The Politics of Ceasefires

On Ceasefire Agreements and Peace Processes in Aceh and Sri Lanka
The Politics of Ceasefires
On Ceasefire Agreements and Peace Processes in Aceh and Sri Lanka

Malin Äkebo
To Jon-Anders
Abstract

In recent decades we have seen an increase in peace processes aimed at solving armed conflicts through peaceful means. The often fragile characteristics of such processes and the settlements that they produce underline the essential importance of improving our understanding of the dynamics at play in transitions from war to peace. This thesis aims to contribute to this overarching objective by analysing ceasefire agreements in relation to peace processes in two protracted intrastate armed conflicts: Aceh, Indonesia, and Sri Lanka. In the scholarly literature, ceasefire agreements are often assumed to create momentum due to their ability to pave the way to a peaceful solution. At the same time, it has also been suggested that ceasefires can influence conflict dynamics in negative ways. Although there are many unanswered questions about ceasefire agreements in contemporary peace processes, few studies have been devoted to systematic and in-depth analysis of how ceasefire agreements can be characterized and analysed in relation to peace processes in protracted intrastate conflicts. This thesis, which is based on written documents and on interviews conducted during four research trips to the region, contributes to filling this research gap by presenting comparative case studies of Aceh and Sri Lanka. The point of departure in the study is a process-oriented, conflict dynamics approach and a view that war-to-peace transitions require changes in the conflicting parties’ attitudes, behaviours and relationships. I analyse and compare ceasefire agreements by looking at their initiation, form and content, and by examining their implementation and the unfolding of the processes. I identify six key factors in the literature that can influence the conflicting parties’ attitudes, behaviours and relationships. I then use these factors to analyse ceasefire agreements in relation to the dynamics of the broader peace processes. In this thesis I show how these key factors – including issues of recognition, trust, whether the parties’ claims are met, international involvement, contextual changes and intra-party dynamics – have mattered. I also show that context is important for understanding how and why they have mattered. The results suggest that ceasefire agreements can facilitate war-to-peace transitions; however, it also illuminates challenges and the risk that such agreements can be counter-productive in the context of intrastate conflicts. The study also shows that ceasefire agreements have a historical legacy, as illustrated by their impact on subsequent interactions and agreements, and it underlines the symbolic politics of ceasefires in asymmetrical intrastate conflicts. The thesis ends with a number of propositions, among others that ceasefire agreements tend to become more comprehensive over time and that power struggles and developments within the conflicting parties are important for understanding ceasefire agreements in relation to contemporary peace processes.

Keywords: ceasefire agreement, peace process, war-to-peace transition, conflict resolution, conflict dynamics, intrastate conflict, Aceh, Sri Lanka
Acknowledgements

The idea of this thesis started to develop when I conducted a minor field study in Sri Lanka in the spring of 2006. By that time, there had been an ongoing ceasefire for more than four years, but few signs of progress were being made towards finding a peaceful solution to the violent conflict. The experiences from this trip triggered me into deeper thinking about the complexities and challenges of war-to-peace transitions, and eventually it led me to pursue this PhD project. There are many people whom I would like to thank for providing guidance, support and inspiration during this process. First, my deepest gratitude goes to my supervisors, whose engagement and encouragement have been invaluable for the completion of this thesis. Malin Eklund Wimelius, my main supervisor, has generously given constructive and insightful comments on every draft chapter and in response to all of my questions. This was essential in helping me to further develop my ideas and arguments. I am grateful for her dedication and for inspiring discussions, and because she always patiently took the time to give me a second opinion and encouraged me in times of doubt. Jan Engberg has also shown confidence in me and my project from the very beginning. His guidance and ‘to the point’ comments were important contributions that really helped me move the project forward and to see the larger picture. John Loughlin, University of Cambridge, came along later in the process, and he provided important insights that helped me develop different parts of the thesis. Even before I started this project, he was also a source of inspiration for me to do comparative work on peace processes. Many thanks to all three of you!

Special thanks also to Camilla Orjuela, University of Gothenburg, for a close reading and well-reasoned comments on a late version of the thesis, which prompted me to clarify and sharpen some of my arguments. Cynthia Kite did excellent work proofreading the text. Her attentiveness and careful reading not only improved the manuscript, but was also a great comfort in the final stages of writing this thesis. Thanks also to Christina Boström for support with the layout.

I am sincerely thankful for the encouragement and support I received from past and present colleagues at the Department of Political Science, Umeå University. I appreciate the insightful comments I got during department seminars and all the administrative support I received over the years. The kind and friendly company made it a pleasure to come to work. A warm thank you to all my PhD colleagues. It has been a privilege to work closely with you during these years, and to share with you the experiences of writing a thesis. Thanks to Elisabeth Olivius, Abrak Saati and Veronica Strandberg – with whom I share an interest in issues related to peace and conflict – for conversations that were always inspiring, whether they were
related to work or to life beyond it. Your company also made trips to various
conferences and courses in Sweden and abroad very enjoyable! Many thanks
also to Susanne Alldén for generously sharing her experiences with me
during my first years as a PhD student, to Patrik Johansson for thoughtful
comments on draft chapters, and to Ann-Sofi Rönnbäck for friendly support
in matters of all kinds. Outside of the department, I also received insightful
feedback at various conferences, including from Emma Elfversson, Johanna
Söderström, Kristin Bakke and Anat Niv-Solomon. Thank you!

My research trips have been among the most interesting and inspiring
parts of carrying out this project. I am deeply grateful to everyone I
interviewed for sharing their insights and experiences with me. It has been a
true privilege to hear so many amazing stories, and an academic publication
can never do them full justice. Even though this thesis recounts many
problems that hindered efforts to find peaceful solutions to violent conflicts,
I have often been encouraged by these stories. I am also indebted to the
people and organizations that provided invaluable assistance during the
research trips. The Aceh Institute in Banda Aceh and the Centre for Strategic
and International Studies (CSIS) in Jakarta provided office space and helped
me with various arrangements during my visits. Thanks also to the Institute
of Southeast Asian Studies (ISEAS) in Singapore for allowing me to use their
facilities, and to the National University of Singapore (NUS) and the
International Centre for Ethnic Studies (ICES) in Colombo for providing
valuable library access. Thanks to Vincent Jeyan for the cover photo.

I gratefully acknowledge the support of the Helge Ax:son Johnson
Foundation, the Lars Hierta Foundation, the JC Kempe Memorial Funds and
the Knut and Alice Wallenberg Foundation. Their funding made this
research possible.

Finally, I would like to express my deep gratitude to my family and dear
friends for their endless support, for the interest they have shown in my
work and for putting up with periods during which I was away or
preoccupied with this project. Special thanks to my mother Ingrid, my father
Ulf, my sister Maria, her husband Fredrik and my nephews Filip and Elias
for always being there for me, as well as for frequent dinners and countless
text messages that provided welcomed breaks from work! As well, many
thanks to the Åkebo family for their support and for helping me get my mind
off work. Jon – my gratitude for your support and encouragement during
this project and in everything in life is beyond words. Always with a positive
outlook, you have provided pep-talks and discussed issues both small and
large – at home in Umeå, when visiting me in remote places or from the
Ningbo-apartment. Thank you for your constant love and support!

Malin Åkebo
Umeå, July 2013
Table of Contents

Abstract i
Acknowledgements iii
Table of Contents v
Tables, Figures and Maps viii
Acronyms ix

1 Introduction 1
  1.1 Research problem 2
  1.1.1 Aim and research questions 5
  1.2 Previous research 6
  1.3 Rationale and relevance 10
  1.3.1 Why ceasefire agreements? 10
  1.3.2 Why the Asian region? 13
  1.3.3 Limitations 14
  1.4 Outline of the thesis 15

2 Theory 17
  2.1 Concepts and definitions 18
  2.1.1 What is a peace process? 18
  2.1.2 What is a ceasefire agreement? 20
  2.2 State, territory and identity in a changing global context 23
  2.2.1 State of the state and conflict in South and Southeast Asia 23
  2.2.2 Conflict resolution in South and Southeast Asia 26
  2.3 Transition from war to peace 28
  2.3.1 Perspectives on war-to-peace transitions 28
  2.3.2 What influences changes in conflicting parties’ attitudes, behaviours, and relationships? 33
  2.3.3 The management of peace processes 37
  2.4 Analytical framework 40
  2.4.1 Analytical tools 41
    2.4.1.1 Initiation and by whom 41
    2.4.1.2 Form and content 44
    2.4.1.3 Implementation 48
  2.4.2 Bringing the pieces together: a framework for analysing ceasefire agreements in relation to peace processes 51

3 Methodology 55
  3.1 Research design 55
  3.1.1 A qualitative comparative case study strategy 55
  3.1.2 Comparative logics 57
  3.2 Why Asia and why Aceh and Sri Lanka? 58
3.3 The case study method 62
3.3.1 Note on case studies and violent conflicts 64
3.4 Writing dense historical narratives 65
3.4.1 Conflict actors 66
3.4.2 Identifying peace processes 67
3.4.3 Answering research question 1 and 2 68
3.5 Comparative analysis 74
3.5.1 Within and across-case comparisons 74
3.5.2 Answering research question 3 75
3.6 On material: finding informative and reliable sources 76
3.6.1 Written documentation 77
3.6.2 Interviews 81
3.6.3 Considerations for the comparative framework 85
3.6.1 Written documentation 77
3.6.2 Interviews 81
3.6.3 Considerations for the comparative framework 85

4 Aceh 89
4.1 Background to the armed conflict 89
4.1.1 The main actors 92
4.1.2 Commencement of armed conflict and conflict dynamics 97
4.2 The 2000 peace process 99
4.2.1 The Humanitarian Pause agreement 100
4.2.1.1 Initiation and by whom 100
4.2.1.2 Form and content 103
4.2.1.3 Implementation and unfolding of the process 105
4.2.2 Derailed process – return to armed conflict 109
4.3 The 2002 peace process 111
4.3.1 The Cessation of Hostilities Agreement 112
4.3.1.1 Initiation and by whom 112
4.3.1.2 Form and content 115
4.3.1.3 Implementation and unfolding of the process 117
4.3.2 Derailed process – return to armed conflict 121
4.4 The 2005 peace process 122
4.4.1 The Memorandum of Understanding agreement 124
4.4.1.1 Initiation and by whom 124
4.4.1.2 Form and content 126
4.4.1.3 Implementation and unfolding of the process 129
4.4.2 Proceeding process – peaceful change 132
4.5 Within-case comparisons and concluding remarks 133

5 Sri Lanka 147
5.1 Background to the armed conflict 147
5.1.1 The main actors 150
5.1.2 Commencement of armed conflict and conflict dynamics 154
5.1.3 Earlier peace attempts 155
5.2 The 1994 peace process

5.2.1 The Cessation of Hostilities Agreement

5.2.1.1 Initiation and by whom

5.2.1.2 Form and content

5.2.1.3 Implementation and unfolding of the process

5.2.2 Derailed process – return to armed conflict

5.3 The 2002 peace process

5.3.1 The Ceasefire Agreement

5.3.1.1 Initiation and by whom

5.3.1.2 Form and content

5.3.1.3 Implementation and unfolding of the process

5.3.2 Stalled process – 'no war, no peace'

5.4 Within-case comparisons and concluding remarks

6 Comparative analysis and conclusions

6.1 Across-case comparisons – recognizing context

6.1.1 The two conflict settings: Aceh and Sri Lanka

6.1.2 Exploring similarities and differences

6.2 Understanding ceasefire agreements in relation to peace processes – elaborating on the six factors

6.2.1 A new arena for the battle of recognition, status and legitimacy?

6.2.2 Strengthening or weakening trust and confidence?

6.2.3 Meeting claims or muddling through uncertainty?

6.2.4 External incentives and resources – on whose conditions, and with what effects?

6.2.5 An interplay between internal actions and contextual changes?

6.2.6 Struggles and challenges between or within the parties?

6.3 Eight propositions

6.4 Concluding remarks

References

Appendix

LIST OF INTERVIEWS

INTERVIEW GUIDE

AGREEMENTS
Tables, Figures and Maps

Table 1. Six factors of influence 34
Table 2. Examples of peace initiatives and primary aim 39
Table 3. Aspects to consider regarding the initiation of a ceasefire agreement 41
Table 4. Aspects to consider regarding the form and content of a ceasefire agreement 45
Table 5. Aspects to consider regarding the implementation of a ceasefire agreement 49
Table 6. Framework for analysing ceasefire agreements in relation to peace processes 53
Table 7. Intrastate territorial conflicts in South and Southeast Asia 60
Table 8. Periods of peace processes analysed in the thesis 68
Table 9. Types of documentary sources used 78
Table 10. Types of actors to interview 83
Table 11. Summary of ceasefire agreements in peace processes in Aceh 134
Table 12. Summary of ceasefire agreements in peace processes in Sri Lanka 185

