power-sharing arrangements at a larger scale. Even though agreements can be defined as predominantly local, they interplay with other layers of conflict and peacemaking. Most local conflict settings are interrelated to national and global issues and involve actors from diverse arenas. They are entangled in frictious, both vertical and asymmetrical power relations that evolve when international, national and local discourses and fault lines meet.[5] Outcomes of local peace agreements are, thus, often hybrid and situated across the local, regional, national and international spheres.[6]

The stances towards writing down agreements differ across contexts. In Bosnia and Herzegovina and, to a lesser extent, Kenya, some local peace processes have been heavily bureaucratised and well-documented. Written agreements can be preferable for some since oral agreements could die with the people who reached them, risking the loss of any gains if leaders are killed, or for the next generation. A written and agreed outcome can also support reaching a shared understanding and avoiding discrepancies due to diverse interpretations of what had been said during the negotiations. Often, a mutually agreed list of 'grievances' can itself stand as a form of mutual acknowledgement that is as important as the points actually agreed as to address them. In South Sudan, church-led processes often adopt a form of documentation that stands between a written agreement and the minute of a process of inter-communal reconciliation. In other regions, oral agreements may be more significant than written agreements, as parties may be sceptical of the utility in writing agreements, or be distrustful of writing things down. Stakeholders tend to retain the information in their memories, and take the view that only 'outsiders' write down, whilst 'insiders' know and understand the content of the negotiation. Oral agreements that are negotiated face-to-face may, therefore, be seen as more effective than, and preferable to, written deals. Indeed, such local agreement texts as exist in regions such as the Middle East and North Africa that read more as 'minutes' of an agreement that exists orally, rather than a set of actual commitments made in writing.

In many processes, the final text of the agreement is not reflective of all the points agreed (not only discussed) during a negotiation. This absence can stem from the reluctance

to put specific issues on paper, such as agreements around the distribution of smuggling profits, trafficking of goods and people, and distribution of protection rackets. It should therefore not be assumed that the available written text is necessarily a reflection of all agreed steps forward, or that an isolated incidence of a written deal means that it is not supported by or embedded within a framework of oral agreements.

[2] Annika Björkdahl, 2012, 'Urban Peacebuilding', Peacebuilding, 1:2, 207-221; Mary Kaldor and Saskia Sassen, eds, 2020, Cities at War: Global Insecurity and Urban Resistance. New York: Columbia University Press.

[3] For more on the different actor permutations across local peace processes in Syria, see Juline Beaujouan, 2020, 'PA-X Local: Note on Local Peace Processes in the Syrian Conflict', Edinburgh: Political Settlements Research Programme, https://www.peaceagreements.org/publication58

[4] Roger Mac Ginty and Pamina Firchow, 2016, 'Top-down and bottom-up narratives of peace and conflict', Politics, 36:3, 308-323.

[5] Anna Lowenhaupt Tsing, 2005, Friction: An Ethnography of Global Connection. Princeton, NJ: Princeton University Press.

[6] See Roberto Belloni, 2012, 'Hybrid Peace Governance: Its Emergence and Significance', Global Governance: A Review of Multilateralism and International Organizations, 18:1, 21-38; Oliver P. Richmond, 2015, 'The dilemmas of a hybrid peace: Negative or positive?', Cooperation and Conflict, 50:1, 50-68.

2. ISSUES NEGOTIATED IN LOCAL PEACE PROCESSES

Local peace agreements are highly diverse and contextualised. They contain regional and local specificities of how conflict is understood and managed. However, they also show remarkable similarities, especially in their written appearance. Local peace agreements occur in most countries with ongoing armed conflict. Their specific regularity and significance reflect the character of the conflict. Local peace agreements have particularly come to light as an important way to address conflict in strongly regionalised conflict settings such as in Syria, Yemen, Somalia, and South Sudan. Other instances with a high prevalence of local and subnational agreements are settings where armed conflict and violence are confined to parts of the country, albeit connected to wider country instabilities and fault-lines, such as in Pakistan, Kenya, and the Philippines. Sub-national agreements can also be found in otherwise state-dominated processes like in Myanmar or Nepal, where they have been used to try to create state-local agreements with very small armed factions. Even within these contexts, however, local peace agreements tackle a wide variety of topics and fulfil a range of different functions.

There is a noticeable distinction between the content of negotiations in local peace agreements and the issues that predominate at the national level. Assessing the written agreements available in the PA-X Peace Agreements Database [7], these particularities are mainly references to ritual processes and prayer, to acknowledge local grievances, to address cattle rustling, banditry and looting; and to facilitate the handover of wanted persons or the lifting of societal in-group protection for people responsible for intercommunal violence to enable criminal process or compensation to the communities they wronged.

Land issues are another subject frequently addressed in local peace agreements. In Mindanao and Pakistan, land issues are especially relevant as they are closely connected to the overarching conflict and, therefore, not only potential trigger points for escalations at a larger scale but are also difficult to settle. In Nigeria, Kenya, South Sudan, or the Central African Republic (CAR), pastoral conflicts related to land issues such as issues related to migration routes and grazing rights are regularly referenced in local peace agreements.

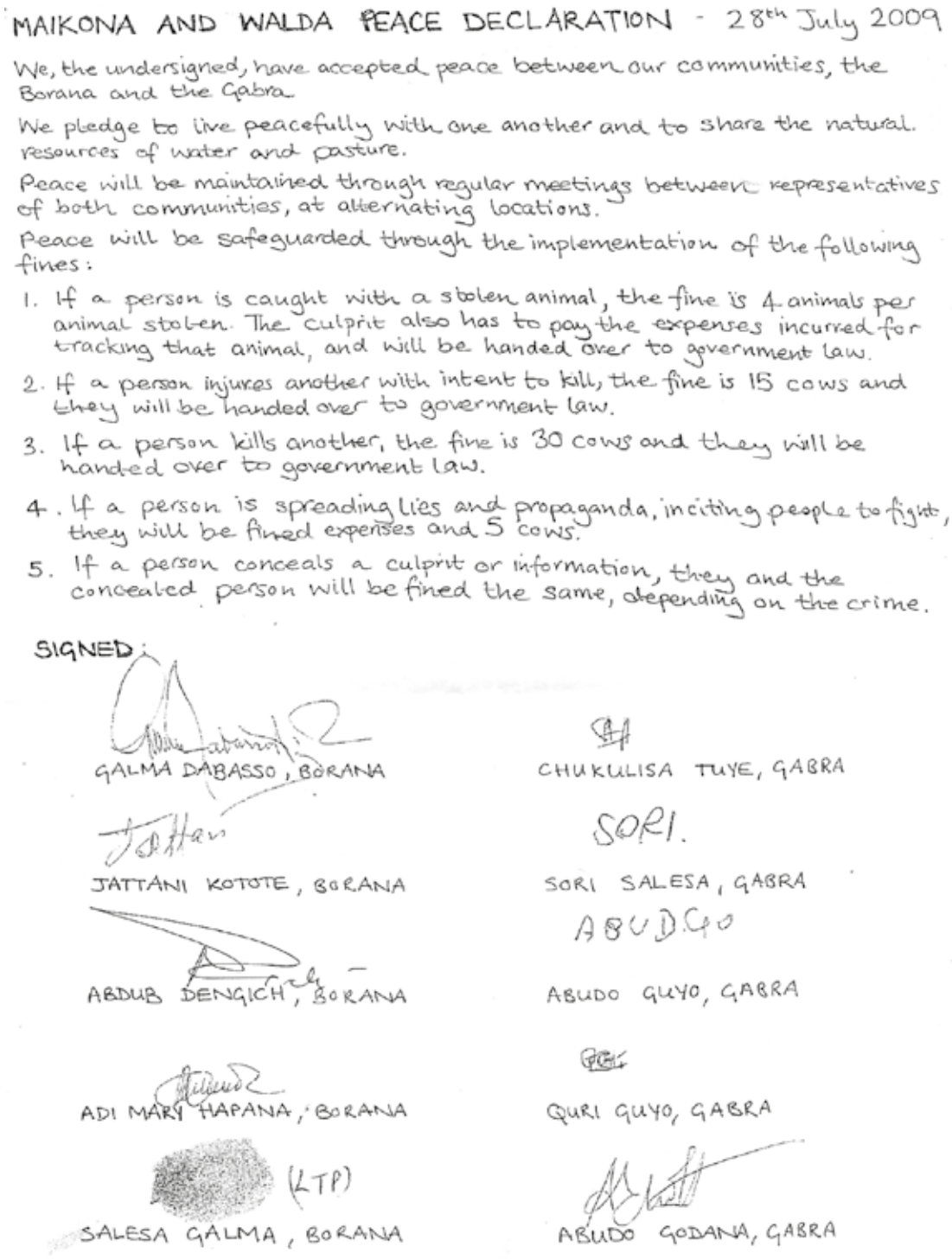
Further topics include sexual and gender-based violence, cross-border violence, business-related issues such as free movement and market access, the use of shared infrastructures, humanitarian relief, community conflicts arising from landlord-tenant relationships, religiously-framed conflicts, and issues surrounding armed groups and their behaviour, especially illegal taxation and checkpoints. Several agreements aim to forge alliances or facilitate tactical surrenders, which raises challenges in defining these as 'peace' agreements. Justice mechanisms also feature prominently, although in a way that often diverges from how justice is negotiated at the national level. Such provisions can be related to social cover where the protection of the tribe would be lifted for people who committed crimes or financial compensation paid to victims or heirs of a victim under Islamic or customary law.