Figure 1. Three possible paths for peace processes 32

Map 1. Map of Indonesia 90
Map 2. Map of Sri Lanka 148
### Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABRI</td>
<td>Armed Forces of the Republic of Indonesia (Angkatan Bersenjata Republik Indonesia)</td>
</tr>
<tr>
<td>AGAM</td>
<td>Forces of Free Aceh Movement (Angkatan Gerakan Aceh Merdeka)</td>
</tr>
<tr>
<td>AMM</td>
<td>Aceh Monitoring Mission</td>
</tr>
<tr>
<td>ASNLF</td>
<td>Aceh-Sumatra National Liberation Front (GAM)</td>
</tr>
<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
</tr>
<tr>
<td>BRA</td>
<td>Aceh Reintegration Agency (Badan Reintegrasi Aceh)</td>
</tr>
<tr>
<td>Brimob</td>
<td>Police Mobil Brigade (Brigade Mobil)</td>
</tr>
<tr>
<td>CFA</td>
<td>Ceasefire Agreement (in Sri Lanka)</td>
</tr>
<tr>
<td>CMI</td>
<td>Crisis Management Initiative</td>
</tr>
<tr>
<td>CoH</td>
<td>[Declaration of] Cessation of Hostilities (in Sri Lanka)</td>
</tr>
<tr>
<td>COSA</td>
<td>Commission on Security Arrangements</td>
</tr>
<tr>
<td>CWC</td>
<td>Ceylon Workers Congress</td>
</tr>
<tr>
<td>DOM</td>
<td>Military Operation Zone (Daerah Operasi Militer)</td>
</tr>
<tr>
<td>EPRLF</td>
<td>Eelam People’s Revolutionary Liberation Front</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FP</td>
<td>Federal Party</td>
</tr>
<tr>
<td>GAM</td>
<td>Free Aceh Movement (Gerakan Aceh Merdeka)</td>
</tr>
<tr>
<td>HAMM</td>
<td>HDC Aceh Monitoring Mission</td>
</tr>
<tr>
<td>HD Centre / HDC</td>
<td>Centre for Humanitarian Dialogue (Henry Dunant Centre)</td>
</tr>
<tr>
<td>ICG</td>
<td>International Crisis Group</td>
</tr>
<tr>
<td>IDP</td>
<td>Internally Displaced Person</td>
</tr>
<tr>
<td>IPKF</td>
<td>Indian Peace Keeping Forces</td>
</tr>
<tr>
<td>ICRC</td>
<td>International Committee of the Red Cross</td>
</tr>
<tr>
<td>INGO</td>
<td>International Non-Governmental Organization</td>
</tr>
<tr>
<td>ISGA</td>
<td>Interim Self-Governing Authority</td>
</tr>
<tr>
<td>JCHA</td>
<td>Joint Committee on Humanitarian Action</td>
</tr>
<tr>
<td>JCSM</td>
<td>Joint Committee on Security Modalities</td>
</tr>
<tr>
<td>JHU</td>
<td>National Sinhalese Heritage [Party] (Jathika Hela Urumaya)</td>
</tr>
<tr>
<td>JSC</td>
<td>Joint Security Committee</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Form</td>
</tr>
<tr>
<td>-----------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>JVP</td>
<td>People’s Liberation Front (Janatha Vimukthi Peramuna)</td>
</tr>
<tr>
<td>LoGA</td>
<td>Law on the Governing of Aceh</td>
</tr>
<tr>
<td>LTTE</td>
<td>Liberation Tigers of Tamil Eelam</td>
</tr>
<tr>
<td>MoU</td>
<td>Memorandum of Understanding (in Aceh)</td>
</tr>
<tr>
<td>NAD</td>
<td>Nanggroe Aceh Darussalam (official name of the province of Aceh 2001-2009)</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>PA</td>
<td>People’s Alliance</td>
</tr>
<tr>
<td>PDI</td>
<td>Indonesian Democratic Party</td>
</tr>
<tr>
<td>PLOTE</td>
<td>People’s Liberation Organization of Tamil Eelam</td>
</tr>
<tr>
<td>Polri</td>
<td>Indonesian National Police (Kepolisian Republik Indonesia)</td>
</tr>
<tr>
<td>PPP</td>
<td>Development Unity Party</td>
</tr>
<tr>
<td>P-TOMS</td>
<td>Post-Tsunami Operational Management Structure</td>
</tr>
<tr>
<td>SCOPP</td>
<td>Secretariat for Coordination of the Peace Process</td>
</tr>
<tr>
<td>SDN</td>
<td>Sub-Committee on De-escalation and Normalisation</td>
</tr>
<tr>
<td>SIRA</td>
<td>Aceh Referendum Information Centre (Sentral Informasi Referendum Aceh)</td>
</tr>
<tr>
<td>SIHRN</td>
<td>Sub-Committee for Immediate Humanitarian and Rehabilitation Needs</td>
</tr>
<tr>
<td>SLMC</td>
<td>Sri Lanka Muslim Congress</td>
</tr>
<tr>
<td>SLMM</td>
<td>Sri Lanka Monitoring Mission</td>
</tr>
<tr>
<td>SPM</td>
<td>Sub-Committee on Political Matters</td>
</tr>
<tr>
<td>SOMA</td>
<td>Status of Mission Agreement</td>
</tr>
<tr>
<td>TMVP</td>
<td>Tamil People’s Liberation Tigers (Tamil Makkal Viduthalai Pulikal) (Karuna group)</td>
</tr>
<tr>
<td>TNA</td>
<td>Army of the State of Aceh (Tentara Negara Aceh)</td>
</tr>
<tr>
<td>TNA</td>
<td>Tamil National Alliance</td>
</tr>
<tr>
<td>TNI</td>
<td>Indonesian Defense Force (Tentara Nasional Indonesia)</td>
</tr>
<tr>
<td>TUF</td>
<td>Tamil United Front</td>
</tr>
<tr>
<td>TULF</td>
<td>Tamil United Liberation Front</td>
</tr>
<tr>
<td>UCDP</td>
<td>Uppsala Conflict Data Program</td>
</tr>
<tr>
<td>UNF</td>
<td>United National Front</td>
</tr>
<tr>
<td>UNP</td>
<td>United National Party</td>
</tr>
<tr>
<td>UPFA</td>
<td>United People’s Freedom Alliance</td>
</tr>
</tbody>
</table>
Chapter 1

Introduction

How do we go from war to peace? In recent decades there has been a dramatic increase in peace processes aimed at finding negotiated settlements to armed conflicts (Darby and Mac Ginty, 2003, 2008; Human Security Centre, 2006; Wallensteen, 2007). Across the globe, belligerents have agreed to end violence, engaged directly in talks and explored political solutions to their conflicts. Evidence of this trend can be seen in the large number of agreements that have been concluded between warring parties over recent decades, including some 441 agreements dealing with 73 conflicts (Bell, 2008: 210). Data on conflict termination also demonstrates this pattern. While only 10 percent of armed conflicts were ended through negotiated settlements during the Cold War, since then the figure has risen to 38 percent (Kreutz, 2010). Indeed, the many peace processes that have occurred and the numerous peace agreements reached have been described as a central characteristic of the post-Cold War international scene (Themnér and Wallensteen, 2012: 571).

While such accounts are encouraging, the empirical record is nevertheless ambiguous. Although there has been an increase in the number of peace processes, the durability of negotiated settlements reveals a troublesome record of failed peace accords and conflicting parties returning to war. Of all the conflicts that were settled with peace agreements between 1989 and 2005, a full 40 percent experienced a return to violence within five years (Harbom, Högladh and Wallensteen, 2006). Indeed, as Ramsbotham, Woodhouse and Miall (2011: 173) put it, ‘a pattern of multiple agreements, most of which fail, is the norm’. The many protracted conflicts, fragile peace processes and precarious settlements thus serve as a reminder that the challenges of war-to-peace transitions are widespread and enduring. This inevitably raises the fundamental and central question of peace and conflict:

1 These numbers are based on data from the Uppsala Conflict Data Program (UCDP). The remaining conflicts have been coded as terminating with ‘other outcomes’. This often implies that the armed conflicts have simply faded away to the degree that the number of conflict-related casualties has dropped below the threshold of an armed conflict, which the UCDP data sets at 25 battle-related deaths per year. However, these conflicts might become latent for only a limited period, before flaring up again into a renewed phases of increased violence. In terms of this particular comparison, the number of conflicts ending with a military victory has decreased from 58 percent during the Cold War to 14 percent after (Kreutz, 2010). For analyses of trends in conflicts and conflict terminations, see, for example, the Human Security Report Project (www.hsrgroup.org/).
What is it that leads belligerents to change their attitudes, behaviours and relationships, thus enabling them to abandon lethal warfare and disagree with one another without resorting to violence? Improving our understanding of the complex processes that operate in transitions from war to peace is vital to research on peace and conflict. This thesis attempts to contribute to this overarching objective by taking a closer look at the processes at play when warring parties agree to refrain from the use of violence and engage in new forms of interaction, even if it is only for a limited period of time. More specifically, it focuses on ceasefire agreements.

1.1 Research problem

Most of today’s armed conflicts take place within states and the main warring parties are a government and one or more belligerent groups. Many of these conflicts can be described as identity-based, and they are characterized by being long-lived and difficult to resolve (Ramsbotham, Woodhouse and Miall, 2011; Wallensteen, 2007; Aggestam and Björkdahl, 2009). The prolonged duration of contemporary conflicts has been examined by various scholars. Concepts such as ‘protracted’ conflicts (Azar, 1990), ‘intractable’ conflicts (Crocker, Hampson, Aall, 2001), ‘chronic’ conflicts (Mac Ginty, 2008) and ‘enduring rivalries’ (Goertz and Diehl, 1993) have been used to capture the persistent nature of these conflicts, which tend to drag on and on and to repeatedly flare-up, despite various peace efforts to end them. Stressing the protracted nature of such conflicts also underlines their dynamic and ‘cumulative effects’ (Mac Ginty, 2008: 77). The interplay between hostile attitudes, violent behaviour, and antagonistic relationships adds to the root causes and fuels a prolonging of the conflict. Since the main warring parties are states and non-state group(s), the conflicts can largely be characterized by their asymmetrical structure as regards the parties’ size, resources, and legitimacy in the international system (Gawerc, 2006: 438). This makes power-relations a central component of the conflicts. Furthermore, in many cases the incompatible interests and positions held by the parties have a territorial dimension, insofar as they involve demands for self-determination and territorial partition. These conflicts can often be

---

2 Consequently, since many conflicts continue for decades, actors, interests and relationships cannot be regarded as static but are likely to change over time. Hence, the conflict dynamics make root causes difficult to discern, and they often become an issue of dispute themselves. Nevertheless, efforts to explain the causes of intrastate armed conflicts have been subject to extensive scholarly debate, particularly regarding the validity of greed versus grievance-oriented explanations. The greed argument particularly emphasizes economic factors as the causes and drivers of violent conflict. The grievance argument, on the other hand, usually refers to a more politically and socially rooted discontent, with the power to influence one’s own life and issues of identity often emphasized as causes of violent conflict. While these two set of explanations often are portrayed as polarized positions, many scholars have tried to move beyond this and to argue that it is reasonable to see combinations of greed and grievance factors as valid explanations – an approach that Mac Ginty (2008: 70) argues is ‘likely to offer the most fruitful avenues for research’.
traced back to failed state-building and nation-building projects that have led to severe grievances and identity politics characterized by competing nationalisms striving for power and recognition. As Huber (2004: 5) puts it, ‘these conflicts are bedevilled not just by potent grievances and symbolic issues, but also by the all-or-nothing nature of the contest by both sides for the same territory’. This means that intrastate territorial conflicts are often particularly protracted and difficult to resolve and characterized by challenging and complex war-to-peace transitions efforts (Wallensteen, 2007: 162; Human Security Centre, 2006).

For a long time, the ending of armed conflicts through peace processes was uncommon. From the early 19th century until the end of World War II, almost all armed conflicts ended on the battlefield (Human Security Centre, 2006: 19). Change in the international environment allowed for new patterns to emerge. This became particularly evident after the end of the Cold War. During the 1990s, for the first time, more armed conflicts were settled by negotiations than were ended through military means. In the 2000s, negotiated settlements were four times as common as military victories (Human Security Centre, 2006: 19).

Peace processes can be succinctly described as structured initiatives aimed at enabling a transition from war to peace through engaging in peaceful means and procedures. In general, this includes a shift from primarily violent to non-violent forms of interaction and implies that actors directly involved in violent conflicts participate in formalized engagements and reach mutual agreements (Bell, 2000; Darby and Mac Ginty, 2003, 2008). While all peace processes have their distinctive structures and dynamics, scholars have pointed to a number of similarities among contemporary peace processes in intrastate conflicts. References have been made to a ‘common approach’ or ‘standard formula’ that is characterized by ceasefire agreements, direct negotiations between the main warring parties, international mediation and more substantive accords on political accommodation, often including demilitarization, elections and the building of democratic institutions (e.g. Bell, 2006, 2008; Clapham, 1998; Daley, 2006; Darby and Rae, 1999).

Among the various initiatives that are part of contemporary peace processes, ceasefire agreements can be described as a common and often central initiative. A ceasefire is frequently put forth as a minimum precondition for warring parties to engage in negotiations (Mac Ginty, 2008: 111). In the scholarly literature, it has been emphasized that ceasefire agreements are often initiated in the early phases of peace processes in order to reach a cessation of hostilities and establish momentum for further talks.

---

3 Definitions of the central concepts used in this thesis – i.e. ‘peace processes’ and ‘ceasefire agreements’ – will be discussed more thoroughly in Chapter 2.
(e.g. Ramsbotham, Woodhouse and Miall, 2005; Darby and Mac Ginty, 2000). However, ceasefire agreements can vary greatly in terms of actors involved, form and procedure, scope and content and how and to what extent they are implemented. The agreements can differ in level of detail as well as in degree of external support, and the conflicting parties can choose to engage for different reasons. In essence, the core premise of a ceasefire agreement is that the conflicting parties agree to stop fighting, but an agreement also defines the rules and modalities for such an endeavour (Chouenet-Cambas, 2011: 6). As this implies, beyond the core component of the cessation of violent action, the attributes of agreements can vary across different peace processes and conflict settings. In addition to security-related issues, ceasefire agreements, to varying degrees, can also include features that address humanitarian concerns, development-related issues and political incompatibilities. Thus, as Mac Ginty (2008: 111) puts it, a ceasefire can potentially be used as ‘something more than a negotiating-enabling stopgap in violent conflicts’. Because they have this potential, ceasefires have been described as perhaps the most visible ‘signpost’ along the war-to-peace trajectory (Smith, 1995: 3), indicating the beginning of something new and an opportunity to pave the way for further peaceful engagement (Smith, 1995; Smith, 2003; Wallensteen, 2007). Thus, there is a general underlying assumption that ceasefire agreements create momentum in peace processes.

At the same time, empirical experiences indicate that peace processes are fragile. Many ceasefire agreements are abandoned within the first few months and followed by a return to full-fledged fighting. Other agreements formally last longer but in practice linger on, more or less ineffective, while hostilities continue to rage. Some conflicts thus seem to ‘freeze’ into what is sometimes described as a ‘no war, no peace’ situation (Mac Ginty, 2008). While ceasefire agreements are often assumed to constitute ‘an integral step on the path to peace’ (Kolås, 2011: 781) scholars have also suggested that ceasefire agreements can have a significant negative influence on conflict dynamics and thus might contribute to sustaining or even aggravating violent conflicts (Kolås, 2011; Clapham; 1998). As a result, research has pointed to the significance of ceasefire agreements, but also suggested that they can influence conflicts in fundamentally different ways. This underlines the importance of looking at ceasefire agreements in greater detail and more systematically. How does a ceasefire agreement contribute to changes in conflicting parties’ attitudes, behaviours and relationships? How and why do the terms and attributes of ceasefires vary among different peace processes? Does this variation matter as regards how ceasefire agreements can be characterized and analysed in relation to peace processes?
1.1.1 Aim and research questions

The aim of this thesis is to contribute to our understanding of war-to-peace transitions by analysing ceasefire agreements in relation to peace processes in protracted intrastate armed conflicts. As will be further elaborated in the theory chapter, the point of departure in the thesis is a conflict dynamics approach and a conviction that transitions from war to peace require changes in the conflicting parties’ attitudes, behaviours and relationships. Following from this, I conduct a holistic study that takes into account relational, internal and external factors to help analyse how ceasefire agreements can be understood as both being influenced by and influencing the dynamics of peace processes. These general factors will thus serve as links, or mediating factors, to explore and analyse ceasefire agreements in relation to the broader peace processes.