The empirical comparison shows that the predominant overarching function of local peace agreements is to stop armed violence, at least temporarily. This functionality explains why many of these agreements take the form of ceasefires, truces, and cessation-of-hostilities arrangements. Topics like the withdrawal of heavy weapons, humanitarian access, the return of displaced people, and prisoner exchange underscore this modality of conflict management. Such agreements do not aim at building sustainable peace or addressing overarching conflict fault lines. Instead, they produce an environment of normalcy that allows farmers to cultivate their farms and children to go to school and facilitating displaced persons to return to their homes in a more secure environment. It appears that these elements are deemed more straightforward to achieve written commitments on than a form of all-encompassing peace.

[7] Bell, Christine, Sanja Badanjak, Juline Beaujouan, Margherita Distrotti, Tim Epple, Robert Forster, Robert Wilson, and Laura Wise (2020). PA-X Local Peace Agreements Database and Dataset, Version 1. www.peaceagreements.org/lsearch

Local peace agreement example

Maikona and Walda Peace Declaration, signed 28 July 2009



MAIKONA AND WALDA PEACE DECLARATION - 28th July 2009

We, the undersigned, have accepted peace between our communities, the Borana and the Gabra.

We pledge to live peacefully with one another and to share the natural resources of water and pasture.

Peace will be maintained through regular meetings between representatives of both communities, at alternating locations.

Peace will be safeguarded through the implementation of the following fines:

1. If a person is caught with a stolen animal, the fine is 4 animals per animal stolen. The culprit also has to pay the expenses incurred for tracking that animal, and will be handed over to government law.
2. If a person injures another with intent to kill, the fine is 15 cows and they will be handed over to government law.
3. If a person kills another, the fine is 30 cows and they will be handed over to government law.
4. If a person is spreading lies and propaganda, inciting people to fight, they will be fined expenses and 5 cows.
5. If a person conceals a culprit or information, they and the concealed person will be fined the same, depending on the crime.

SIGNED:

GALMA DABASSO, BORANA

CHUKULISA TUYE, GABRA

JATTANI KOTOTE, BORANA

SORI SALESA, GABRA

ABDUB DENGICH, BORANA

ABUDO GUYO, GABRA

ADI MARY HAPANA, BORANA

QURI GUYO, GABRA

SALESA GALMA, BORANA

ABUDO GODANA, GABRA

3. INITIATING PEACE NEGOTIATIONS AT THE LOCAL LEVEL

Negotiations over peace and conflict are complex processes taking place across various arenas in parallel. It is often difficult to clearly define a beginning and an endpoint of a peace process. Especially in discussions about external support, the question of ownership arises quickly, not only referring to the ownership of the process but also of the subsequent agreement and its implementation. This challenge is particularly prevalent in local peace processes, where mediators often have to invoke various forms of traditional legitimacy, for example, customary approaches when trying to achieve desired outcomes.

National or international involvement has a role to play in supporting local peace negotiations. This role is not straightforward, however. For instance, financial and technical support can undermine the legitimacy of local peace processes by inadvertently making actors or mediators appear as supported by foreign agencies or as only being interested in their own political or financial gain. At the same time, even highly localised efforts of conflict management and peacemaking are 'glocalised'. Most stakeholders involved in the negotiation of local peace agreements have personal or political relations to actors at the national level. Many of the international actors supporting such efforts are not only well connected in the region, but also work through local staff who have grown up and live in the area. A clear distinction between what is local, national, or international, therefore, is rarely clear-cut.

The roles of urgency and necessity are also vital to understanding when and why local peace processes emerge. As one workshop participant working in a sub-Saharan African context noted:

The origins of the local peace processes were based on the notion that the people had to solve their problems locally because they could not wait for the government to arrive. At the local level, they have a better understanding of these issues and waiting for government intervention would take too long risking an escalation of violence.

Several examples emphasise this argument. In South Sudan, religious actors play an influential role in initiating peace processes. Notably, the South Sudanese Council of Churches (SSCC) is substantially involved in local peace processes across the country. The Presbyterian Church has also facilitated several processes, in particular around the Equatorian town of Yei. The church as a community organ has considerable knowledge of what is happening on the ground because church leaders often stay in their localities, even throughout periods of intense fighting. This endurance contributes to their legitimacy within communities and among armed actors. Sometimes, church actors also adopt a more passive approach by initiating negotiations but then not directly participating in it, apart from providing transport or contact with the army in order to provide security guarantees.

Traditional authorities are another influential actor. Workshop participants confirmed the essential role of traditional leaders, but also local researchers as those documenting the processes for local peacemaking in eastern Democratic Republic of Congo (DRC). In CAR, the UN-mission MINUSCA monitors the ongoing conflict and attempts identifying individuals with leadership qualities and trying to provide capacity building in order to support local peacemaking efforts. When negotiations are held, MINUSCA is commonly charged with the responsibility of sharing the outcomes with the affected communities to disseminate results and implications.

This engagement underscores the role multilateral support can play in peace negotiations at the local level. MINUSCA, as well as the United Nations Assistance Mission in Somalia (UNISOM), are among the first UN-missions that have strategically engaged in local peacemaking. This engagement contrasts earlier attempts of relying on more ad-hoc negotiations hosted by strategically located peacekeepers, as was often the case during the UNPROFOR mission in Bosnia-Herzegovina. However, this practice is becoming more common among other UN-missions, such as the increasing attention being paid by UNAMA to ongoing local peace initiatives in Afghanistan.

4. THE ACTORS: PARTIES AND MEDIATORS

The distinction between parties and mediators can often be tricky to assess. Sometimes the roles become identifiable when a written local peace agreement is reached, since signatories may list the capacity in which they are endorsing the agreed points. However, the composition of actors can be incredibly diverse and frequently raises questions regarding the inclusivity, legitimacy and sustainability of processes. Individuals taking part in negotiations may wear different 'hats', often representing one of the multiple identities that they have, and sometimes change their role as a process moves forward. Such multiplicity of roles raises the importance of engaging with actors' reflections of their position in a particular process, rather than relying on external perceptions.

Military and security sector

In the majority of armed conflicts, the national military represents a key player at all possible levels. In South Sudan or the DRC, armed groups being part of or being affiliated with the national armed forces are a substantial part of local peace negotiations, which is a requirement in order for them to succeed. Myanmar and Nepal have seen a number of what might be called 'mop-up agreements', which are permanent ceasefires between state actors and localised armed groups for pacifying areas of the country that the national-level peace agreement could not fully reach.

These agreements have largely succeeded in including local armed groups in a settlement at the national level. They have also created local settlements that resulted in a decrease in armed violence in the region. Especially in Myanmar, these processes progress with strong involvement of the national security sector. In Nepal, they evolved as part of a national initiative to enable free and fair elections, which incentivised the government to invest in the resolution of local conflicts in order to hold credible elections throughout the whole country.
In Pakistan and Yemen, local agreements tend to focus on the movement of armed actors in particular territories. Such agreements are brokered between villages and their armed representatives and parts of the national armed forces or other armed organisations. These practices show the fragile role the nation-state plays in some of these settings vis-à-vis 'strong societies'. [8]

Traditional authorities

Traditional authorities, such as elders and tribal leaders, play a considerable role in local peacemaking, especially in Sub-Saharan Africa and the MENA region. In regions with established tribal structures, tribes are not only involved in local peace processes as actors, but the tribal structure itself severs as a mechanism with legal implications. In Jordan, the tribal judiciary is a habitual way of local conflict management, which deal with dispute cases regarding personal honour, women, revenge killings and murder, as well as with local politics. A common challenge is the role some tribal leaders play in national politics. In such cases, their involvement may become linked to the interest to get (re-)elected or appointed to governmental positions.