I study and compare ceasefire agreements in two intrastate armed conflicts by systematically analysing (i) initiation and who was responsible for initiating them, (ii) form and content and (iii) implementation and unfolding of the processes. I use factors identified in the literature on war-to-peace transition as potentially influential for changing the attitudes, behaviours and relationships of conflicting parties in peace processes in general, for the purpose of exploring how they play out in the initiation and evolution of ceasefire agreements in particular. Empirically, the study focuses on the intrastate armed conflicts in Aceh between the government of Indonesia and the Free Aceh Movement (Gerakan Aceh Merdeka; GAM) and in Sri Lanka between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). These are two protracted conflicts that have shown a pattern of recurring ceasefire agreements and peace processes. To guide the research, three overarching questions are addressed:

1) What is the nature of ceasefire agreements in the conflicts in Aceh and Sri Lanka in terms of their initiation, form and content and implementation?

2) How can ceasefire agreements be characterized and analysed in relation to peace processes in these two protracted intrastate armed conflicts? For instance, do they contribute to changing the conflicting parties’ attitudes, behaviours and relationships?

---

4 The conflicts will henceforth be referred to as the conflict in Aceh and the conflict in Sri Lanka, which is how they are usually referred to in both research accounts and the media. It can be noted, however, that the former refers to the contested territory and the latter to the state. However, because Indonesia has experienced a number of secessionist conflicts, referring only to the state would create unnecessary confusion. In the case of Sri Lanka, the government and the state constitution refer to the contested areas as the Northern and the Northeastern provinces, while the LTTE have called them Tamil Eelam. Hence, the naming of the conflict has important symbolic meaning, and it has widely been referred to as the Sri Lankan conflict.
3) What similarities and differences that can be identified between the empirical cases can increase our understanding of ceasefire agreements in relation to peace processes and of war-to-peace transitions in intrastate protracted conflicts?

My ambition in the thesis is to make empirical as well as theoretical contributions. Empirically, the thesis makes a contribution by improving our understanding of how ceasefire agreements can be characterized in relation to peace processes by analysing the warring parties’ attitudes, behaviours and relationships in the intrastate armed conflicts in Aceh and Sri Lanka. In both of these conflicts, there have been multiple peace processes in which ceasefires have been reached. This means that each case provides us with several observations, and we can compare both over time and across conflict settings. Theoretically, the conclusions drawn from the comparative analysis contribute to advancing our general understanding of war-to-peace transitions. In addition they help increase our knowledge about how the particular initiatives that are part of these processes operate and the interplay between them.

It should be stressed from the outset that I have no ambition to explain the outcome of peace processes based solely on the attributes of ceasefire agreements. Instead, my emphasis is on problematizing the question of how ceasefire agreements can be characterized and analysed in relation to peace processes. In doing this, I will address a number of important issues related to war-to-peace transitions in contemporary intrastate conflicts, including the timing and sequencing of initiatives in peace processes, agency and inclusiveness, the importance of previous experience of engaging in peace processes and the impact of external influences. Furthermore, in order to understand ceasefire agreements in contemporary peace processes I argue that it is necessary to conduct contextualized analyses that grasp the politics of ceasefire agreements. In the research presented here, this entails taking into account the context of separatist conflicts in the Asian region and the post-Cold War era.

In the remainder of this chapter I will clarify further what motivates my research. I begin by reviewing previous research. Following this, I identify an important gap in the literature and devote additional attention to explaining the rationale behind and relevance of the focus of the thesis – i.e. ceasefire agreements and conflicts in the Asian region. The chapter ends with a discussion of the organization of the thesis.

1.2 Previous research

Before the 1990s, systematic research into the peaceful resolution of intrastate armed conflicts was scarce. Insights into peace negotiations were
commonly gained from experiences of ‘deal-making in domestic affairs’ (Wallensteen, 2007: 3). However, the context of negotiating armed conflicts proved to be different in many respects. It entailed different dynamics in terms of actors and structure, behavioural patterns and local-international linkages. Consequently, it implied certain kinds of premises for reaching understandings. As the number of peace processes increased in the 1990s and 2000s, the amount of research devoted to analysing this kind of peaceful engagement also grew significantly. Among the scholarly literature, noteworthy studies have inquired into a variety of aspects of peacemaking and negotiations, including the timing of negotiations (e.g. Zartman, 1995, 2008), third party mediation (e.g. Bercovitch, 2002; Mitchell, 2008), violence during peace negotiations (e.g. Stedman, 1997; Darby, 2001; Zahar, 2008) and the content of peace accords (e.g. Bell, 2000, 2006; Wallensteen, 2007). Others scholars have focused their attention on issues of post-war reconstruction and peacebuilding in the aftermath of peace accords, including aspects of democratisation and institution building (e.g. Paris, 2004; Jarstad and Sisk, 2008) and reconciliation (e.g. Lederach, 1997). John Darby and Roger Mac Ginty (2000, 2003, 2008) have made important contributions to the study of peace processes as a phenomenon. They have used a comprehensive thematic approach to describe the various initiatives involved in peace processes and to analyse different dimensions and issues related to such efforts in war-to-peace transition. During the last few decades, the advancement of theory, on the whole, has moved towards more encompassing theories about conflict resolution and transformation, and has paid more attention to the complexity of both conflicts and transitions from war to peace. For instance, Lederach’s (1997) model of actors in and approaches to peacebuilding pointed to the need to widen our analysis as regards the actors involved in conflict resolution. In terms of general models, Fisher and Keashly’s (1991) contingency and complementary model has also been influential by suggesting that different phases of escalation and de-escalation need to be considered in order to adopt suitable responses. There has also been a tendency towards analysing conflicts in context, which is associated with an understanding of intrastate conflicts as products of social change that are manifested in violent or non-violent conflict transformation (Ramsbotham, Woodhouse and Miall, 2011: 27-29). Moreover, along with an increase in the number of empirical examples of contemporary peace processes, the processes have been subject to greater critical scrutiny. Hence, analyses have increasingly begun to shed light on the often brief duration and meagre quality of peace processes (e.g. Mac Ginty, 2008; Dayton and Kriesberg, 2009).

5 These are edited volumes that include chapters by a number of different scholars. The introduction, section introductions in the 2003 and 2008 volumes, and the general conclusions are written by Darby and Mac Ginty.
A review of the literature on war-to-peace transitions thus shows that a number of efforts have been made to unpack the various constituent parts of peace processes. However, while ceasefire agreements are often mentioned in the literature, they have seldom been the centres of attention. Instead, they have been viewed primarily as a means to an end (Kolås, 2011: 781). This implies that ceasefires have been mentioned and discussed in an ad hoc manner. In addition, ceasefires have been described as an area in which there are many unanswered questions. Wallensteen (2007: 9), for example, refers to ‘a debate as to whether ceasefires should precede, be simultaneous with, or come after the more political agreements’. Also Ramsbotham, Woodhouse and Miall (2005: 172) refer to this on-going discussion in the literature, of whether to strive for a ‘step-by-step approach’ based on making early agreements and establishing a momentum for further talks or to address the core issues early in the process. Wallensteen (2007: 43) concludes that there are few empirical studies into the ‘merits of ceasefires for conflict resolution’. Also Höglund (2004: 23-24) stresses that scholars have ‘paid scant attention both theoretically and empirically’ to the relationship between ceasefires, negotiations and peace agreements in peace processes. She continues by noting that there is no general acceptance of the defining characteristics of a ceasefire, and that little is known about the factors that influence the sequencing of peace processes with regard to ceasefires. One strand within the broader war-to-peace transition literature that often touches upon the issue of ceasefires is studies of violence and peace negotiations (e.g. Darby, 2001; Höglund, 2004). In particular, this literature has offered insights into the various factors that influence the behavioural patterns of the warring parties, with a lot of attention given to the analysis of spoiler behaviour and the role and capacity of external parties to prevent a resort to violence. Accordingly, ceasefires have often been analysed in terms of action and response rather than being treated comprehensively as agreements to be contextually analysed with respect to changes in attitudes, behaviours and relationships.

Two studies devoted to systematic inquiry of ceasefires are James D.D. Smith’s *Stopping Wars: Defining the Obstacles to Cease-fire* (1995) and Virginia Page Fortna’s *Peace Time: Cease-Fire Agreements and the Durability of Peace* (2004). Smith’s study sets out to define common obstacles that make it difficult to achieve a ceasefire. In doing this, the study particularly focuses on the reasoning that belligerents and third parties engage in when considering a ceasefire. Smith discusses the challenges of reaching a ceasefire in a number of different scenarios, supporting his discussion with empirical insights drawn from various inter-state and intra-state conflicts from 1945 to the early 1990s. Smith emphasizes that the unwillingness of belligerents to stop engaging in violence is a common obstacle and offers some explanations for this. For example, he suggests that
unwillingness can be due to fears that the enemy will gain advantages during a ceasefire. Alternatively, one or both parties might feel confident that their objectives will be achieved through a continuation of violent conflict. On the other hand, if the parties are willing to accept a ceasefire, Smith argues that five common obstacles might nonetheless stand in the way of their reaching an agreement to do so: (i) belligerents want to avoid looking weak; (ii) belligerents make uncompromising public statements; (iii) there is an unfavourable decision-making structure within a belligerent group (here Smith emphasized that groups might have a weak ‘inner-circle’ that is unable to stand up to a strong leader who is unwilling to enter a ceasefire); (iv) belligerents are unable to achieve a ceasefire even though they want to, for example because of conflicting interests or because leaders cannot control the armed forces, and (v) belligerents have difficulty agreeing on a mutually acceptable formula for a ceasefire. Smith also proposes that external actors can play an important role in helping to solve problems that are blocking the achievement of a ceasefire, but that they might also become an obstacle themselves, for example if they are perceived as being biased or fail to guarantee an agreement that they have coerced the parties to enter into. Thus, Smith’s study offers insights into problems that might arise and block progress in processes aimed at producing ceasefires. Nevertheless, the study leaves to future research the question of how ceasefire agreements relate to the broader peace processes in specific conflict contexts.

Fortna’s (2004) study is primarily a quantitative analysis that aims to explain the relationship between ceasefires and the durability of peace. Empirically, it focuses on interstate conflicts from 1946-1998. Fortna sets out to test and develop cooperation theory within the field of international relations and explores two sets of factors in order to explain the relationship between ceasefires and the durability of peace (whether or not war resumes). First, to capture the conditions prevailing when the ceasefire was established, a number of ‘situational’ or ‘structural’ factors are tested. These include features of the war just fought (such as the number of states involved and military outcome), prior history of the conflict, stakes involved, geography and the relative power of the states. Second, she considers various deliberate efforts taken in order to ensure that a ceasefire holds, including measures to create physical constraints (such as the separation of troops), international monitoring and third-party guarantees, and communication and signalling (for example confidence-building measures and dispute resolution procedures). The study concludes that mechanisms within agreements can contribute to the longevity of peace between states by changing the incentives to break a ceasefire (e.g. raising costs of attacks),

---

6 See also Fortna (2003) for an article presentation of the research.
7 The statistical analysis is complemented with qualitative analyses (large-N and case studies).
reducing uncertainty about actions and intentions (e.g. specifying compliance and regulating activities) and by managing incidents of violations (and thus prevent them from triggering a return to fighting). Fortna’s study provides insights that can be useful for an analysis of ceasefire agreements, in particular her elaboration of the different components of a ceasefire agreement and her consideration of structural factors of the conflict in relation to measures employed in a ceasefire. However, Fortna’s study includes only ceasefire agreements between states and does not look at the within-state conflicts that we almost exclusively see today. Fortna proposes that some measures are likely to have the same effect in both inter-state and intra-state conflicts, including dispute-resolution procedures, formal and specific agreements, measures to deal with ‘potential rogue factions’ and third-party guarantees. Nevertheless, she also stresses that there are some essential differences between these two types of conflicts, and that they must be taken into account in analyses. Importantly, while ceasefires in interstate conflicts may last for many years without the parties reaching a political settlement, belligerents in intrastate conflicts do not have the same option to leave ‘the fundamental political issues unsettled’.8 Thus, there are different stakes and dimensions in intrastate conflicts as compared to interstate ones, and this calls for further research (Fortna, 2004: 215). Moreover, the empirical focus of both Fortna’s and Smith’s research is on conflicts and ceasefires that primarily occurred during the Cold War rather than the contemporary post-Cold War context. Thus, there is a new international environment and there have been additional efforts to manage peace processes. It is reasonable to assume that these developments can impact on our understanding of contemporary war-to-peace transitions. In the next section I will identify a knowledge gap in the academic research and further elaborate on the rationale of the thesis.

1.3 Rationale and relevance

1.3.1 Why ceasefire agreements?
The proliferation of peace processes in recent decades has spurred a growing amount of research on various aspects of non-violent engagement by warring parties in transitions from war to peace. Based on my review of the literature, I have identified two main gaps in previous research. These gaps call for an increased and more comprehensive understanding of ceasefire agreements in relation to peace processes in contemporary intrastate conflicts. The first gap concerns research focus and the limited amount of attention given to ceasefire agreements. With few exceptions (see, in particular, Smith and Fortna), the literature has not scrutinized ceasefire

---

8 One example of this is the 1953 ceasefire agreement between North and South Korea.
agreements and has tended to overlook the fact that they are a common part of most peace processes, are often described by their potential to provide structure to such processes, and may have a significant impact on conflict dynamics. When issues related to ceasefires are raised in the literature, it is often done in an ad hoc manner and as part of a more general discussion rather than one devoted to systematic analysis of ceasefire agreements in relation to the broader dynamics of peace processes. Hence, there is a lack of systematic, empirical analysis of ceasefire agreements in contemporary intrastate conflicts in the post-Cold War context.9

The second gap concerns research approach. Much of the literature on conflict resolution and peace processes that addresses ceasefire agreements derives from theoretical reasoning about how ceasefires should operate in peace processes. There is much less research devoted to conducting contextualized, empirically grounded analysis to explore how ceasefire agreements actually can be characterized in relation to peace processes. Furthermore, many of the studies that have addressed agreements in general, as either objectives in their own right or as a means for settling armed conflicts, tend to focus on conflict outcome rather than process. In addition, as in Fortna’s study, peace is defined merely as the absence of war (Fortna, 2004: 9). In contrast to these studies, in this thesis I am interested in qualitative aspects of peace processes and ceasefire agreements. I try to look beyond the notion of a stop in the fighting and explore the how and why questions of these processes, including in cases in which a ceasefire agreement is reached but ‘relations remain chilly’ (Fortna, 2004: 3). Hence, in light of empirical evidence that many peace processes fail and many conflicts either return to violence after a ceasefire or ‘freeze’ an unsatisfactory status quo, this study contributes to filling the research gap by providing a process-oriented, systematic study of how ceasefire agreements can be characterized and analysed in relation to peace processes. This is done with the help of in-depth studies of two protracted intrastate conflicts.

---

9 See, however, Oo and Min’s (2007) assessment of Burma’s ceasefire accords, which were published as part of the East-West Center’s Policy Studies series, and Kolås’ (2011) case study analysis of the Naga militancy in Northeast India and the ceasefire agreements with the Indian government. In the former study, Oo and Min conclude that recent ceasefires in Burma have been an important starting point for solving the violent conflict, but they have failed to bring about a political settlement. By initiating ceasefires, the Burmese government has sought to reduce military threats and increase their control over the country. At the same time, the agreements have allowed non-state armed groups to maintain or increase their strength. Ceasefires have nonetheless contributed to relative improvements for the local population. Based on the case study of the Naga militancy in India, Kolås emphasizes the implications that ceasefire agreements might have on conflict dynamics through their impact on the internal cohesion of armed groups and their operational space. They can also affect the relations between various stakeholders and parties to a conflict. In addition, Kolås notes that current ceasefires in Northeast India have had implications for the prospects of reaching a political settlement. She argues that they can ‘be seen as a framework that sustains and creates conditions for violent politics, rather than a step on the path to peace’ (2011: 791). Case studies like these two further underline the importance of taking a closer and more systematic look at ceasefire agreements in relation to contemporary peace processes.
It can be argued that ceasefires are highly contextualized and therefore inappropriate for systematic comparative study. However, the global rise in peacemaking initiatives and the extensive borrowing and lending among them calls for comparative inquiry. As Mac Ginty (2008: 6) puts it, ‘the regularity with which peace accords face the same problems and the increasing standardization of peace implementation schemes invite comparison’. Accordingly, states, organizations and individuals are frequently, and increasingly, moving from one conflict zone to another to participate in peacemaking and peacebuilding activities. Conferences are arranged for sharing experiences; numerous policy papers are published by research institutes, universities and think-tanks. This transfer of experiences calls for a systematic, critical exploration of similarities and differences between ceasefire agreements and peace processes in different conflict settings.

Furthermore, it should be stressed from the onset that the fact that the thesis focuses on ceasefire agreements does not mean that my aim is to search for a ‘quick-fix’ solution to armed conflicts based on an assumption that a model for successful conflict resolution can be discovered by finding the ‘right’ formulation in a written accord. I neither take this assumption as a point of departure nor aspire to any such ambition. Rather, I do not think it is possible to find such a universal formula. The focus on ceasefire agreements is grounded in a theoretical and empirical interest in the puzzles of war-to-peace transitions and the problems and possibilities of peace processes. If we understand conflict as part of all societies and necessary for societal development, then the management of conflicts and the changes that come about during these processes are of essential importance. This means that the nature of agreements intended to change the forms of interaction between parties to violent conflict becomes fundamentally important to examine and analyse in relation to the broader dynamics of the peace process. Theoretically, it can be assumed that a ceasefire constitutes a change in the conflict that might have an immediate formative role in a peace process and influence the dynamics at play. Ceasefire agreements might also develop a long-term historical meaning and impact on subsequent attempts to engage in peace processes and ceasefire agreements. There is an underlying assumption in the literature that a ceasefire creates a momentum in the peace process, something that is often described as paving the way for a peaceful solution. On the other hand, it can also be assumed that ceasefires might have a negative influence on conflict dynamics. These

---

10 For instance, the Centre for Humanitarian Dialogue (HD Center) published a report in 2011 on Negotiating ceasefires: Dilemmas and options for mediators (Chounet-Cambas, 2011). The report is a part of their Mediation Practice Series aimed at supporting mediators in the field. The report emphasizes the importance of ceasefire agreements as elements of peacemaking and is intended to guide and support practitioners who face dilemmas of mediating ceasefire agreements.
contradictory expectations makes it interesting to explore whether and how ceasefire agreements can contribute to changes in conflicting parties’ attitudes, behaviours and relationships. It also indicates that the qualitative aspects of ceasefire agreements need to be explored. This includes how and why they are initiated, form and content and implementation. Thus, I do not evaluate ceasefire agreements as means of achieving peace. Instead, I analyse them as a result of a political process and explore their links to the broader peace process using factors identified in the literature on peace processes. In this way I hope to be able to provide an enhanced and more comprehensive understanding of ceasefire agreements in relation to peace processes in intrastate armed conflicts.

1.3.2 Why the Asian region?

Every war-to-peace transition takes place within a specific context that defines particular premises both for the conflict being fought and for efforts at conflict resolution. Accordingly, in order to gain a better understanding of ceasefire agreements in relation to peace processes, I consider a contextualized analysis to be the most promising approach. As regards geographic region, this thesis focuses on peace processes in conflicts in Asia, and more particularly in South and Southeast Asia. The purpose of this empirical focus will be outlined further in the theoretical and methodological chapters, but I present some of the central reasons here.

The Asian region is particularly interesting for this inquiry for reasons that are linked to the characteristics of conflicts in the region and the states in which the conflicts play out and to the characteristics of peace attempts aimed at resolving these violent conflicts. The challenge of intrastate territorial conflicts is widespread in the Asian region – in fact, compared to other regions of the world, Asia has the most intrastate territorial conflicts (Harbom, Högladh and Wallensteen, 2006). Furthermore, these conflicts tend to be particularly protracted, with an average duration of active conflict estimated to be 32 years (Arnold and Parks, 2011). The conflicts primarily revolve around territorial power and control, with the notion of the state being questioned by a group that has separatist claims and makes reference to ethnic or national identity as a principal criterion for succession (Kingsbury, 2011: 765). Furthermore, these conflicts take place in a region with many strong, centralized states that stress the importance of a unified national identity and put great emphasis on sovereignty and territorial integrity. These are characteristics that have been suggested as particularly prominent in Asian states since independence from colonial rule (Wallensteen, 2007: 155). As this implies, a demand for self-determination stands in contrast to the principle of sovereignty and territorial integrity that highly centralized governments emphasize – a paradox that I find interesting.
for an inquiry into participation in ceasefire agreements by state and non-state warring parties.

Furthermore, the characteristics of peace initiatives also make conflicts in the region particularly interesting for an inquiry into war-to-peace transitions. Due to domestic politics and features of external relations, international conflict resolution efforts have been comparatively rare. The initiatives that have been taken have often been described as modest and low profile (Wallensteen, 2007; Möller et al., 2007; Wallensteen et al., 2009).\textsuperscript{11} Hence, in comparison to the many studies of war-to-peace transitions that focus on international interventions and UN operations (e.g. Doyle and Sambanis, 2006; Stedman, Rothchild and Cousens, 2002; Cousens and Kumar, 2001), I focus on processes that have largely been driven by internal forces. This shifts focus towards exploring internal capacity and internal reasoning. At the same time, since there is some degree of international involvement in most contemporary peace processes, an analysis of peace attempts in these types of conflicts also provide insights into differences among international peace initiatives. The two Asian conflict settings that I have chosen to examine here – i.e. Aceh and Sri Lanka – have been protracted and both have featured multiple peace processes and acceptance of ceasefire agreements. Thus, not only are these two conflicts and the dynamics of peace attempts interesting in themselves, but the recurrence of peace processes also makes it possible to compare ceasefire agreements and peace processes and discern changes over time. Finally, while South and Southeast Asia have experienced many severe and long-lived conflicts, the ones in this region – including Aceh and Sri Lanka – have generally received limited attention from researchers in comparison to many other conflicts, which the West had pronounced interest in.

\subsection*{1.3.3 Limitations}

Since this study is designed to analyse processes that take place over time and to make comparisons both within and across cases, this inevitably impacts on depth and degree of attention to detail. However, my ambition is not to provide a detailed historical chronology of these processes, but rather to analyse how decisions, actions and events are related to each other. Hence, I take a ‘bird’s eye view’ for the purpose of analytical sharpness, and I build on earlier documentation of the peace processes. Nevertheless, in comparison to quantitative studies that primarily focus on outcome, the qualitative research design I have chosen offers an opportunity to consider and pay attention to process dynamics and multiple linkages between initiation, procedure and outcome. A trade-off between detail and

\textsuperscript{11} Noteworthy exceptions are Cambodia and East Timor, where there have been extensive United Nations (UN) operations.
generalizability is inevitable in comparative research. Given this, I consider the possibility to explore how and why a process develops to be of greater importance than the ability to draw general insights from a larger number of cases.

Furthermore, it should be stressed that this is not a ‘how to’ study on the construction of ceasefire agreements. While there are undoubtedly normative underpinnings to most studies that take an interest in the resolution of violent conflicts, I do not aim to give policy guidance to ceasefire design, nor to suggest best practices. Instead, the purpose is to advance our theoretical understanding of ceasefire agreements in relation to peace processes. However, the study can nonetheless be policy relevant as it deals with questions of interest to anyone concerned with finding peaceful settlements to armed conflicts. I consider an enhanced and deeper understanding of the processes at work in transitions from war to peace to be the most fruitful way to pursue that objective.

1.4 Outline of the thesis

The outline of the thesis is as follows. In chapter 2, I present the theoretical framework. This chapter defines central concepts and outlines the study’s theoretical foundations. Drawing particularly on insights from the literature on war-to-peace transitions and the management of peace processes, it concludes with an analytical framework to be used to structure the empirical analysis. Chapter 3 outlines my methodology, which is based on a qualitative comparative case study research design. In this chapter I discuss more thoroughly why I focus on the Asian context and Aceh and Sri Lanka in the empirical inquiry. Furthermore, I describe how the case studies are conducted through the writing of dense historical narratives in order to answer research questions 1 and 2, and how I use within and across-case comparative analysis to answer research question 3. The chapter concludes with a presentation and discussion of the material that I use in the empirical research, i.e. documentation and interviews. Chapters 4 and 5 present the empirical analyses of ceasefire agreements and peace processes in Aceh and Sri Lanka. These chapters begin with a background description of the conflicts, including a presentation of the main conflicting parties and the commencement of the armed conflict. The subsequent sections of the empirical chapters are divided into different peace-process periods, and the analytical framework is used to structure them. The case study chapters conclude with a comparison of ceasefire agreements and peace processes within each conflict setting. In chapter 6, insights from the case study analyses of Aceh and Sri Lanka are brought together in a comparative analysis across the two conflict settings. Here, I summarize the main findings and conclusions of the research project.
Chapter 2

Theory

In this chapter I outline the theoretical framework for studying ceasefire agreements in relation to peace processes in protracted intrastate armed conflicts. Theoretically, the study takes its point of departure in the growing field of research on conflict resolution and transformation that focuses attention on efforts to end armed conflicts through peace processes and on issues related to the management of war-to-peace transitions. Ramsbotham, Woodhouse and Miall (2005: 12) have used the model of an hourglass in order to illustrate conflicts in a temporal perspective and the transition to be made from war to peace. The model helps us visualize how ‘the space for manoeuvre’ changes over time as a conflict escalates and de-escalates. It illustrates the transition to be made away from overt war, which is represented by the narrowest parts of the hourglass and characterized by limited space for manoeuvre, towards its wider parts. In relation to the changing space for manoeuvre, the authors also propose possible and suitable responses to be used during different conflict phases. Ideally, the space would widen with a ceasefire, which would then enable a process of movement towards agreement, normalization and reconciliation. In reality, however, as the authors note, the course of events is usually far less linear and unidirectional. In a broad sense, it is this transition that I explore theoretically and empirically in this thesis by focusing specifically on ceasefire agreements in relation to peace processes.

The thesis can be described as a theoretically informed empirical study. This is rooted in a view that theoretical abstractions derived inductively from empirical observations can increase our general understanding of social phenomena, while theories can, at the same time, ‘serve as the mental lenses through which we view and interpret the world’ (Hauss, 2010: 23). As Höglund and Öberg (2011: 4) put it, ‘theory and empirical inquiry go hand-in-hand’, and benefit from engaging in a continuous dialogue. With this as my point of departure, my goal in the theory chapter is to develop a framework that facilitates the collection and analysis of data. I do so by exploring useful concepts and identifying and formulating theoretical reasoning that can be used to guide and structure the analysis. The chapter is divided into four main sections. In the first section I discuss key concepts in
order to clarify how they are understood and how they will be used in the study. In the second section I put the research into context by addressing notions of the state, territory and identity in a changing global context, and, more specifically, by discussing the state of the state in Asia. The third section aims to situate the research within a broader framework of war-to-peace transitions by outlining the theoretical perspectives that underpin the project. In this part, I also explore factors that might influence changes in violent conflicts and discuss the management of peace processes. Finally, in the fourth section, I outline an analytical framework for studying ceasefire agreements in relation to peace processes by presenting tools that will be used to structure the empirical analysis presented in later chapters.

2.1  Concepts and definitions

In comparative research, where entities are compared over time and space, terminology requires particular consideration. The meaning of various concepts and how phenomena are manifested often differs across societies. Accordingly, at the theoretical level, comparative studies require concepts at a high level of abstraction. At the same time, context-specificity is needed at the level of operationalization (Höglund, 2011: 119). There are two key concepts frequently used in this thesis that deserve special attention: (i) peace process and (ii) ceasefire agreement. In this section, I begin by discussing definitions and meanings of each of these two concepts separately, before elaborating on how they relate to each other in subsequent sections.

2.1.1  What is a peace process?

The term peace process is often used to describe a transition from war to peace in which conflicting parties engage in a process aimed at ending a violent conflict through peaceful means. The concept has become more popular, especially since the 1990s, and is now often used by both scholars and the media, as well as by policy makers. Darby and Mac Ginty (2003, 2008) define a peace process as ‘persistent peace initiatives’ that involve the main parties in an armed conflict. These initiatives tend to be more substantial and frequent than sporadic peace initiatives and to ‘develop beyond initial statements of intent’. Additionally, Darby and Mac Ginty argue that a peace process has certain ‘robust and systematic qualities’, which enables it to resist some of the pressure and challenges that can befall it (Darby and Mac Ginty, 2003: 2). This is similar to Ramcharan’s (2009: 228) definition of a peace process as referring to ‘the measures deployed to resolve differences, and to settle disputes or conflicts, through diplomacy or other methods of peaceful settlement rather than violence’. He continues by emphasizing that a peace process both ‘supports the implementation of
peace agreements’ as well as ‘maintains the momentum in the consolidation of peace and the avoidance of future conflict’.