In Yemen, the nature of the involvement of tribal chiefs varies depending on the localities. In Ma'rib, the predominantly tribal nature of the area means that tribal sheikhs from the same tribe across three branches are heavily involved in local peace processes. In Taiz, in contrast, the key actors tend to be societal leaders, women leaders and activists. In cases where these groups are not embedded in the tribal dynamics, tensions evolve. Even if local peacemaking is initiated by parts of civil society, it cannot succeed by working against the predominant social dynamics at play. Understanding these dynamics and taking them into account, therefore, is a crucial task.

In Somalia's clan-based conflict structure, the role of clan representatives in political power-sharing is central to local peace processes. The main actors involved are tribal chiefs, often in a double role as clan elders and formal community representatives. One of the challenges in these processes is sequencing. Often, the ongoing conflict has resulted in intra-clan conflicts that need to be resolved before negotiations between two clans can start in a meaningful way.
In South Sudan, the Rift Valley Institute (RVI) is currently engaged in research involving chiefs who participated in the 1999 Wunlit peace agreement that reunified the split Sudanese People's Liberation Army (SPLA) in locally-based negotiations. [9] Chiefs played an essential role in bringing the parties together and reframing the contestation from an ethnopolitical problem between Dinka and Nuer into a national political issue. By turning the problem into a political one, it became possible to reconcile the ethnopolitical communities. Chiefs were able to act as the local agents to the communities and to represent their interests in the political negotiation process.

In a number of places, especially in Sub-Saharan Africa, elders still have the authority and power to influence and to legitimise local peace negotiations. Elders usually can rely on a robust social network and a significant capacity to mobilise. They are often the first who engage in local peacemaking, mainly to de-escalate tensions or to explore preventive measures. In some cases, elders take up responsibilities as mediators; however, as negotiations and conflict settings become more complex, capacity-related support becomes necessary. Elders tend to rely on customary methods of conflict management, such as peace conferences lasting several days that do not always result in written agreements. Oral agreements have certain advantages but can also pose problems in terms of reliability, compliance and implementation.

The role that traditional authorities play in local peacemaking processes is not without challenges. One issue is the potential reinforcement of existing power imbalances within communities. The processes that traditional and customary leaders design are not exclusive by design, but broadening processes of inclusion mainly depend on the decision-making of traditional authorities.

Community leaders, women, and youth

Community-driven processes that broadly include often marginalised yet influential groups such as women, young people, displaced persons, and persons with disabilities are seemingly on the rise. Hybrid methods that use traditional platforms and modern means of participation are being trialled to see whether hybridity can support the potential of local peace processes.

In Galkayo, Somalia, the main interlocutors of the process were governors, mayors, and representatives of local communities. For promoting broader buy-in and process inclusivity, interlocutors facilitated and enhanced community representation. The negotiations involved bringing together elders, religious leaders, women, youth representatives, and the business sector. The process culminated in bringing the relevant decision-makers and most of the other relevant stakeholders from the two sides of Galkayo together. Thus, the inclusive approach made it possible to overcome a preexisting separation of the talks which were held separately – one on the Galmudug side and one on the Puntland side. The joint negotiations had an immediate impact; for instance, militias of both sides removed roadblocks after the meetings had started.[10]

Women take on a variety of roles in local peace processes, ranging from active participation in fighting and liberation struggles to acting as representatives of their communities, survivors of abuse and violence, and their role as mediators.[11] In many settings, however, women's participation in local peacemaking is not straightforward. They might not be allowed to contribute because of societal inequalities and obstacles, or their voice may not be recognised. To respond to this challenge, women have utilised existing tribal customs and cultural practices in order to instigate or support local peace processes. Two such examples are the Wajir peace process in north-eastern Kenya, and deliberations across different governorates in Yemen.[12] Compartmentalisation is another challenge since inclusive participation might be organised as women organisations discussing especially 'women-related topics'. Such an approach neglects the unique experiences women can bring to the negotiation table. As one workshop participant highlighted:

Women understand conflict more than men. Women suffer and encourage or discourage men from going into conflict. It is the women that can drive the peacebuilding processes.

Participatory and inclusive approaches might still complicate peace processes, as one participant raised:

The inclusion of women and the youth is essential. But it does not simplify the process. Those who think that bringing women to the table is a quicker route to peace may be disappointed.

This account relates to the fact that women and youth are not necessarily more peaceful and open to political compromise than other parts of society. For instance, in some areas of South Sudan observations of workshop participants pointed towards a more radical and unforgiving stance women have taken in negotiations compared to male participants.

Involving young people is as well turning into a crucial component of local peacemaking. This more influential role of youth is a result of rationalising their role as potential combatants in armed conflicts and of recognising the related threats they face, especially forced recruitment and targeted killings. Many conflict contexts have a comparably young population, which gives the youth a considerable influence on the socio-political setting. The examples discussed above, such as in Galkayo, Somalia, have shown that youth actors have a structurally

important role in mitigating an ongoing violent conflict and substantially contribute to the dissemination of negotiation results, especially on social media.

One interesting and possibly unique example of using online technologies to broaden buy-in to a local peace agreement is the final provision of the Nakuru County Peace Accord, which was agreed by the Agikuyu and Kalenjin communities in the year 2012. As well as signatories from elders of the affected communities, civil society groups and other stakeholders within Nakuru county, the agreement invites additional signatures from

any others, anywhere in Kenya or internationally, who wish to acknowledge this Accord and welcome its objectives and terms. Signatories in this category may be added at any time by procedures to be established by the Elders. People in this category may also 'sign' via the internet when the Accord website is established.[13]

National and local politicians

The role of politicians who hold positions in national institutions and participate in local peace processes is difficult to assess from the outset. The support of the national level in peace processes can be crucial, as it demonstrates and practically represents political will. At the same time, national politicians tend to utilise their local roots politically, relying strongly on them to pursue their interests in the political game at the national level. The role and composition of community leaders, as well, differ across processes. Community leaders are often both elders and government officials at the same time, which can support to facilitate a multi-level structure of the peace architecture for a local peace agreement. This multiplicity of roles underlines the difficulties in drawing a clear line between 'national' and 'local' actors. These roles often overlap or even change regarding to context and interests at stake.

The negotiation of local peace agreements in South Sudan illustrates this challenge. Such efforts are unlikely to be effective unless they benefit the political elite in what constitutes the South Sudanese national political marketplace. If local arrangements cut across political interests at the national level, the chances are that they are going to be undermined. In turn, such agreements are used by local strongmen to enhance their political chances at the national level. For local peace agreements to hold, forging an alignment between the national political elite, the military, and the local leaders of armed factions is essential.

The interrelation between the national and local level becomes even more challenging when the conflict setting is characterised by the lack of a functional central state that can project its political and military power beyond the major cities. In Libya, after the eruption of the second civil war in 2014, local conflicts took a national dimension. As a consequence, local conflicts were instrumentalised by national actors. This instrumentalisation resulted in local actors taking advantage of the power game at the national level and utilised their role for gaining resources and support. Local and national interests thus evolved in a contradicting relationship of perpetual mutual reinforcement and undermining.

The perception of the role of local politicians in local peace processes differs across contexts. In Iraq, local governors have been at the forefront of driving local peace processes. In South Sudan, some state governors with strong community relations have actively taken up the role to manage tensions and to support free-movement agreements between the warring parties after the revitalised peace agreement, R-ARCSS, was signed in late 2018. The decision by state governors to become engaged actively in local peace processes has been widely respected among communities. In Nakuru, Kenya, community leaders requested not to have outside interference from national party leaders in order to protect the local peace process from the issue of mistrust, because national-level politicians are often seen as sources of division, rather than harbingers of unity.
The armed conflict in Somalia develops in a constant clash between local and national approaches to political organisation and statebuilding. Severe challenges arise when the two approaches – bottom-up and top-down – collide, especially when local powerbrokers aim to influence the national level, or national politics attempt to dictate local power settings. Similar issues occurred in Syria when the government tried to centralise peace processes in a top-down approach through the establishment of a peace ministry. As a response, reconciliation committees would form at the local level in competition with the process at the national level.

The interplay between the national and the local level can also yield positive repercussions. By distributing legitimacy

and recognition, local peace agreements can become a mechanism for mitigating violence and demonstrate success. This strategy was applied, for example, in Nepal, where a considerable number of agreements in the succession of the Comprehensive Peace Agreement at the national level were signed by the peace ministry with local armed groups. In this way, both arenas – the national and the local – profited from closing the agreement.