Höglund (2004: 21-25) proposes that definitions of peace processes can be divided into narrower and broader schools of thought. The narrower definition focuses on the conflicting parties and on their ability to reach an end to the fighting by resolving or learning how to handle disputes between themselves. On the other hand, the broader definition focuses on relationships and attitudes among people at all levels in society – from local actors to national elites and international actors – and how they learn to resolve disputes in a peaceful way. This thesis primarily follows the narrower definition by paying foremost attention to the main conflicting parties, i.e. governments and non-state armed groups. These elite-level actors are generally the ones engaging in the political processes of interest in this thesis. And as those who possess the guns, they are generally the ones with the power to initiate a ceasefire.

In order to describe the changing characteristics of peace processes over time, these processes can be divided into different phases, or stages. Darby and Mac Ginty (2003, 2008) make distinctions among several themes that resemble the phases of a peace process: preparing for peace, negotiations, peace accords, peace-accord implementation and post-war reconstruction.12 The first phase, preparing for peace (i), refers to the initial phase in a peace process, when initiatives are taken that aim to create an environment in which negotiations can start. Darby and Mac Ginty emphasize the high levels of mistrust that characterize this phase and conclude that many peace processes break down during the initiation of the peace process. When the parties enter into negotiations (ii), the authors highlight the importance of issues such as communication, the structure of and agenda for the talks, the role of third parties and the influence of violence during negotiations. The peace accord stage (iii) refers to the documented and signed settlement deriving from negotiations, which is supposed to address the underlying causes of the conflict. Finally, in the peace accord implementation and post-war reconstruction phase (iv), issues such as demobilization, democratisation and human rights are emphasized. It is important to note, however, that the transition from war to peace is not seen as a linear process. Rather, Darby (2001: 11) suggests that the term has become so popular precisely because it ‘recognizes that the cycle of activities aimed to produce a just and lasting agreement stretches both backward and forward from the actual period of negotiations, and that the steps involved are not linear but often occur simultaneously and at different speeds’. Thus, a peace process involves a constant moving back and forth, and it should be understood as

12 In their co-edited books (Darby and Mac Ginty 2003, 2008) ‘violence’ is addressed as a fifth theme. Furthermore, in the first edition, the last phase is called ‘peace building’ instead of ‘peace accord implementation and post-war reconstruction’.
extending beyond the signing of a peace accord. Importantly, it recognizes peace as a process rather than an event.

Nonetheless, Darby and Mac Ginty (2008: 3) stress that the many components, or ‘extensive set of variables’, involved in peace processes complicate the task of formulating clear definitions. Peace processes often include a complex web of initiatives that can be introduced at different points in time, and their importance might shift in during the process. For example, some initiatives can abruptly end or fade out, while others continue to develop. This also complicates the identification of a clear beginning and end to a peace process. While recognising the difficulties of establishing clear definitions, following Darby and Mac Ginty, in this research I define peace processes as periods during a conflict when the parties have declared their intention to explore the possibility of settlement through peaceful means and engage in some more persistent initiatives aimed at carrying out such a strategy. In other words, the concept of a peace process refers to an overarching approach or strategy to reach a negotiated settlement to a conflict, while a peace initiative refers to activities deployed at the operational level. As this indicates, a peace process can be understood analytically as being composed of several different initiatives aimed at managing peace processes and facilitating a transition from war to peace. Accordingly, ceasefire agreements – which are in focus in this thesis – can be understood as one such initiative, a constituent part that together with other initiatives makes up a broader peace process. Again, the ceasefire can be described as a common initiative in peace processes.

2.1.2 What is a ceasefire agreement?

Ceasefire agreements are part of most peace processes and are often claimed to be minimum prerequisite for the parties to engage in a peace process (Darby and Mac Ginty, 2003). Nevertheless, ceasefires can differ in form and scope. They can precede talks that deal with core issues or they can be declared after such talks; they can take the form of formal written accords or verbal understandings; they can be a part of a comprehensive peace treaty or constitute an agreement in their own right. Due to the multifaceted character of conflicts, peace processes and ceasefire agreements themselves, there is no commonly recognized definition of the concept. Rather, as Smith (1995: 265) explains, historically there has been ‘a great deal of confusion’ about how to define a ceasefire as well as how to conceptually separate it from other related terms. The Uppsala Conflict Data Program (UCDP) considers a ‘ceasefire agreement’ to be one of four possible ways that a conflict can be terminated. Hence, they use the term as an outcome to a conflict, one that
qualifies as ‘a negotiated settlement to a conflict’ that ends military operations without dealing with the core issues of the conflict (Kreutz, 2010). Rather than seeing a ceasefire as one of several possible outcomes to a conflict, Smith (1995: 6), on the other hand, argues that ‘all wars must end at some point’ and ‘a cease-fire is a necessary part of that process’ – that ‘no war ends without one’ (Smith, 1995: 3). In Fortna’s study of ceasefires and durable peace (2004), a ceasefire is defined in broad terms as ‘an end to or break in the fighting, whether or not it represents the final end of the war’ (Fortna, 2004: 45). In comparison to the UCDP’s definition – which treats ceasefire agreements and peace agreements as two separate outcomes to a conflict – Fortna considers a political settlement, or ‘agreements on the underlying issues of the conflict’ to be a separate variable in her analysis of the relationship between ceasefires and durable peace. In Bell’s study of peace processes and the content of agreements (2000) the term ceasefire agreement is not used as a distinct category of agreements but rather is seen as a possible element of pre-negotiation agreements, framework/substantive agreements, or implementation agreements, depending upon when in the peace process the parties agree to a ceasefire.

As these examples suggest, how the concept of a ceasefire is understood and defined in academic research is largely determined by the aim of the study. Furthermore, as indicated earlier, there are a number of different terms closely related to the concept of a ceasefire. The United Nations Peacemaker (2009) website, for example, distinguishes between truce, cessation of hostilities, ceasefire and armistice. Such distinctions are primarily based on the degree of formality, purpose and amount of political content in the agreements. However, these various terms are often overlapping and used interchangeably (Smith, 1995: 265-269).

Because the focus of this thesis is on the qualitative aspects of ceasefire agreements – how they can be understood in relation to peace processes and

---

13 The UCDP thus distinguishes between conflicts that end with a ceasefire agreement and those that terminate with a peace agreement that deals with the main incompatibilities. Their classification also distinguishes between ceasefire agreements with and without conflict regulations (Kreutz, 2010: 245).

14 The main concern of quantitative studies that are based on the UCDP Conflict Termination dataset is to identify ‘precise start and end dates of fighting as well as information about the outcomes of each period of fighting’ in order to provide quantified data for inquiries about ‘the outcomes that bring the parties to lay down arms’ (Kreutz, 2010: 244).

15 In this study, the classification of agreements in peace processes is based on a chronology following the typical patterns of peace talks, with peace agreement being used as an umbrella concept.

16 The UN Peacemaker describes a truce as an ‘informal cessation of hostilities’ that usually aims to create a free passage, for example for women and children, and thus does not necessarily indicate a desire to enter into negotiations. A cessation of hostilities refers to a temporary cessation of violence, often undertaken at the beginning of a peace process. This type of agreement usually indicates that both humanitarian concerns and a willingness to find a negotiated settlement motivate the parties to pursue a cessation. On the other hand, it has been argued that a ceasefire has a more profound role in a peace process. Ceasefire agreements at the beginning of a peace process provide space for negotiations. Those undertaken at the end become a part of the overall settlement. Finally, an armistice simply refers to an end to all military operations, whether or not any of the incompatibilities have been solved (United Nations Peacemaker, 2009).
the dynamics involved in conflicts that proceed on a violent path despite a ceasefire – the most appropriate definition is one that is comprehensive and flexible. This will allow me to explore what constitutes and characterizes a ceasefire agreement in different conflict settings. There are however two aspects of the concept that I find particularly important to emphasize. First, that the concept includes a declaration of intent to change the patterns of interaction between the warring parties by ending or taking a break in the use of violence. Second, that a ceasefire is an undertaking that involves a mutual agreement between two or more actors. This definition does not require that a ceasefire is documented in a written accord, but it does include a relational dimension, insofar as a ceasefire represents a deal or a pact between warring parties. I see unilaterally declared ceasefires as a component of conflict dynamics and something that influences them, but they are not a main focus in the analysis. My main interest is the relational aspect and mutual engagement. It should be noted that I analyse all ceasefire agreements that fit into the broad definition I have chosen to use in this dissertation, regardless of the specific label that the parties choose to attach to the agreement – i.e. whether or not they use the term ceasefire. The label that the parties chose to give an agreement should be understood in terms of politics and the meanings that different actors ascribe to words. These often mirror the political sensitivity of ceasefires and are in themselves an interesting dimension of the inquiry. For example, in both Aceh and Sri Lanka, in order to avoid the word ‘ceasefire’, agreements have been referred to as ‘cessation of hostilities’ agreements and ‘humanitarian pauses’.

In addition, while the features of ceasefire agreements will be further elaborated throughout this chapter, it should be emphasized here in the beginning that while the rules and regulations for ending violent acts and other security related issues are a fundamental aspect of these agreements, ceasefires can also include non-military features, even if they are not a part of a comprehensive peace agreement. Hence, beyond various security-related elements, ceasefire agreements can, to varying degrees, also address political issues and the restoration of normalcy in a war-torn society, as well as include various mechanisms to ensure the implementation of the agreement (Nakagawa et al., 2005). How and why ceasefire agreements vary between different peace processes and conflict settings, and how this can be understood in relation to the broader dynamics of peace processes, calls for empirical inquiry that takes into account the context in which the conflict and efforts of war-to-peace transition play out. Thus, in the next section I present a contextual backdrop within which efforts to achieve war-to-peace transitions in Aceh and Sri Lanka must be understood.

---

17 It can be noted that a similar study of Burma’s ceasefire accords conducted by Oo and Min (2007) showed that most ceasefire agreements in Burma were non-public, verbal understandings. Only a few were actual signed agreements.
2.2 State, territory and identity in a changing global context

In order to understand war-to-peace transitions in secessionist intrastate conflicts, conceptions of state, territory and identity in a changing global context need to be considered. Historical accounts of the development of contemporary understandings of the state often begin in 1648 with the Treaty of Westphalia. Because it established the legal principle of state sovereignty and recognized all states, in principle, as politically independent, the signing of this treaty is commonly identified as a key event for understanding the present international system of states (Ganguly and Phadnis, 2001: 30). Besides structuring relationships between states, it also left it to state authorities to determine the form of organization within the state and to act fully inside its defined territorial borders (Ganguly and Phadnis, 2001; Kingsbury, 2008). More recently, the principle of sovereignty has been further consolidated in various international treaties, notably the 1945 charter of the United Nations emphasizing the territorial integrity of all internationally recognized states and the principle of non-intervention in domestic affairs. Hence, while states have often found their sovereignty challenged by other states, international institutions, and various non-state actors, the state has nevertheless been considered central both as a player in world politics and as the primary organizer of activities within its own territory. The state has been recognized as the legitimate authority to exercise domestic political and judicial control and as holding a monopoly on the use of violence (Kingsbury, 2008: 5).

In addition, contemporary conceptions of the state have been heavily influenced by the European model of the nation-state that evolved from the early 19th century. Prior to this, sovereignty had generally been conferred on the ruler of an empire or state, but the new model and idea of the state insisted that sovereignty was vested in the ‘nation’ rather than the ruler (Armstrong, 2011: 44). Hence, in terms of the state, this entailed an emphasis on territorial control for external stability and the notion of ‘national identity’ for internal cohesion and control. During the colonial and post-colonial periods, the model spread globally and influenced various state-building and nation-building projects in the global South. Thus, in order to understand how these structures and conceptualisations played out in different settings, it is necessary to take into account the various historical, geopolitical and cultural contexts.

2.2.1 State of the state and conflict in South and Southeast Asia

This thesis focuses attention on ceasefire agreements and peace processes in two intrastate conflicts in South and Southeast Asian – one in Aceh,
Indonesia and the other in Sri Lanka. The present-day states in the South and Southeast Asian region have been influenced by local traditions of societal organization and rule, the history and legacy of colonialism and by the post-colonial state-building and nation-building projects that commenced in the mid-twentieth century. These historical experiences and the practices of state-formation have affected the styles of government within states in the region and have had implications for claims about national identity (Kingsbury, 2008).

While contemporary conceptions of the state are fundamentally linked to fixed and commonly defined territorial borders, in the pre-Westphalian and pre-colonial periods, territorial boundaries in South and Southeast Asia were often rather ambiguous. They expanded or decreased depending on the strength and power of the current ruler. Many areas were also characterized by the movement of migrants (Kingsbury, 2008). When the former colonies gained independence, this was generally arranged within the existing territorial borders that prevailed during colonial rule. However, the process of de-colonization was manifested in different ways. In some states, such as Indonesia and Vietnam, the process of de-colonization was characterized by violence and with anti-colonial movements struggling against the colonial powers and their control (Abraham, Newman and Weiss, 2010: 11). In other cases, such as in Sri Lanka, the process went comparatively smoothly, with independence granted and power transferred as a result of popular pressure. The creation of the post-colonial state also followed different trajectories. Among states that were mainly influenced by British colonization, the British political system was widely adopted. However, when embraced by the newly independent states, this system often translated into centralized authority structures (Ganguly and Phadnis, 2001: 89) and electoral politics that benefitted the majority identity group. In the states of Southeast Asia, Kingsbury (2008: 7) describes the creation of the post-colonial states as often made with close links between state power and the

18 What geographical areas are part of a particular region varies among different sources. In the composition of geographical regions and sub-regions that is used by the United Nations Statistic Division (2012), South Asia includes Afghanistan, Bangladesh, Bhutan, India, Iran, Maldives, Nepal, Pakistan, and Sri Lanka. Southeast Asia is composed of Brunei Darussalam, Cambodia, Indonesia, Lao, Malaysia, Myanmar, Philippines, Singapore, Thailand, Timor-Leste, and Vietnam. This dissertation draws on both literature about Asia in general and South Asia and Southeast Asia in particular. In the latter cases I have made an effort to illuminate both similarities and differences between the two sub-regional areas.

19 Among the current states of Southeast Asia, all but Thailand were colonized. However, as noted by Kingsbury (2008: 8), the contemporary borders of Thailand were defined by the colonial powers and in principle the state was largely economically colonized by the United Kingdom. In South Asia, Nepal and Bhutan did not experience direct colonial rule, but the presence of the British in the region influenced all of the states (Ganguly and Phadnis, 2001: 88).

20 Rather than violence between anti-colonial movements and colonizers, the partition of India and Pakistan into independent states was accompanied by massive violence between the two entities (Abraham, Newman and Weiss, 2010: 11).
army, a political party and/or an individual political leader. Hence, the post-colonial state-formation processes in South and Southeast Asia often resulted in highly centralized governments that came to strongly emphasize the principle of sovereignty and territorial integrity (Wallensteen, 2007: 155). Indeed, Wallensteen (2007: 235) characterizes Asia as a region that consists of ‘countries with strong states, high consciousness of territorial integrity and non-involvement in internal affairs’.21

In many of the colonized states of South and Southeast Asia, as the nation-state model was adopted in the region, national identity became a key feature that centralized authorities referred to in order to claim a legitimate right to exercise power and influence within a defined territory. Accordingly, as Phadnis and Ganguly (2001: 13) argue, nation-building projects have commonly focused on ‘creating a unified ‘national identity’ based around either common political values and citizenship or a putative majoritarian ‘ethnic’ identity’. In addition, territorial borders were the ultimate definition of the scope and extent of the state, which encouraged ‘an understanding of national community through geography’ (Abraham, Newman and Weiss 2010: 17). ‘Territoriality’ has thus been inherent in the sovereignty of these post-colonial states, which implies an increase in the significance of boundaries, citizenship and ‘nationhood’, and elites who are oriented towards the European conception of the nation-state (Phadnis and Ganguly, 2001: 92). Examples of this include the ‘Sinhalisation’ of the Sri Lankan state and the ‘Javanisation’ of the Indonesian state, which prompted – respectively – Tamil and Acehnese nationalist responses. In these states, even limited regional autonomy has been perceived as a threat to the territorial integrity of the state, a position often aggravated by internal political struggles (Vatikiotis, 2012).

Hence, in the context of central authorities stressing a unified national identity, in part as a means of safeguarding territorial borders and securing state-power, claims for ethnic or national separation emerged in some states. These separatist claims for territorial change and political sovereignty were also made with reference to national identity, which enabled the group to claim the right to its own state. Based on this they could appeal to the right to self-determination as a nation as a means to legitimize their struggle. In addition, questioning the legitimacy of the state and demands for a different territorial status has often been done with reference to alienation and abuses by the central government (Kingsbury, 2011: 765). Hence, in line with arguments made by Azar (1990), to a large extent these conflicts have centred on the relationship between the state government and a community group, and have been characterized by injustices and an emerging discontent that has evolved into competing nationalisms and state-formation projects.

21 This refers to countries in South Asia, Southeast Asia and East Asia.
Kingsbury (2011: 762) suggests that a common element in separatist conflicts in South and Southeast Asia is a failure to establish a citizenship based on a shared sense of ‘civic equity’, which has resulted in a retreat to ‘ethnic specificity’. Consequently, if there is a lack of popular consent for the state’s legitimate hold on power, then violence may become a distinctive feature of the political sphere (Abraham, Newman and Weiss, 2010: 11). Accordingly, in many of the states in South and Southeast Asia, claims for secession and territorial partition have evolved into violent struggles between the state and locally organized groups. Indeed, while the idea of the state per se has seldom been challenged, the location of borders has been widely disputed in South and Southeast Asia (Kingsbury, 2008: 6-8). This includes challenges by groups within states pushing for the creation of their own state within the borders of existing ones.

2.2.2 Conflict resolution in South and Southeast Asia

The regional setting and state of the state in South and Southeast Asia also have implications for conflict resolution in intrastate conflicts. Conflict data shows that many of the contemporary civil wars that tend to be the most protracted and manifest a pattern of recurrence can be found in Asia (Möller et al., 2007: 374). Yet the level of international attention given to these conflicts has been comparatively low, and efforts by external actors to engage in peace initiatives can be described as few and modest (Wallensteen et al., 2009: 258). As shown in a review by Wallensteen (2007: 235), conflicts in the Asian region are among those that have received the least attention from the Security Council of the United Nations. Of the ten conflicts given least attention between 1996 and 2005, six were in Asia, including conflicts in Myanmar, the Philippines, Sri Lanka and India. Furthermore, with the exception of Cambodia and East Timor, there have been no extensive international interventions in contemporary intrastate conflicts in the region. Rather, as Wallensteen (2007: 236) describes it, international involvement in these conflicts can be characterized as initiatives conducted in an ‘ad hoc fashion’ through mediation and ceasefire monitoring. Furthermore, in comparison to other regions in the world, there is no Asia-wide organization for peace and security (Wallensteen, 2007: 235). The most prominent sub-regional organization is the Association of Southeast Asian

---

22 While the geographical boundaries that the authors’ use in their study to define the Southeast Asian region does not include Sri Lanka, the Sri Lankan conflict is nevertheless mentioned in the analysis as sharing central characteristics with other civil wars in southern Asia. See Möller et al. (2007: 378).

23 See also Åkebo (2011, 2012) for analyses of the international dimension of peace efforts in Aceh and Sri Lanka which emphasizes these characteristics.

24 The survey lists conflicts between 1996 and 2005 that had been active for at least eight years and that had not resulted in a resolution from the Security Council.
Nations (ASEAN). According to Thambipillai (2009: 1), when it comes to conflict management in the region, ASEAN is recognized more for ‘what it does not do than for what it actually does’.

Despite this, recent developments such as the 9/11 attacks on the World Trade Center and the Pentagon in 2001 and the subsequent ‘war on terror’ have increased international attention on Asia. According to Tan (2007: 6), the United States (US) has designated the region as the ‘second front’ in the ‘global war on terrorism’. Thus, there is greater interest in circumscribing rebel groups in Asia, as well as an increased unwillingness to jeopardize relations with some states in the region by trespassing on their sovereignty. As this suggests, in order to understand the modes and scope of conflict resolution in intrastate conflicts in Asia, it is necessary to consider the internal characteristics of the state in Asia, international relations and the interests of external states and various contextual developments on a global scale.

However, the state of the state – as well as notions of and conditions for peace and conflict – is constantly in flux. In a time when new norms of state sovereignty are emerging and external interference is being negotiated, the state of the state in Asia might need to be reconsidered – and, accordingly, also its consequences for internal conflicts in the region. For instance, in a study focusing on Southeast Asia, Bellamy and Drummond (2011) suggest that in many states we might be seeing a tendency to adjust the strong position on sovereignty that has long been held. The authors note that while the states continue to support the doctrine of strongly emphasizing sovereignty and non-intervention, the adjustment reflects an effort by some states in the region to find an accommodation between the principle of non-intervention and emerging norms about the ‘responsibility to protect’. As the authors put it, ‘R2P has been revised to limit its capacity to legitimize coercive interference, whilst non-interference is in the process of being recalibrated to permit expressions of concern, offers of assistance and even the application of limited diplomatic pressure in response to major humanitarian crises’ (Bellamy and Drummond, 2011: 180). Notably, during the 2000s we have also seen the acceptance of external monitoring in violent conflicts (Kingsbury, 2011: 774). However, while changes might be under way in some states in Asia, the direction of the development will be a consequence of a process of local negotiations.

I now turn to a discussion of theoretical perspectives on the transition from war to peace. It will be informed by the contextual backdrop and

---

25 The ASEAN was established in 1967 and encompasses Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam. It can be noted though in this context that Sri Lanka is not member of the organization. Nevertheless, the country made a fruitless attempt to secure membership of the organization in the 1970s (de Silva, 1998: 198). For more on ASEAN, see, for example, Öjendal (2004); Amer, (2011). See also the official ASEAN website at www.asean.org.
discussion of state, territory and identity in conflict and conflict resolution in Asia presented above.

2.3 Transition from war to peace

As outlined in the previous sections, the purpose of a peace process is to produce a transition from war to peace. In essence, it is processes of change that are in focus (Shapiro, 2006). In this section, I begin by outlining some broader theoretical perspectives that are aimed at facilitating our understanding of war-to-peace transitions and can serve as theoretical underpinnings for the study. Following from this discussion, I explore general factors from the literature on peace processes that might influence change in conflicts in transition from war to peace. Lastly, I discuss the management of peace processes.

2.3.1 Perspectives on war-to-peace transitions

Within the scholarly literature on conflict termination and war-to-peace transitions, the ‘ripeness’ literature, whose most famous researcher is I. William Zartman, has gained a lot of attention. This body of research focuses on exploring conditions that are conducive to negotiations and peace settlements between warring parties. To explain the conditions under which an agreement can be reached, Zartman (1995, 2008) has developed the concept of a ‘mutually hurting stalemate’, which, in brief, describes a situation in which the parties to a conflict find it too militarily, economically and/or politically costly to continue fighting. When the parties find themselves locked in a hurting stalemate they will seek alternative and less hurtful ways out of the deadlock. Hence, when the conditions of a mutually hurting stalemate arise, a conflict is ‘ripe’ for resolution. The theory of ripeness and mutually hurting stalemates departs from the assumption that conflicting parties are constantly calculating the costs of continuing to engage in warfare and acting rationally in accordance with these calculations. It proposes general explanations of actions in the form of conditions under which parties to a conflict decide to engage in negotiations rather than to continue to pursue a military strategy. As this implies, the theory specifically draws attention to the initial phases leading up to negotiations and to strategic reasoning that actors involved in violent conflicts engage in under certain generic circumstances. Many researchers have argued that the theory is limited because it is based on assumptions that tend to put conflict out of context and that presuppose similar and fixed interests among warring parties. As Uyangoda (2007: 5) argues, it provides a ‘somewhat narrow framework of costs and gains’ that views conflict and peace as ‘mechanistic processes’.
If we want to contextualize cases and acknowledge differences, path dependency theory can help increase our understanding of war-to-peace transitions in protracted conflicts. Path dependence can be understood as a dynamic process generating self-reinforcing outcomes (Jarstad and Belloni, 2011: 11; Belloni, 2012: 28). Once a process is set into motion, self-reinforcement processes shape subsequent developments and foreclose certain alternatives, both of which makes reversal more difficult. Consequently, what happens during early stages is important for the subsequent process and outcome. This also means that the order and sequencing of events is important for understanding the unfolding of a process (Pierson, 2004: 10-11). In essence, this perspective points to the importance of conducting temporal analysis and emphasizes that what happens at one phase has ‘downstream consequences’ in later ones (Diehl, 2006: 199). In terms of war-to-peace transitions, this might refer to the entirety of the conflict from the start, but it can also be applied more narrowly, for example to different phases of peace processes (e.g. as described earlier in this chapter).

While path dependence theory emphasizes that what happens in earlier phases has consequences for later developments, it does not imply a linear path along which no changes are possible. As Page (2006: 91) stresses, path dependency should not be seen as deterministic; rather, it ‘shapes’ possible future histories. External factors will presumably influence the evolution of a process and ‘[earlier] decisions can, and do, get overturned as can the logic that underpins them’ (Page, 2006: 91). As this implies, processes can proceed in different directions and produce different outcomes. Accordingly, a contextualized analysis is crucial for understanding the evolution of a process. Path dependency theory thus draws our attention to the historical and evolutionary dimensions of transition processes. It contributes to the exploration of ceasefire agreements in relation to peace processes in protracted conflicts by emphasizing earlier experiences and events, encouraging us to broadening the time frame for analysis and recognizing the value of contextualizing cases.
This line of reasoning is also compatible with approaches within the conflict resolution and transformation literature\textsuperscript{26} that focus on conflict dynamics and highlight the self-reinforcing processes of conflicts.\textsuperscript{27} Galtung (1969) made early theoretical contributions in this regard. According to him, the core components of conflicts are attitudes, behaviours and contradictions.\textsuperscript{28} Galtung argued that there is mutual reinforcement between these core components, and that the dynamic interplay among them produces ‘vicious circles’ that not only maintain conflicts, but also aggravate them. As this suggests, in this dynamic process, the conflict components are constantly changing, thereby intensifying the original conflict as well as producing secondary ones (Ramsbotham, Woodhouse and Miall, 2011: 11). The persistent characteristics of many protracted conflicts illustrate this dynamic process, which leads to a hardening of attitudes, an escalation of hostile behaviour and a deepening of polarization and conflict. Following this line of reasoning, a transition from war to peace requires changes in the attitudes, behaviours and relationships that are at the core of the conflict structure, so that the destructive vicious circles can be transformed into constructive self-reinforcing processes. This highlights the importance of considering process dynamics and changes in the conflicting parties’ attitudes, behaviours and relationships in order to understand developments in war-to-peace transitions.

If we recognize that conflicts exist everywhere and are an integral part of human life, and that conflict is something that has the potential to bring about constructive social and political change, then war-to-peace transitions can be seen as being less about eliminating conflicts than about finding venues for them to be channelled and transformed through peaceful means.

\textsuperscript{26} Differences and similarities between the concepts conflict resolution and conflict transformation have been a source of scholarly debate. Some argue that there is a profound difference between the two. As one such argument goes, conflict resolution is portrayed as a quick-fix enterprise that preserves the status quo rather than dealing with genuine changes in relationships and power structures. Others have rejected such criticism as a ‘caricature on conflict resolution’, arguing instead that conflict transformation should be understood as the deepest stage of conflict resolution (Ramsbotham, Woodhouse and Miall, 2011). Some researchers have directed criticism toward the concept of conflict transformation, arguing that while it indeed serves the function of criticizing existing mainstream research, it lacks sufficient content and is difficult to operationalize (Mitchell, 2006). In this thesis, I am not interested in engaging in this debate. Instead, by recognizing common features in the literature in which both concepts appear (either together or separately), I can use conflict resolution and conflict transformation interchangeably. Nonetheless, following understandings of conflict transformation as changes of interactions and relationships that bring the conflict to the political arena rather than as an end stage makes it relevant for this thesis.

\textsuperscript{27} Wallensteen (2007) introduces ‘conflict dynamics’ as one commonly used perspective of conflict analysis next to approaches focusing on ‘rational calculations’ and those that are focusing on ‘basics needs’.