In most instances, the national-local-interplay is one of trade-offs and unintended consequences. Government policies may have an unforeseen impact on local peacemaking by unintentionally favouring some communities vis-à-vis others. Efforts of disarmament in situations without a functional security apparatus are a constant challenge. While getting rid of weapons ostensibly looks like a good idea, it can create security dilemmas that increase distrust between communities, especially in ethnopolitically tense situations. In a presently ongoing disarmament campaign in Northern Kenya, the Turkana are the only ethnopolitical group not included in this exercise, perceived to be because they share a long border with South Sudan, Ethiopia and Uganda. This potential insecurity results in the perception of the need for armed protection which cannot be guaranteed by the national security sector. Communities neighbouring the Turkana, however, now are fearful of attacks and claim that the government is favouring the Turkana over them.

Churches

Churches play a vital role in the negotiation of many local peace agreements. They are often the centre of the community with a network that reaches the lowest structure in the village. The church is traditionally an institution that people turn to in case of disputes. Religious leaders, similarly to elders, are therefore among the first to hear about challenges related to armed conflict. As a consequence, they become the first to take the initiative to raise awareness of a potentially disruptive problem. Their tendency to maintain a physical presence in areas even during the worst episodes of armed conflict contributes to their legitimacy.

The National Council of Churches of Kenya (NCCK) tries to push the peace agenda by advocating for the elimination of corruption, instituting police reforms, and other positive changes. It communicates these grievances shared by local communities in press statements and consultations with the government. The NCCK also works on projects to help ease community conflicts, such as by maintaining a presence in areas of the North Rift Valley where cattle rustling is common. To this aim, the NCCK organises the County Dialogue Conferences (CDCs), where communities are brought together to look at the issues affecting them directly. Cooperation with and the support of external actors is essential, as is the collaboration with the NCCK's Council of Elders.

One such project involved the creation of a group called 'the women of faith'. This project worked on creating designated spaces for each community to talk about issues that were especially affecting women. It subsequently brought them together to diffuse tensions and build trust. Another peacebuilding project initiated by NCCK with the support of the Church of Canada targeted young men in Marakwet, West Pokot, and Turkana. The NCCK cooperated with young men in forming community platforms in churches and uses them to reintroduce and teach traditional peacemaking methods.

In South Sudan, the South Sudanese Council of Churches (SSCC) plays a comparably vital role in facilitating and supporting local peace initiatives. The SSCC has developed an action plan for peace which was built on the three pillars of advocacy, neutral forum, and reconciliation. In advocacy, the church aims to appeal to South Sudanese communities to resolve their issues and change prevailing destructive narratives of violence, power struggles, and abuse, into ones of settlement and reconciliation. A number of projects have already been implemented, whereby the success, unsurprisingly given the challenging context, remains mixed.

In the Equatoria region of South Sudan, the Evangelical Presbyterian Church plays an influential role as a local peace broker. In the years since 2015, the surroundings of the city of Yei have turned into a stronghold of several so-called 'hold-out groups' that have not signed the revitalised South Sudanese peace agreement (R-ARCSS). The Presbyterian Church is able to reach these actors and to engage them in peacemaking, which led to the signing of two Yei River State peace agreements.[14]

Churches are frequently considered to offer a neutral forum and a free space to openly discuss the root causes of the war

and all that has resulted from it. Such forums open up space where actors from all levels can meet to discuss issues in a neutral environment that take the form of people-to-people community conversations. People are brought together to explain why they are involved in violence and come up with solutions that are embedded in the local surroundings. In the SSCC approach, these conversations should result in reconciliation and trauma healing. In South Sudan, faith-based actors have traditionally encouraged both victims and perpetrators of the violence to speak out as a way of healing. They are the driving force behind the community in this reconciliation process.

The role of church actors is not undisputed. In the South Sudanese example, for instance, the substantial amount of external funding acquired by the SSCC has raised suspicion by some observers that are sceptical regarding the effective use of resources. These critiques confirm the constant contradiction between the necessity and the possibly de-legitimising effect of international support for local peace mediation.

Civil society, businesses, and local peace committees

The role of organised civil society, mainly NGOs, is diverse and controversially assessed. On the one hand, NGOs play a vital role in research, advisory, and practical support of negotiation processes across different regions. Due to their capacity to advocate, they are able to create pressure at the local and national political level in order to move things forward or to attract attention to particular problems. Still, their role was put in perspective by workshop contributors. The specific modalities of their involvement need to be thoroughly taken into account. There can be a tension between individuals and traditional leadership structures and organised civil society beyond these groups, which is mainly due to the specific contextual setting around legitimacy and ownership, and these tensions themselves need to be understood as requiring to be mediated. The potentially adverse role of international NGOs in local negotiation processes has also been raised. As with national NGOs, the effectivity of INGOs often relates to their ability to recruit and work through local staff that is embedded in the respective communities.

Involving business into local peace processes does not appear to be a key modality, yet it can yield fruitful results.[15] In Somalia, local businesses were donating money to resolve the conflict in the 1990s. The business sector is also involved in the negotiation process in Galkayo, where discussions between business people and traders sent a message to actors using forms of violence that the violence was unacceptable to the local community. This support reflects increasing ownership and long-term thinking.

Local peace process modalities can address these tensions. Local peace committees are one modality used to structurally involve actors from civil society and the business sector, alongside traditional authority holders. Peace processes can gain from the involvement of these committees in two ways. First, these committees structure and formalise inter-communal negotiations that broker not just between communities, but between constituencies of interest. Second, they can provide a bridge between the state and inter-communal agreement. The formation of local peace committees evolved as a response to the often-frustrating experience of stakeholders involved in local peacemaking when their role as a bridge was not recognised, and feedback from the national level was lacking.

In Kenya, the local peace committees hence were institutionalised at the national level in the 'National Steering Committee on Peace Building and Conflict Management' (NSC). According to the workshop contribution of one of its representatives, the NSC was

borne out of the need to incorporate traditional justice resolution mechanisms into the formal legal-judicial system of conflict mitigation. The NSC partners with CSOs in order to engender conflict sensitivity to development as it has been largely accepted that a peaceful, stable and secure society is a prerequisite for sustainable development.

Essentially, the NSC acts as the voice of local peace councils and committees at the national level.

Growing concerns among grassroots practitioners stress the danger that the NSC could become just another government agency run by elites and decoupled from the objectives of peacemaking at the local level. While agreements in the Kenyan context traditionally were based on resource-sharing, the NSC would have introduced the risk of interference of individual career-perspectives. However, without the support of the NSC representatives of the communities engaging in the mediation process might lack the capacity to negotiate agreements at

eye-level with state negotiators, which could undermine community ownership.

As the NSC's reference to 'sustainable development' indicates, local peace committees, especially in Kenya, are not just aiming at resolving conflicts but also at developing a local area. In doing so, they fill the gap left by a locally weak state. Challenges, thus, often arise when state-level mediators leave the area and hand over the project to the local community. Furthermore, the formalisation of the processes generates expectations, for instance, through the payment of per diems, which questions the motivations for attending and participating in negotiations.[16]

International actors

The role of international organisations such as the UN has been important in some contexts, including in Afghanistan, CAR, and Kenya, but can push at the limit of when the UN is authorised to intervene (which under Charter is determined by concepts of the scale of the threat of the conflict to 'international peace'). International intervention more generally, as noted, can be double-edged, especially in how it is perceived by stakeholders in local peace negotiations. In many locations, resentments towards international actors exist, often as a consequence of perceived self-interest, or because of the adverse effects that their involvement at local grassroots peace agreements has caused.

As with the involvement of national actors in local peacemaking, the reasons for international actors to engage in local conflicts are frequently questioned by stakeholders at the local level. For instance, in Libya, the involvement of several international players like Qatar, Italy, and the United Arab Emirates, frequently raises questions as to whether their involvement focuses on conflict resolution or on pursuing self-interest, and raises a level of international competition. In Syria, as well, the involvement of many geopolitical players in the brokerage of subnational and local agreements has contributed to considerable suspicion.

The acknowledgement of customary conflict management practices and traditions, therefore, is one of the main demands that local actors raise when debating the role of international involvement and support. Local guidance and local ownership of the processes are seen as essential, but training needs and the requirement of support is widely accepted. Amplifying the voices and representation of marginalised and victims of the conflict is another responsibility that international actors are expected to take.

The majority of mediators come from the region under concern – in contrast to conflicts at the national level where external mediators from other parts of the world are frequently involved. Where international actors are involved, they often cooperate with traditional local mediators such as elders or religious or tribal leaders. Mediators can also come from a variety of unexpected backgrounds. Doctors and teachers were involved in an internationally supported network of facilitators in Syria. In the Ogaden conflict in Ethiopia, ministers from Kenya and Ethiopia worked as mediators.

In an increasing number of conflict contexts, for example in Syria and South Sudan, humanitarian actors take on the role of mediators. In Syria, the ceasefire in Homs in 2015 was negotiated by UN agencies.[17] In the Abyei region, contested between Sudan and South Sudan, the annual negotiations about grazing rights and migration routes between Misseriya and Ngok-Dinka communities are facilitated by the UN peacekeeping mission and the UN Food and Agricultural Organization (FAO). In recent years, specialised agencies such as the Center for Humanitarian Dialogue have developed the capacity to support such processes globally.

International support is an important funding source for many negotiation processes at the local level. International actors also offer mediation expertise. Besides funding, the promotion of international norms also plays a crucial role when external actors get involved. INGOs and international organisations are influential voices advocating for and safeguarding human rights and gender-related rights. In a post-ISIL Iraq, such promotion of international rights and the need for compliance with international rights catalogues have created tensions for international actors when engaging in local peace processes involving groups deemed as 'extremist'. Similar issues occur in Afghanistan or Syria. In the Syrian context, such critiques have also raised problematic implications of international involvement in local peace negotiations, especially where international organisations have been criticised for facilitating humanitarian evacuation agreements that are viewed as supporting forced displacement.[18]

[8] Joel S. Migdal, 1988, Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World. Princeton, NJ: Princeton University Press.

[9] A report by RVI on the Wunlit peace conference is due to come out in the course of the year 2020.

[10] For full texts of peace agreements from local peace processes in Somalia, see PA-X Peace Agreement Database, 2020, www.peaceagreements.org

[11] Laura Wise, Robert Forster and Christine Bell, 2019, Local Peace Processes: Opportunities and Challenges for Women's Engagement (PA-X Report, Spotlight Series). Edinburgh: Global Justice Academy, University of Edinburgh. Available at: http://www.politicalsettlements.org/publications-database/local-peace-processes-opportunities-and-challenges-for-womens-engagement/

[12] Dekha Ibrahim Abdi and Simon J. A. Mason, 2019, Mediation and Governance in Fragile Contexts: Small Steps to Peace. Boulder, CO, and London: Kumarian Press; Tabbara, H. and Rubin, G., 2018. Women on the Frontlines of Conflict Resolution and Negotiation: Community Voices from Syria, Iraq and Yemen – a discussion paper. New York: UN Women, 12-16. Available at: http://arabstates.unwomen.org/en/digital-library/publications/2018/8/women-on-the-frontlines-of-conflict-resolution

[13] Kenya, Nakuru County Peace Accord, 19/08/2012, https://www.peaceagreements.org/view/785/

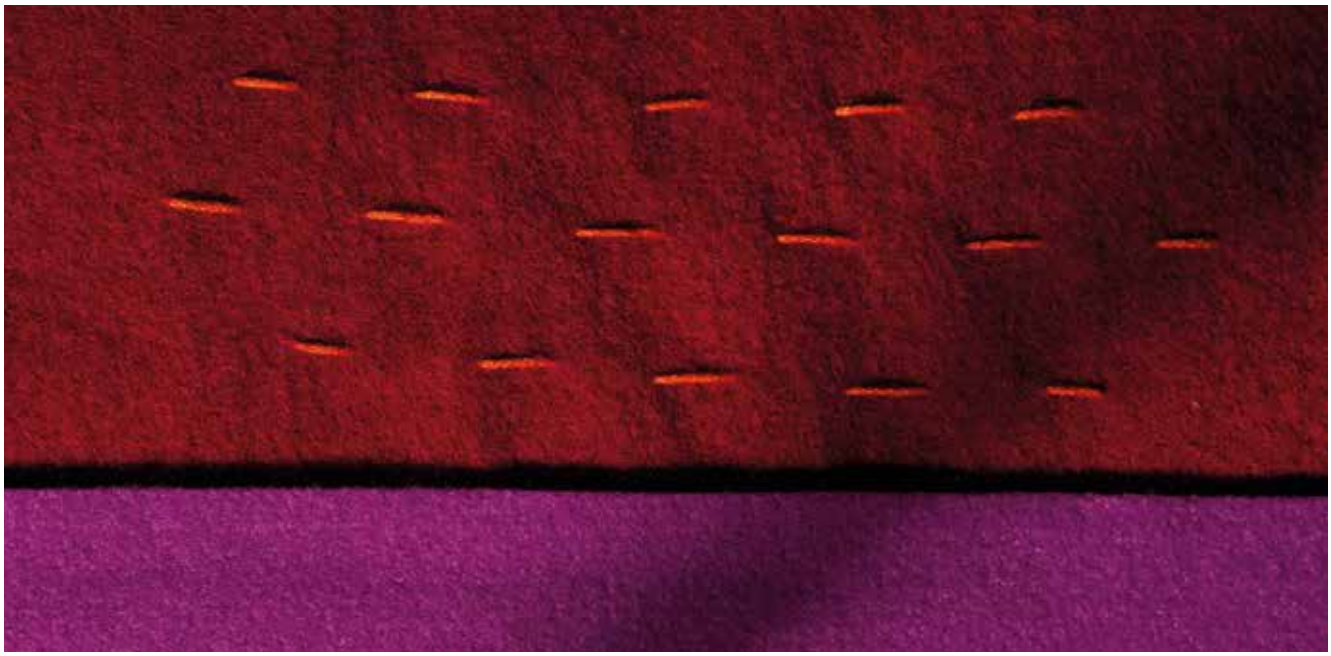
[14] South Sudan, 06/03/2017, Resolutions drawn following a Dialogue Meeting between County Commissioners of Lujolo, Morobo, Otogo and Yei representing the Government of Yei River State and the Opposition Leaders of Lujolo, Morobo, Otogo and Yei Counties who have taken arms against the Government of South Sudan, https://www.peaceagreements.org/view/2073/; South Sudan, 30/04/2017, Grassroots Agreement to Promote National Dialogue in Yei River State and South Sudan, https://www.peaceagreements.org/view/2071/.

[15] Further on the role of the business sector in peace agreements, see Sean Molloy, 2018, Business and Peace Agreements, PA-X Report, Economic Series, Edinburgh: Global Justice Academy, University of Edinburgh. Available from: http://www.politicalsettlements.org/publications-database/business-and-peace-agreements/

[16] Further on the role of non-governmental actors in the Kerio Valley peace processes, see Emma Elfversson, 2016, 'Peace from below: Governance and peacebuilding in Kerio Valley, Kenya', The Journal of Modern Africa Studies, 54:3, 469-493.

[17] Syria, 07/12/2015, Homs Ceasefire, https://www.peaceagreements.org/view/1441/

[18] Further on the issue of local ceasefires in Syria, see Rim Turkmani, Mary Kaldor, Wisam Elhamwi, Joan Ayo, and Nael Hariri, 2014, Hungry for Peace: Positives and Pitfalls of Local Truces and Ceasefires in Syria. London: LSE.



5. LOCAL PEACE AGREEMENTS AND NATIONAL PEACE PROCESSES

To what extent and in what ways local peace agreements can – or cannot – contribute to a peace process at the national level is a question often raised, especially by international mediators and observers. The case studies discussed so far show that local conflict settings are intertwined with national and international conflicts in different kind of ways. The major elements connecting the local and the national level that appear across contexts are the recruitment activities by armed actors at the local level, the provision and availability of weapons, and the occurrence of break-away factions from parties to a national-level peace deal that localise their activities.

There is also the potential of severe political repercussions since local conflict fault lines might trickle up and align with the conflict at the national level, possibly leading to an exacerbation of preexisting ethnopolitical tensions.

Local peace processes can supplement, substitute or undermine peacemaking efforts at the national level. One challenging aspect frequently occurring is that they might offer national governments a 'cheap' alternative to negotiations and power-sharing compromises at the national level. Syria is one case in point where such concerns repeatedly have been raised. Local ceasefires brokered in the early stages of the conflict, like the 2015 Homs ceasefire, mainly focussed on humanitarian issues. Later local agreements, in contrast, tended to project national interests at the local level and thus supported the interests of the repressive regime by enabling it to avoid any political engagement with the armed opposition.

The adverse effects of local peace agreements can also be indirect. In Yemen, some local agreements were reached through back-channel negotiations involving al-Qaeda. These agreements were mainly closed based on territorial considerations. They facilitated the relocation of al-Qaeda forces, which resulted in the transfer of the armed fighting from one location to another. Such a relocation of conflict, in turn, compromised peace initiatives ongoing at the national level. In Libya, the existence of a national peace process at first facilitated negotiations at the local level. The international support to General Khalifa Haftar in Benghazi conditioned his response to the UN's efforts to resolve the national conflict. But as the support relieved him from the necessity to negotiate a local agreement in Benghazi, it arguably reduced his incentive to support an agreement at the national level as well.