\textsuperscript{28} In his pioneer work, Galtung (1969) focused his attention on three main components of conflicts: attitudes, behaviours and contradictions. Contradictions refer to the conflicting interests, needs or values that constitute the underlying issues of dispute and the core of the conflict relationship. In asymmetrical conflicts between one evidently stronger and one evidently weaker party, such as a majority and a minority, the relational aspect per se becomes central in defining the contradictions.
and procedures (Ramsbotham, Woodhouse and Miall, 2011; Dayton and Kriesberg, 2009; Kriesberg, 2007). As Dayton and Kriesberg (2009: 2) put it, ‘the question, therefore, is not how to avoid conflicts, but rather how to wage conflicts in ways that are constructive rather than destructive’. This calls for an understanding of war and peace as continuous processes rather than events and for a focus on the patterns and means of interaction in order to understand the dynamics of war-to-peace transitions. In order to capture the essence of this process, Miall (2007: 7) has used the concept of ‘peaceful change’. He refers to early theoretical contributions by E.H. Carr, who proposed that peaceful change requires means by which conflicts can be pursued either politically or through bargaining, as well as an arena with ‘some common rules and standards about acceptable behaviour’ in which such efforts can take place. Miall also notes that if ‘the realm of peaceful change’ is to be extended, then there must be an enlargement of the ‘issue-areas’ that effectively can be changed through bargaining and by using political means (ibid). Whether and to what extent changes take place in the process can thus be assumed to be closely linked to the means and procedures used in the process.

War can also be described as ‘the breakdown of ‘normal’ politics’ (Orjuela, 2009: 253). In a similar way, this implies that a transition from war to peace requires a shift from violence to non-violent politics through the (re-)establishment of a political process. Former US diplomat Harold H. Saunders describes how the contemporary idea of changing the political environment and transforming relationships through a continuous political process grew out of diplomatic efforts following the 1973 Arab-Israeli war:

> The strategy was that a sequence of cumulative agreements, each building from the last, could emerge from and contribute to a powerful political process that could change the political environment and make further agreements possible. [...] When they [the mediators] realized that each agreement was changing the political environment by enhancing a sense of the possibility of peace in the minds of people, they began using the term ‘peace process’ to capture the multilevel character of the change that was taking place. (Saunders, 2009: 384-385)

Thus, the conceptualization of a peace process aims to capture the larger political processes of war-to-peace transitions. From this perspective, the agreements that are reached do not ‘end’ a conflict, but imply a continuous process of political negotiations.

As emphasized previously, peace processes rarely evolve in a linear fashion from one phase to next. More often, they are better characterized as shifting between periods of forward movement, inertia and disruption (Ramsbotham, Woodhouse and Miall, 2011; Darby, 2001; Darby and Mac Ginty, 2008). Moreover, scholars are increasingly recognizing the prolonging effect of many contemporary peace processes – violence might decrease, but
the core contradictions and root causes of conflict remain unaddressed. Thus, without progress towards a political solution, conflicts become ‘frozen’ and linger on in a state of ‘no war, no peace’ (Aggestam and Björkdahl, 2011: 4; Mac Ginty, 2008). Given this, it might be more fruitful to envision peace processes as evolving in certain directions rather than understanding them as having fixed outcomes and ending in an agreement. For analytical purposes, figure 1 illustrates three possible paths that a peace process can follow. It can evolve into peaceful negotiations, freeze into a status quo or derail and lead to renewed fighting. In order for a process to switch paths, change is necessary. For this path to be transformative, constructive change is crucial.

**Figure 1. Three possible paths for peace processes.**

- Derailed; resumed violence
- Stalled; frozen in status quo
- Proceeding; peaceful change

This broadened temporal perspective stands in contrast to much of the literature on conflict termination that focuses on the stability of settlements. Diehl (2006) argues that the narrow time-frames and focus on particular ‘phases’ might mean that insights about decisions, actions or events from earlier phases that are important for understanding a particular development risk being overlooked. For example, if one focuses only on the implementation of a peace agreement, the questions posed and answers given tend to lead to the conclusion that one or more of the parties has a commitment problem. As Uyangoda (2007: 5-9) stresses, while such insights are valuable for understanding the stability of settlements, they fail to recognize the politics of conflicts and to take into account the political struggles and the extent to which root causes are addressed or ignored.

The focus on changes in a temporal and long-term perspective thus encourages a process-oriented and a contextualized analysis in which developments are understood to be shaped by the dynamic interactions between actors, events and the structural conditions in which they take place. Accordingly, this thesis emphasizes the interplay between actors and structures based on an assumption that these are mutually influencing and cannot be easily separated and causally determined. To capture how agents reason in a structural setting, Aggestam (1999) uses the concept ‘situated actors’. In addition, the importance of ideas is acknowledged by conceptualising peace processes as dynamic processes largely shaped by
actors’ decisions, actions and conflicting interests, and by working from the assumption that interests and preferences are not fixed, but can change during the process. Indeed, as Värynen stresses, ‘new situational factors, learning experiences, interaction with adversary and other influences caution against taking actor preferences as given’ (Värynen 1991, quoted in Ramsbotham, Woodhouse and Miall, 2011: 175).

Thus, instead of visualizing peace as an end point or focusing on explaining a particular outcome, the dynamics of a process, how it evolves and why it does so is essential. This supports a research approach that looks more closely at ceasefire agreements in relation to peace processes through the use of a contextualized analysis that inquiries into changing conflict dynamics. Insights from path dependency theory suggest that such an analysis must take a comprehensive approach to ceasefire agreements and explore their emergence and evolution over time. As Bell (2000: 305) argues, agreements reached in peace processes differ from other types of agreements; they share a ‘transitional and temporal character’ and can thus only be understood in terms of ‘what has gone before and what will come after’. Furthermore, she argues that these agreements need to be understood in the light of a combination of domestic and international components, and in recognition of the fact that the enforcement of the agreements depends on political processes. Building on this, in the next section I continue to explore the question of what factors might influence changes in conflicting parties’ attitudes, behaviours and relationships in peace processes in general and can thus serve as links to enhance our understanding of ceasefire agreements in relation to these broader processes.

2.3.2 What influences changes in conflicting parties’ attitudes, behaviours, and relationships?

A number of general factors found in the literature can be assumed to influence changes in the attitudes, behaviours and relationships of conflict parties’, and thus can help us increase our understanding of ceasefire agreements in relation to peace processes in intrastate armed conflicts. Such factors can be divided into those which are essentially internal to the parties (such as cognitive and emotional dynamics) and those which are external (such as material and structural dynamics). In other words, relevant factors include both the perceptions and reasoning of the actors as well as explanations that can be found external to them. Furthermore, as Dayton and Kriesberg (2009: 1) explain, ‘transformations always occur in the context of a relationship whereby the actions of each side impact the perception and choices of the other’ (emphasis added). As a result, ‘we see the actions of both challenger groups and the government that they oppose as shaped by changes occurring within and between them’ (Dayton and Kriesberg, 2009: 1). Given the complexity of intrastate conflicts, analyses are
usually strengthened by the use of a holistic approach to identifying relevant factors of influence, including those arising from the interactions between the main warring parties, internal political dynamics and the external context (Ramsbotham, Woodhouse and Miall, 2005: 163-164). Of course, the importance of relational, internal and external factors in a particular analysis will vary depending on the temporal and spatial context in which a conflict takes place. Informed by such holistic approach, I have identified six factors that can be assumed to influence changes in the attitudes, behaviours and relationships of parties in protracted intrastate conflicts. While I recognize that the factors overlap to some degree and are not always easily distinguished from one another, I maintain that each group highlights specific aspects of a conflict that are important to focus on. The factors are summarised in Table 1.

Table 1. Six factors of influence.

<table>
<thead>
<tr>
<th>Factors that might influence changes in conflicting parties’ attitudes, behaviours and relationships:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) recognition, status and legitimacy</td>
</tr>
<tr>
<td>(ii) trust and confidence</td>
</tr>
<tr>
<td>(iii) claims are met</td>
</tr>
<tr>
<td>(iv) external incentives and resources</td>
</tr>
<tr>
<td>(v) contextual changes</td>
</tr>
<tr>
<td>(vi) intra-party dynamics</td>
</tr>
</tbody>
</table>

The first set of factors concern the issues of (i) recognition, status and legitimacy. Intrastate conflicts, in which the main conflicting parties are a government and one or more non-state groups, are characterized by asymmetric power-relations that are closely connected to questions of recognition, status and legitimacy.\(^{29}\) Gaining recognition can thus alter positions and change the power asymmetry between the antagonists (Aggestam and Björkdahl, 2009). Furthermore, issues of recognition and status are related to dignity, honour and prestige. These values are often essential to the parties in a conflict because they have invested considerable effort in the conflict, suffered losses and perceive the stakes to be very high. Entering into a public process – for example negotiations or a formal agreement – essentially involves an act of inclusion and exclusion that acknowledges certain actors while leaving others outside. This can create challenges for a peace process in the form of sceptics or violent spoilers (Darby and Mac Ginty, 2008; Stedman, 1997). Accordingly, inclusion or

---

\(^{29}\) In this context, the meaning of power is not limited to traditional understandings of it as coercion and control, with a focus on the military dimension. Rather, power is understood in broader terms as the capacity to influence the course of events (see also Saunders, 2009: 380).
exclusion is one aspect that can be expected to influence changes in the attitudes, behaviours and relationships of the actors in the conflict. Various symbolic gestures such as apologies or other types of statements can have a similar effect. In addition, external actors can also play a central role in extending recognition and legitimacy to a conflict party, in particular international actors who are perceived as possessing the power to exert influence. Indeed, for separatist movements striving for independence, recognition from nation-states within the contemporary nation-state system is crucial.

The second factor has to do with issues of (ii) trust and confidence. In protracted armed conflicts, the parties have years of experience of hostilities and memories of earlier failed negotiations. As a result, deep-rooted distrust, suspicion and fear of the other's intentions are often central conflict characteristics. Darby and Mac Ginty (2008) highlight these issues as posing major difficulties both for initiating and managing peace processes. Whether or not promises are kept signals the degree to which the parties are willing and able (i.e. have the capacity) to commit. Statements pledging good faith, observable changes in behaviour and cooperative measures can be used to build trust and confidence. Hence, the implementation of various measures both before and during an engagement can play an important role in changing attitudes, behaviours and relationships. Nevertheless, building trust is a long-term process. What has taken years to tear down will also require long time to re-build. In these situations, external actors can be helpful in facilitating communication between antagonists. In addition, an outsider might be perceived as a necessary ‘guarantor’, an actor in which the conflicting parties can put their trust when they have high levels of mistrust against their conflict counterpart (King, 1997). Darby and Mac Ginty (2003: 51) argue that from a short-term perspective, the most essential task is for the conflict parties to develop trust in the ability of the peace process to deliver and implement an acceptable solution. The creation of genuine trust between conflict parties is a long-term project.

A third factor of influence is the question of whether (iii) claims are met. The interests, values and needs of the parties to a conflict – which constitute the incompatibilities or conflicting issues between them – are articulated essentially as political claims. The degree to which addressing a conflict’s root causes or power politics will influence the parties engaged in a peace process can be debated. However, as Guelke (2008: 67) concludes, while both are probably of vital importance, normative claims cannot be neglected in the long term. Furthermore, in many contemporary separatist conflicts, notions of the state, territory, location of power and identity are closely intertwined. Kaufmann (2006: 202) argues that analysts of conflict resolution in protracted intrastate ethnic conflicts often focus too much on ‘conflict over tangible interests and [...] the breakdown of institutional
order’. As a result, the ‘emotional and symbolic processes that influence how tangible issues are perceived and how they are played out politically’ (Kaufmann, ibid) remain unaddressed. He argues that both the emotional and symbolic roots of violence and the tangible interests at stake need to be addressed. As this suggests, claims and positions should not be regarded as static but as amenable to redefinition, making it possible that non-negotiable issues can become negotiable. Experiences show that many peace processes break down before a political settlement is reached (Mac Ginty, 2008). Nevertheless, promises made or steps taken to meet political claims can be assumed to influence parties’ attitudes, behaviours and relationships.

The fourth set of proposed factors is about (iv) external incentives and resources. An external actor, for example a mediator, can greatly influence the conflicting parties by exerting pressure on them using both carrots and sticks (Dayton, 2009; Mitchell, 2008). External actors can adopt different approaches and strategies in order to facilitate a settlement between conflicting parties, with various approaches/strategies representing different degrees of leverage and coercion. While many of today’s intrastate peace processes can be described as internally rather than externally driven, nearly all of them require the help of external actors to initiate or carry out efforts to reach a peaceful settlement (Mitchell, 2008: 94). This includes material and structural elements, e.g. economic resources that can be described as external to the parties. Economic resources can address important root causes of conflicts, for example underdevelopment and uneven development, and create conditions for future economic development (Mac Ginty and Williams, 2009). Resources can be closely connected to the conflict parties’ interests, values and needs that were mentioned above, and thus to whether or not claims are being met. Improvement or deterioration in this area can be assumed to influence the parties. The level and type of international support can play an important role in terms of offering resources as incentives for the warring parties to behave in certain ways. It should also be noted that the question of resources is not only related to the willingness of parties to make changes, but also their capacity to do so. For example, whether or not it is possible to implement measures undertaken as part of an agreement can largely depend on the resources available to do so.

The fifth factor of influence concerns (v) contextual changes. Various factors can be identified in the regional and international context in which a conflict is embedded that have the potential to change the parties’ attitudes, behaviours and relationships. Contextual changes can alter what is at stake and the interests of actors. They can also increase or decrease the actors’ manoeuvrability. According to Darby and Mac Ginty (2008: 2), ‘perhaps the most significant contextual change’ in recent years is the post-9/11 ‘war on terror’ and changes in many governments’ foreign policies towards insurgency groups. The outcome of other intrastate conflicts, especially ones
in a neighbouring region, can also have an important impact, for example if
the international community recognizes the independence of a breakaway
state. These sorts of changes can impact on the claims conflict parties make,
because they change expectations about how others will respond. Shifts in
the regional spread of weaponry is another example that can impact on the
strategies chosen by parties in armed conflicts (Ramsbotham, Woodhouse
and Miall, 2005: 98). Moreover, changes in international norms and
understandings of concepts like sovereignty, territory and state can influence
changes in intrastate conflicts. Examples of this include changing
understandings of national groups’ right to self-determination (Ghai, 2008)
and the transfer of power from the state to regional bodies. Thus, as Darby
and Mac Ginty (2008: 361) conclude, ‘it is no longer possible to understand
specific local conflicts and peace processes [...] without realizing how they
are affected by regional and international developments beyond their
control’. These sorts of contextual changes can be assumed to influence
conflict parties’ attitudes, behaviours and relationships.