Other conflicts develop in a predominantly localised way and are often disconnected from the national-level fault lines. In Afghanistan, armed actors exploit these fault lines while negotiations at the national level, such as the recent US-Taliban negotiations, cannot provide sustainable offers for resolving the existing tensions. This unfortunate constellation runs the risk that after a withdrawal agreement between the United States and the Taliban is signed, some of these local conflicts could worsen and provide a significant challenge to an already fragile ceasefire.[19]

Other local agreements are a direct result of national-level processes. In Myanmar, the Nationwide Ceasefire Agreement (NCA) between the government and ten armed opposition groups effectively was a localised process of peacemaking that was formalised at the central level. A similar localisation of national peacemaking was undertaken in Nepal. In the aftermath of the Comprehensive Peace Agreement in 2006 between the government and the Maoist armed opposition, 20 agreements with small armed groups were closed to attach them to the national ceasefire process. These agreements were signed over a long period ranging from July 2007 to May 2010. Many had similar characteristics, usually including only short stipulations effectuating a ceasefire and agreeing to enter conversations on political issues in another format. The agreements were signed for the Nepalese state by the Ministry of Peace and Reconstruction.[20]

DRC and Somalia both offer examples of the complex hybridity of conflicts that conjunct international, local and, often to a minor extent, national dimensions in localised negotiation settings. The negotiations at the community and clan level have to take all those interests into account. In Somalia, the hierarchical clan dimension makes local peacemaking even more complicated, since intra-clan issues have to be settled before any inter-clan negotiations can meaningfully start.

South Sudan provides another striking example for the close interlinkage between local and national conflict settings that require strong efforts for local conflict management in order for any national-level peace process to be successful. Earlier studies have shown that local peace agreements have a better chance of success when they are not aligned to the fault lines at the national level. At the same time, their sustainability depends on a national-level process to be successful. In one recent case of local peacemaking, faith-based actors as mediators succeeded in finding the political space

to negotiate for local peace between armed actors representing Dinka and Nuer communities in Unity and Lakes state, despite ongoing tensions at the national level. When local actors were ignored, peace processes failed. The experiences of local peacemaking in South Sudan demonstrate that no shortcut is available to resolving local conflict settings when the main actors consider themselves as being stakeholders in the national conflict. The acceptance of local peacemaking by the national level hence is an indispensable condition for it to be successful.[21]

These insights suggest thinking about local peace agreements less in the sense of a 'scaling up' than of a 'scaling out'. Peace processes do not evolve in a linear way, either at the national or at the local level. A scaling out remains at the horizontal level and avoids vertical thinking such as in spatial hierarchies (from the local to the national) or with regards to peace process sequencing (from ceasefires to comprehensive peace agreements). Perhaps it is the power of imitation that is most powerful since limitation is connected to the afterlife and the legacies of local peacemaking as well as to the new conflicts it introduces that offer an alternative to the logics of war-making.

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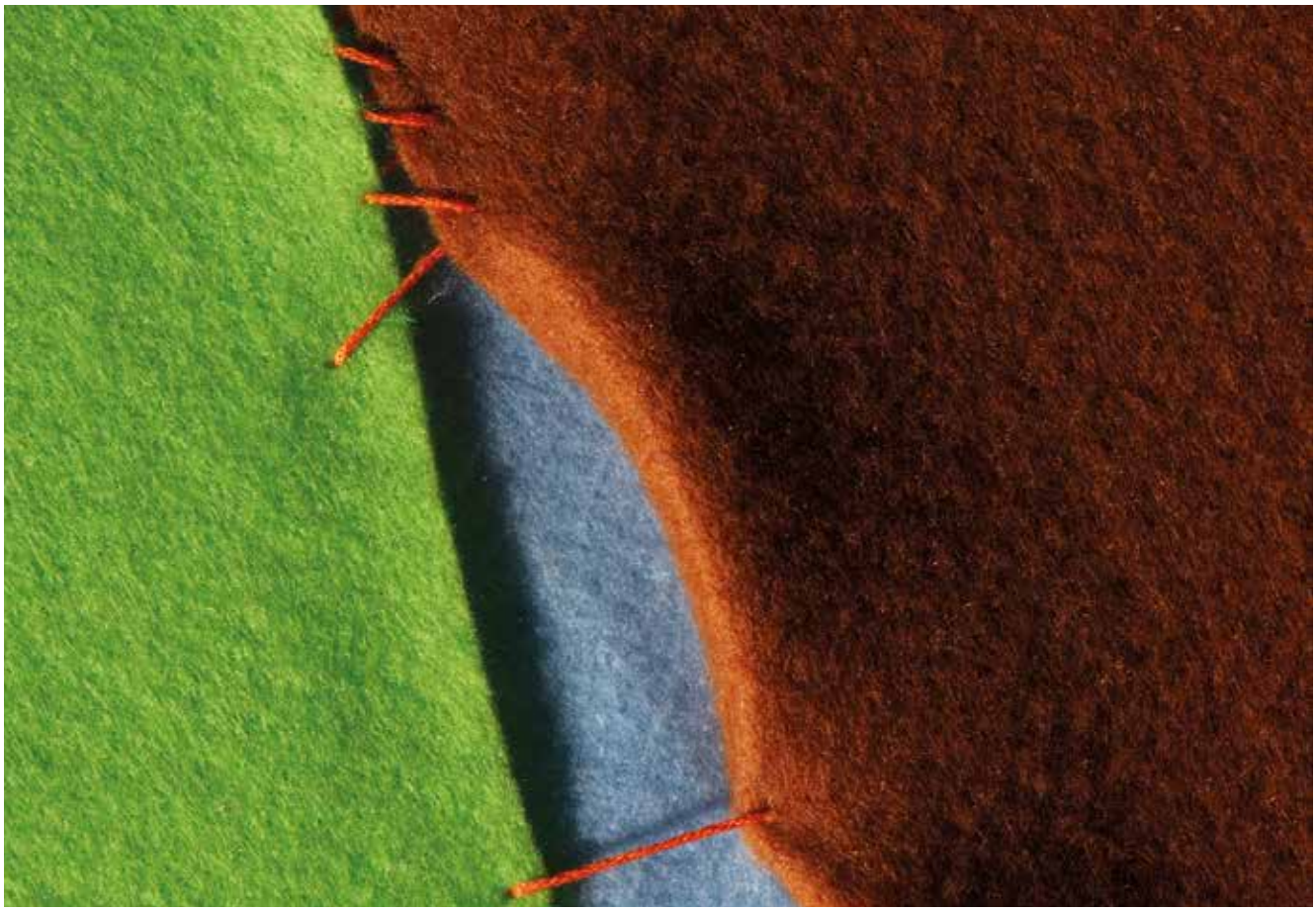
[19] See also Anna Larson, ed, 2018, Incremental Peace in Afghanistan, Accord Issue 27, London: Conciliation Resources.

[20] For full texts of peace agreements from local peace processes in Nepal, see PA-X Peace Agreement Database, 2020, peaceagreements.org

[21] Alan Boswell, 2019, Do local peace deals work? Evidence from South Sudan's civil war, Kampala: Friedrich-Ebert-Stiftung Uganda; Mark Bradbury, John Ryle, Michael Medley, and Kwesi Sansculotte-Greenidge, 2006, Local Peace Processes in Sudan. A Baseline Study, London: Rift Valley Institute.



Local peace agreement example

Letter from Sheikh Yahya bin Ali al-Hajuri, Iman of Dar al-Hadith Institute to the Presidential Mediation Committee on terms for ending the conflict in Dammaj, signed 11 January 2014

بسم الله الرحمن الرحيم

الحمد لله وأشهد أن لا إله إلا الله والصلاة والسلام على رسول الله أما بعد:

فانطلاقا من قول الله عز وجل ((والفتنة أشد من القتل)) وقول رسول الله صلى الله عليه وعلى آله وسلم: (إن السعيد لمن جنب الفتن) فإننا نضع للجنة الوساطة الموقرة حفظهم الله ما يلي:

١-إيقاف الحرب ورفع الحوثيين عنا وفك الحصار وتبادل الجثامين.

٢-جعل مدة أربعة أيام بلياليها نتمكن فيها من تجهيز أمورنا للخروج من دماج أنا ومن أراد من طلابي إلى محافظة الحديدة ونخرج بأشبالنا آمنين ويكون ذلك بضمانة اللجنة، والتكرم بإرسال مروحية لنقلي برفقة لجنة الوساطة وتتولى الدولة كافة تكاليف نقل الطلاب والمدرسين وأثاثهم وأدواتهم وتوفير وسائل النقل الكبير إلى حيث يستقر الشيخ يحيى بن علي الحجوري وطلابه مع عوائلهم وجميع شؤنهم وأسلحتهم بمختلف أنواعها.

٣- نريد ضمانة من الحوثي معمدة من الوسطاء ومن الرئيس حفظه الله أننا حيث استقررنا أنا وإخواني لا يلحقنا ولا يلحق من بقي من أهل البلاد في دماج من الحوثي أذى ولدار الحديث بدماج الاستمرار.

٤-أن نعوض بما تراه اللجنة والدولة وفقها الله لبناء بعض المساجد والبيوت والآبار والعيادات الطبية.

٥-التعويض العادل عن خسائر الحرب في الممتلكات والمنازل واعتبار شهداء دماج محسوبين على الدولة ورعاية وعلاج جميع الجرحى خلال الربع الأول من هذا العام.

Source: Yemen Press. 'Sheikh al-Hajuri agrees to leave Dammaj and move to Hudaydah in exchange for a ceasefire and the lifting of the siege', 11 January 2014, https://yemen-press.com/news25978.html

6. OUTCOMES AND IMPLEMENTATION

Reaching a local agreement often is reported as the successful conclusion of a process, with less information publically available on what happens next. In many cases, local peace agreements are focused on a short-term perspective, which makes it difficult to speak of implementation in a way similar to comprehensive peace agreements signed at the national level. The conclusion of an agreement in and of itself might be the anticipated outcome if increased inter-communal understanding and agreement was itself the goal of a more extended dialogue. The inter-communal relationships are already established and normalised by the agreement rather than it forming the first step in the process of implementation.

Nevertheless, facilitating the implementation of the agreed points and establishing mechanisms to monitor compliance and respond to violations is an immense amount of work for those party to and supporting local peace processes. As one participant reflected:

reaching a peace agreement is not the end by itself. It is called agreement because certain things are missing, but they need to be implemented and followed up. That is not the end, that is the beginning of the work, where we find out whether what was agreed is going to work or not ... Your work as facilitators does not finish when you write the report. The work is just beginning.

As with national-level peace agreements, local peace agreements sometimes provide for implementation, monitoring, and enforcement mechanisms within the text, albeit with greater brevity, as implementation sections in national level accords can sometimes comprise extensive annexes. While written implementation procedures can be used by parties to hold others to account during the implementation phase, they are not always present in local agreements.

Missing details in written texts are not necessarily the result of a lack of discussion or consent. Parties may have agreed on channels to continue negotiating the structure or composition of enforcement mechanisms, or they may have been omitted the stipulation for strategic reasons. There may also be customary practices of social guarantees at play. In western Pakistan, for instance, agreements that are reached by local peace committees are considered binding, due to the role of social pressure. If somebody breaches the agreement, there is an expectation that this person would be punished or would lose credibility in the community, and risk being excluded from the community due to this breach of trust.

As with mediation, the task of monitoring the implementation and outcomes of local peace agreements often falls to different actors. Trust, legitimacy, and capacity remain as crucial factors for effective involvement. In Nepal and CAR, the UN has played a role in that task, while in Somalia, Jordan, and Yemen, clans and tribes are encouraged to monitor progress and implementation of agreements. In some conflicts, local peace processes receive national and international assistance to support implementation through structures such as multi-level technical monitoring or joint-ceasefire committees. However, those actors do not always have the capacity or an appropriate mandate to respond effectively to reported violations. In reported instances, committee members could not submit monitoring reports to the central coordination agencies since they could not cover their phone bills due to a lack of funding.

In internationalised conflicts such as in Yemen and Syria, local peacemakers face severe challenges to find trustworthy third parties. These challenges raise the issue that while third party involvement may be viewed as necessary for monitoring implementation, there is also the danger of competing national and international agendas undermining the effectiveness of the peace agreement. Third parties may have considerable self-interests that can contradict local concerns.

Besides the issue of identifying trusted third parties to support local peace agreements, a successful implementation faces a number of additional potential limitations. First, there can be a limit to the sustainability of an agreement that brings an end to violence in a geographically confined space, when there is the possibility that the broader national conflict escalates in other areas and risks causing the collapse of the local deal through conflict overspill. This problem is twofold. In Syria, the successful maintenance of an agreement between competing armed actors in one area means that violence moves to other parts of the country, often areas more vulnerable due to high concentrations of IDPs that can be targeted for, or coerced into, recruitment.

Second, there can be confusion over responsibility and expectations for the post-agreement stage. In Libya, there have been cases where traditional actors involved in mediation negotiated compensations, infrastructure reconstruction or security provisions that should be paid for or provided by the state. Yet, there

is no common understanding of how this will be done, or how the capacity of the weak or non-existent central state can be enhanced to deliver. The lack of understanding results in gaps between the text of the local agreement and the reality of a state that does not exist in these areas.

Firm commitments to implement according to agreed timescales may not always be the most appropriate approach since they depend on the evolvement of a broader political settlement. In one instance in Libya, the implementation of a local agreement between two tribes had to be stopped after it emerged that both desired a pipeline to cross over their lands in order to collect transit fees. This dispute required them to reach a new agreement concerning the route of the pipeline. For solving the financial issue, a compensation deal was negotiated. The pipeline ran through the area of one tribe, which got the transit fees, while the other tribe was given a maintenance contract.

The diversity of enforcement mechanisms within local peace agreements raise potential tensions between international norms and accepted conflict resolution practices within communities, which may make it difficult for international actors to support implementation. In several contexts, extra-judicial killings or forced displacement are used as a form of enforcement mechanism to prevent violations of agreements. Such practices can also function as dispute-resolution mechanisms if an agreement is perceived within a community as not being effective enough, or not delivering the expected justice to conflict victims. Other traditional implementation practices involve arranged marriages as a form of compensation between communities, which may cause difficulties for external organisations to support such a process.

In the Philippines, the tension at times has been between donor expectations of peace processes and the pragmatic realities on the ground. Some of the peace agreements in Mindanao have been perceived by local actors as overemphasising 'Western' values at the expense of adequately addressing the needs of demobilised ex-combatants. They were then followed by a surge of the informal arms economy.

Implementing the terms of a humanitarian evacuation agreement suspected of being used as a conduit for forced displacement, particularly from areas under siege, as well can cause enormous challenges for international organisations named as responsible for facilitating evacuations. These organisations need to fulfil humanitarian obligations but risk furthering the conflict agendas of dominant parties, such as in Syria and Bosnia and Herzegovina.

Local peace processes are therefore not necessarily disruptive of the logic and narrative of conflict. Sometimes, they become part of the conflict system and are reinforcing and becoming part of the conflict tapestry. The empirical insights reveal that local peace agreements, and local peacemaking in general, must not be romanticised. Their potential embeddedness in a conflict system poses a massive challenge to external actors wishing to engage with these processes.

7. CHALLENGES AND OPPORTUNITIES FOR EXTERNAL ENGAGEMENT

External support for local peacemaking mainly takes the form of funding, practical support, such as capacity building, or direct involvement, either as a mediator or as a trusted party in supervising or monitoring a peace agreement and its implementation.

The known issues about funding are the timescales of funding cycles and unforeseeable peace process sequences. The discrepancies concern local peace agreements, in particular since they are often short-term oriented, ad-hoc and opportunity-driven. For them to happen and succeed, flexibility, patience, brevity and persistent interactions at various levels are necessary preconditions. These conditions are difficult to meet especially for development actors, who work with longer timelines and planning cycles. Humanitarian actors, in general, have more flexibility for immediate support but are more cautious regarding supporting local agreements that could be perceived as political rather than humanitarian, which would potentially contradict the humanitarian principles.

As discussed previously, structural funding for actors engaging in such processes is a double-edged sword. Organisational funding, for instance, for civil society and faith-based organisations, is widely undisputed. Yet, effective involvement in local peacemaking often relies on the personal capacity of individuals. Furthermore, normative funding criteria can make it challenging to support processes that involve actors which do not meet the required standards or are even explicitly excluded from funding. Other previously raised issues concern the possible undermining of ownership and legitimacy, which both are critical ingredients for the success of local peacemaking. Moreover, the import of 'Western' concepts and institutions without an adequate understanding or awareness of local understandings of peace or conflict resolution mechanisms is still raised as being a challenge.

In the implementation of external support, frequent challenges arise because of language and educational issues that often hamper the required levels of inclusivity and representation. Another practical problem is the available infrastructure. Safe places to meet and the travel between locations can provide challenges that are hard to overcome. Funding alone is not sufficient to address these problems, especially since funding modalities may provide difficulties within themselves like, for example, the transfer of money into remote localities without a functioning banking or transfer system.

The involvement of external actors has severe implications on the negotiation of local peace agreements. It might undermine the legitimacy of local peacemaking, affect a given power constellation, and add another layer of complexity to an often already complex and hybrid balance between the involved actors. However, it is often the structural role of external actors to support local peacemaking by raising issues required for a sustainable, longer-term perspective, such as transitional justice, trauma healing or systemic issues driving a conflict. The inclusion of these issues requires careful navigation since it is sometimes the simplicity of local peace agreements that is an indispensable ingredient of their success.

8. CONCLUSIONS

The two Joint Analysis Workshops have shown that local peace agreements are an issue of increasing relevance in contemporary peacemaking. They occur in virtually all conflict contexts globally and, despite all divergence due to their predominantly contextualised character, share similarities that allow to legitimately speak of them as a particular phenomenon.

Local peace agreements can, therefore, be understood as a globalised practice. Their negotiation occurs in a constant tension between preexisting traditions of local conflict management and the prolongation of the armed conflict and efforts of peacemaking at the national level. Agreements often lean towards one of these two poles, some processes, such as the efforts to mitigate the post-election violence in Kenya, evolve in a combination of both elements.

The relationship of local peace agreements to the national and the international level is complex and context-dependent, which makes it difficult to identify cross-regional patterns. One critical aspect of global relevance is their increasingly written character, which has significant implications on contemporary practices of peacemaking. There is a difference between a local peace gathering that has a two-page written outcome document that is signed by all stakeholders and one that has not. Many of the local peace agreements available in writing, thus, show formal similarities to national-level peace deals. Nonetheless, they generally avoid engaging with the fault lines of the 'bigger' conflict at the national or regional level. Their implementation differs as well – often, implementation relies on traditional legitimacy structures and cannot be assessed in formal legal terms. Therefore, a direct comparison of 'success' is not feasible.

The role of external actors is diverse and contested. Demands of keeping external actors out of peace negotiations at the local level are often contrasted with calls for external recognition and technical or financial support. In virtually all conflict settings, the negotiation of local peace agreements is a hybrid and 'glocalised' undertaking incorporating international, regional, national and local elements. While international support certainly has the potential to spoil such processes, it can as well play a useful role. The acceptance of remaining in a learning position that recognises and acknowledges the local approaches to peacemaking is a precondition required for achieving such a useful role.

In terms of impacting the broader conflict dynamics, local peace agreements have three specific dimensions that need to be kept in mind when engaging with them. First, it is crucial to keep in mind that local peace agreements cannot succeed where negotiations at the national level fail. They can even weaken motivations and incentives for power-sharing deals and provide pathways for contested regimes to sustain their rule. Armed non-state actors engage in such processes based on their strategic political interests. As in peace negotiations at the national level, parties continue aiming to reach their goals through peace talks. The negotiation of local peace agreements is undoubtedly not a power- and interest-free zone, but one which will reconfigure power relationships.

Second, local peace agreements may undermine and, in some instances, even disrupt ongoing armed conflicts in ways that build confidence for wider peacemaking efforts. They can either create small islands of peace influencing the conflict's territorial dimension and can undermine recruitment and funding patterns or help to prevent the 'triggering up' of local conflict reasonings into aligning with national-level fault lines. In doing so, local peace agreements can be able to support a shift in logics – from logics that support conflict towards logics that support peace such as, in Mary Kaldor's words, 'civicness'.[22] In such a way, they may indeed be able to impact the broader conflict setting by opening up a viable alternative to armed fighting.

Third, local peace agreements still remain a largely unchartered territory, given how many are not documented and how little has been studied about their outcomes. Yet, they often tell a new and different story of the wider in-country conflict dynamics. They provide a glimpse into what might be local agendas for peace and the management of conflicts, local forms of deliberation over power-relations, and how civilian and military actors come to an agreement. In the broader conflict landscape, local peace agreements point to the complexity of nested intertwined conflicts that is often eliminated by the more simple stories that peace processes tell of 'the' conflict which will be resolved by national-level elite pacts.

[22] Mary Kaldor, 2019, 'The phenomenon of civicness and researching its advancement', LSE CRP blog, 22 May 2019, available at https://blogs.lse.ac.uk/crp/2019/05/22/kaldor-civicness/

ABOUT US

The Political Settlements Research Programme (PSRP) is centrally concerned with how political settlements can be made both more stable, and more inclusive of those affected by them beyond political elites. In particular, the programme examines the relationship between stability and inclusion, sometimes understood as a relationship between peace-making and justice.

The programme is addressing three broad research questions relating to political settlements:

1. How do different types of political settlements emerge, and what are the actors, institutions, resources, and practices that shape them?

2. How can political settlements be improved by internally-driven initiatives, including the impact of gender-inclusive processes and the rule of law institutions?

3. How, and with what interventions, can external actors change political settlements?

The University of Edinburgh is the lead organisation. PSRP partners include: Austrian Study Centre for Peace and Conflict Resolution (ASPR), Conciliation Resources (CR), International IDEA, The Institute for Security Studies (ISS), The Rift Valley Institute (RVI), and the Transitional Justice Institute (TJI, Ulster University).

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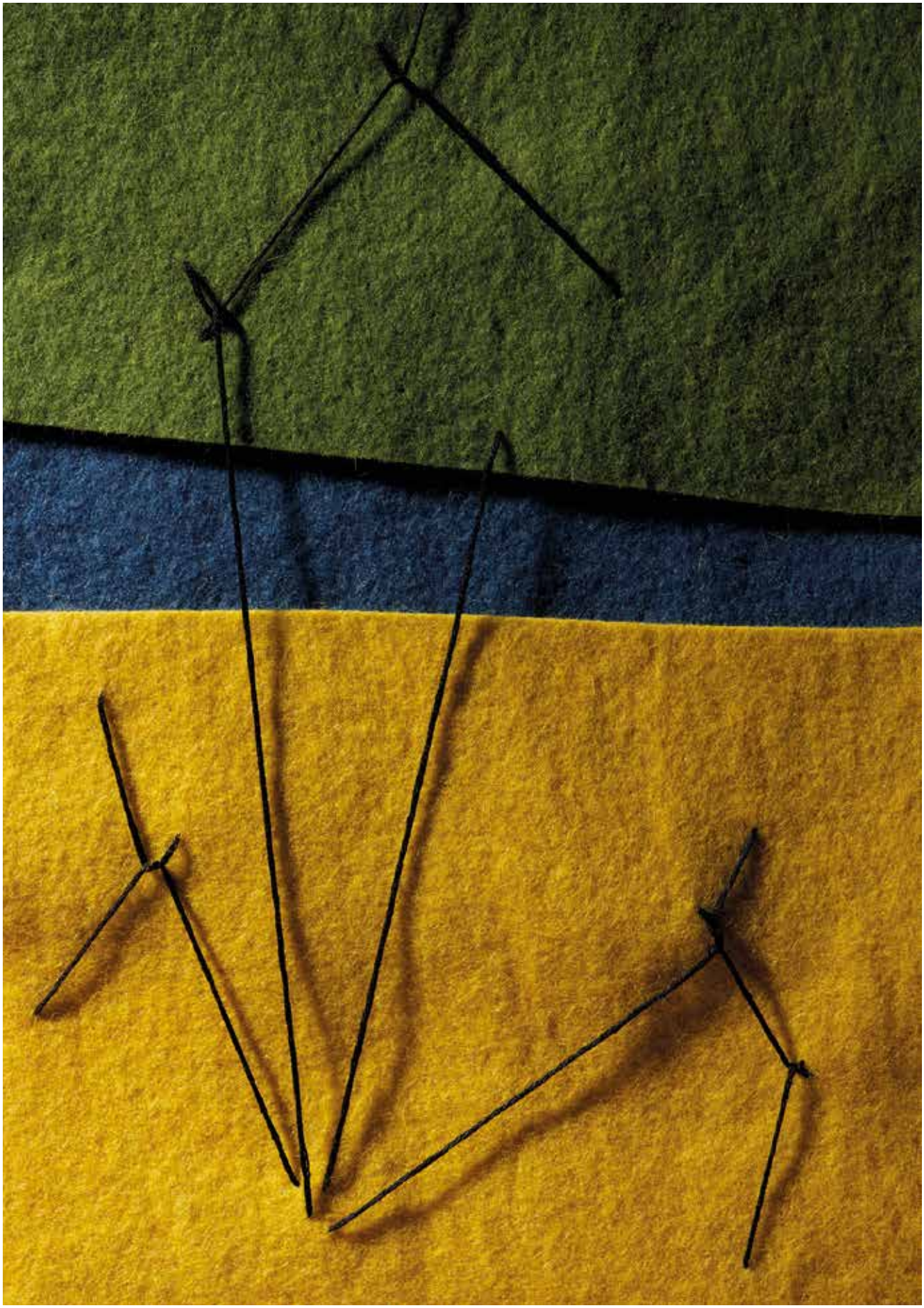

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