The sixth and final factor considered here is (vi) \textit{intra-party dynamics}. Conflict parties are not unified actors. Rather, they are horizontally divided
into various political fractions and elements of military wings, and vertically
divided into leadership(s) and constituencies. Although jointly stated ‘main
goals’ are commonly recognized, sub-groups and individuals are likely to
have different interests and motivations. Moreover, different groups might
prefer and support different strategies and means of achieving commonly
claimed aspirations. This implies that engaging in a peace process might be
strongly resisted by sceptics and even prompt the breakaway of splinter
groups that continue the armed struggle (Darby and Mac Ginty, 2008).
Darby and Mac Ginty (2008: 365) suggest that leaders often recognize the
inevitability or advantage of entering into a peace process before their
followers do. They note that leaders must then convince their followers, but
also conclude that, in the end, the primary function of leaders is to deliver to
their followers. Further exploring the vertical divide, Darby and Mac Ginty
(2000, 2008) also highlight popular response as an important aspect that
can influence change in peace processes. Measures promoting normalcy and
humanitarian improvements for civilians can be assumed to play an essential
role in determining popular response to peace processes, and this can
influence conflict parties’ willingness to change. Thus, as a result of internal
pressure from public opinion, conflicting parties can find themselves in a
position in which it is increasingly difficult to consider a return to violence
(Darby and Mac Ginty, 2008: 363-364).

\subsection*{2.3.3 The management of peace processes}
The six general factors presented above can thus be assumed to influence
changes in conflicting parties’ attitudes, behaviours and relationships in
transitions from war to peace. It has been suggested that these core conflict components (i.e. attitudes, behaviours and relationships) operate in a dynamic and mutually reinforcing manner, and that developments can go in different directions, including constructive conflict transformation or conflict escalation and perpetuation. If we consider conflicts in context, it can be assumed that the conflict dynamics will shape the features of initiatives introduced in peace processes, and that these initiatives, in turn, will influence the conflict dynamics and the evolution of peace processes.

Scholars have pointed to commonalities in peace processes in intrastate armed conflicts after the end of the Cold War period. In general, these processes have involved direct negotiations between governments and non-state armed groups and have to a large extent included similar kinds of peace initiatives (Darby and Mac Ginty, 2008; Bell, 2006; Daley, 2006; de Varennes, 2003). In the literature on peace processes, the structuring of contemporary peace processes can be analytically divided into two main rationales as regards the sequencing of initiatives and substance of agreements (cf. Weiss, 2003; Ramsbotham, Woodhouse and Miall, 2011). The most common approach is based on incrementalism, in which issues are addressed and agreements reached gradually and on a step-by-step basis. The logic behind this procedure is to set aside the most sensitive and difficult conflict issues until initial trust has been built and an atmosphere conducive to addressing the core issues has been created. In theory, this allows the parties to appraise incremental progress, and each step taken and each (aspect of an) agreement implemented is assumed to makes it more difficult to reverse direction (Weiss, 2003: 111). Nevertheless, as Weiss (2003: 111-112) argues, there are several potential drawbacks. These processes can be slow. They might be ‘manipulated’ by the conflicting parties and are sensitive to spoiler behaviour. Popular support for them might wane. Furthermore, leaving difficult conflict issues for the future might imply that core contradictions are ‘postponed indefinitely’.

In contrast, a comprehensive approach means that the core issues of the conflict or primary contradictions are addressed first, in the beginning of a peace process (Ramsbotham, Woodhouse and Miall, 2011: 184). Weiss (2003: 112-113) suggests that this approach is intended to ‘entrap the parties positively’ in a process, so that they become committed to it. At the same time, it also involves the risk of a quick relapse to war if the parties fail to reach a settlement. Furthermore, failed efforts to settle the most important issues might make future attempts more difficult. Also, as Aggestam and

---

30 Weiss (2003) refers to this as the 'boulder-in-the-road' approach. While he discusses the different approaches in terms of mediator strategies, focusing on the rationales can be useful for analytically distinguishing between different approaches to structuring peace processes without emphasizing the role of external involvement.
Björkdahl (2011: 6) point out, the settlements reached in such a process can often be described as ‘broad yet often thorny compromise[s]’.

Contemporary peace processes usually involve an array of different initiatives aimed at ending violence, initiating and pursuing a process of dialogue and responding to structural inequalities (Ramsbotham, Woodhouse and Miall, 2011; Sida, 2006). Table 2 illustrates examples of initiatives that are commonly part of contemporary peace processes.

Table 2. Examples of peace initiatives and primary aim.

<table>
<thead>
<tr>
<th>Initiatives to promote security</th>
<th>Initiatives to promote dialogue</th>
<th>Initiatives to promote structural development</th>
</tr>
</thead>
<tbody>
<tr>
<td>• ceasefires</td>
<td>• diplomacy</td>
<td>• development aid</td>
</tr>
<tr>
<td>• monitoring</td>
<td>• negotiations</td>
<td>• reconstruction</td>
</tr>
<tr>
<td>• DDR(^{31})</td>
<td>• mediation</td>
<td>• human rights support</td>
</tr>
<tr>
<td>• SSR(^{32})</td>
<td>• workshops</td>
<td>• rule of law</td>
</tr>
</tbody>
</table>

This also implies that each initiative in a peace process – such as a ceasefire – should not be seen in isolation, but rather as operating parallel to and intertwined with other initiatives, both internally or externally driven. Nevertheless, questions remain about how different components of peace processes affect each other, whether they undermine or mutually reinforce one another and under what circumstances they do so. Furthermore, questions remain about how they intersect and if and how the dimensions can be bridged.

A ceasefire agreement is a common part of peace processes. As noted earlier, ceasefires are therefore often mentioned in the literature. However, they are usually treated only as a means to an end and seldom the focus of analysis. Some accounts have nevertheless emphasized their significance. Smith (1995) has stressed that a ceasefire can be seen as one of the most visible signs in a peace process, one that indicates a change in the conflict context and an opportunity to engage in political negotiations. He furthermore argues that ‘whether or not it was the original intention of the belligerents or concerned third parties, the ceasefire will create an atmosphere relatively – if not completely – free of violence, an atmosphere in which, given time, a more permanent peace can be concluded’ (Smith, 1995: 8). Referring to the peace process in Sri Lanka, where a comprehensive ceasefire agreement was signed in 2002, Rupesinghe (2006b: xl) points to the ceasefire agreement’s role in ‘creat[ing] a framework for the negotiat[ing] process’. Similarly, a ceasefire has been described as having the ability to ‘pave [the] way for negotiations (Smith, 2003). In theory, a ceasefire

\(^{31}\) Disarmament, Demobilization and Reintegration (DDR).

\(^{32}\) Security Sector Reform (SSR).
agreement generates momentum and has the potential to be an important instrument for managing peace processes by creating an arena for changing the modes of interaction between the parties. To borrow Lederach’s metaphor, a ceasefire can potentially create a field for sowing the seeds of peace, which then need to be continuously cultivated in the long-term (Lederach, 2008).

Still, empirical evidence of stumbling processes and renewed fighting complicates the picture. Moreover, it has also been suggested in the literature that ceasefire agreements can have significant negative influence on conflict dynamics, i.e. exacerbating and sustaining conflict rather than facilitating peaceful change (Kolås, 2011; Clapham, 1998). Uyangoda (2007) argues that in ethnic secessionist conflicts in particular, ceasefire agreements and peace accords are better treated as ‘instruments that reconstitute and even remake the conflict itself’. Following this line of reasoning, it is possible to imagine that a ceasefire agreement might become an obstacle or stumbling block that hinders the progress of a peace process. Uyangoda proposes that the way to address such conflicts is to ‘reinvent the peace process in the new context that emerges after ceasefires, negotiations, and even peace treaties’.

How does a ceasefire agreement contribute to changes in the conflicting parties’ attitudes, behaviours and relationships? Can it facilitate conflict transformation or foster the consolidation and continuation of a conflict? If the latter is true, why is it so and how can it be understood? How can an armed conflict be moved into another arena? How can momentum be nurtured and advanced? How can the conflicting parties’ attitudes, behaviours and relationships be changed? In order to help answer these questions, it is important to explore the links between ceasefire agreements and broader peace processes. Do ceasefires contribute to changes in the dynamics of peace processes and the unfolding of the process in various directions? If so, how? And how do ceasefires impact in different settings?

2.4 Analytical framework

This section presents an analytical framework that will be used to guide the collection of data and structure the empirical analysis. In the previous section I outlined some theoretical perspectives that can help us understand war-to-peace transitions and discussed the management of peace processes. I pointed to the value of using a temporal and process-oriented approach that recognizes conflict dynamics and of conducting a holistic, contextual analysis in order to increase our understanding of war-to-peace transition. I also identified six general factors in the literature on peace processes that can be assumed to influence changes in the conflicting parties’ attitudes, behaviours and relationships. These can thus be helpful in an analysis of
ceasefire agreements in relation to peace processes in intrastate armed conflicts. Informed by these insights, I will now present the analytical tools that I use to carry out the analysis. In the last part of the chapter, the theoretical discussions are brought together and summarized in an analytical framework.

2.4.1 Analytical tools
In order to systematically analyse ceasefire agreements in relation to peace processes I focus on (i) the initiation of a ceasefire agreement and by whom, (ii) form and content and (iii) implementation. These three aspects derive from theoretical discussions in earlier sections and will be addressed and discussed here with regard to possible attributes and characteristics. The discussion will be informed by the six factors identified above that can influence changes in conflicting parties’ attitudes, behaviours and relationships and by a holistic and temporal perspective.

2.4.1.1 Initiation and by whom
Theoretical insights from the previous section focused our attention on the initiation of a process as important for explaining how it unfolds. Thus, in addition to understanding why a ceasefire agreement was reached, questions about when a ceasefire was initiated, how and by whom must also be addressed. There may be several reasons why warring parties enter into a ceasefire, and a good understanding of these requires contextual knowledge about the parties’ interests and positions, patterns of interaction and external influences in the period prior to the initiation.

Table 3. Aspects to consider regarding the initiation of a ceasefire agreement.

<table>
<thead>
<tr>
<th>How and by whom?</th>
<th>When?</th>
<th>Why?</th>
</tr>
</thead>
<tbody>
<tr>
<td>• unilaterally</td>
<td>• prior to, during, or after peace talks</td>
<td>• tactical</td>
</tr>
<tr>
<td>• bilaterally</td>
<td>• prior to or after substantive agreement</td>
<td>• ‘genuine’</td>
</tr>
<tr>
<td>• externally</td>
<td></td>
<td>• incentive-driven</td>
</tr>
<tr>
<td>• state or non-state actor</td>
<td></td>
<td>• forced upon</td>
</tr>
</tbody>
</table>

The initiation of a ceasefire can be done unilaterally or as a mutual effort. The actors who participate in the initiation of a ceasefire and in deciding when, where and how the ceasefire will come into effect might have different levels of authority within their groups and different degrees of support among their constituencies. The identity of actors involved in the ceasefire can impact on the status of the agreement, and it can also indicate how much political will and capacity to enforce an agreement there is. Guelke (2008: 70) argues that the inclusion of various elements of political opinion is likely to have a strong impact on the perceived legitimacy of any such process.
Furthermore, the actors included or excluded can also be an indication of the conflicts that might emerge during the process. The role of opposition groups and shifts in domestic political coalitions must therefore be taken into account. Thus, it is necessary to situate the role of different actors within the political context and explore the positions and power they have.

While this thesis primarily focuses on analysing ceasefire agreements between two or more parties, the declaration of a unilateral ceasefire can be an important effort to show good will and a way to explore the possibility of a more substantive process before any dialogue process is established. Or it could be a way to respond if the other party rejects an offer of a mutual agreement. The timing of the initiation of ceasefire in a peace process might also impact on the unfolding of the process. A ceasefire initiated at the beginning of a process might be a valuable, and sometimes necessary, starting point because it reduces tension and signals good will (Chounet-Cambas, 2011: 19). However, in protracted violent conflicts, the deep mistrust that prevails after years of fighting might make such efforts impossible for parties to accept unless they first have some assurance that something acceptable and valuable will come out of the process. In those cases, agreement on substantive issues might be deemed a necessary prerequisite for a ceasefire (Ramsbotham, Woodhouse and Miall, 2011: 184-187).

The purposes of initiating a ceasefire can be found both internally and externally to the parties. Given the different types of actors involved in intrastate conflicts and the evidently asymmetrical character of this type of conflict, one can assume that the government and the armed group(s) might also have different purposes, and different factors likely influence their decisions and behaviours. As Fortna (2004: 13) notes, the initiation of a ceasefire marks a decision by a party to stop fighting, but it can choose to do so for various reasons. It does not necessarily mean that the party intends to start using political rather than military means to reach their goals. One possible motive for initiating a ceasefire agreement is tactical – to buy time and create an opportunity to stockpile armaments and regroup. The cessation of attacks provides a breathing space to rearm, recruit and move troops to less exposed areas in order to prepare for new offensives. This can be done in a context of military pressure or battle fatigue, or in order to consolidate a position of relative strength before negotiations (Chounet-Cambas, 2011: 7-8; Oo and Min, 2007: 13-14).

Entering into a ceasefire can also be done as a strategy to improve one’s status and gain recognition and legitimacy as a party to a conflict. This reason might be particularly important for non-state actors who desire formal recognition that they are legitimate stakeholders, something that an agreement can provide. On the other hand, Chounet-Cambas (2011: 7) has argued that non-state armed groups might be cautious about entering a
ceasefire with a government because they want to hold on to their weapons as a ‘bargaining chip’ in negotiations. It is worth noting, however, that ceasefires often do not require disarmament; rather both parties remain armed when (possibly) entering negotiations.

Nevertheless, ceasefire agreements can also be initiated for more ‘genuine’ reasons, including in order to change patterns of interaction and to pursue goals and aspirations through political negotiations. Smith (1995: 156) suggests that the objective can stem from humanitarian motives, or that one or both parties might see a ceasefire as a promising way to enter into a political process and reach a political settlement. From a slightly less optimistic point of view, Oo and Min (2007: 13), with insights from Burma, note that a government might see a ceasefire agreement as an opportunity to gain greater territorial access to an area in order to undertake reconstruction, thus prompting a war-weary local population to pressure armed groups to lay down their weapons in order to enable the development measures and improved humanitarian situation to continue. While it is difficult to interpret the intentions of warring parties it is worth considering both the gains that they stand to get from entering into a ceasefire, as well as the significant concessions that are generally required from them. They risk a loss of dignity if their conflict counterpart perceives the initiation of a ceasefire agreement as an indication of weakness, while its constituencies might see the move as a sell-out. Furthermore, engaging in a ceasefire usually requires the conflict parties to undertake a number of different measures in order to demonstrate seriousness.

The reasons for initiating a ceasefire might also be found external to the parties, for example pressure exerted by international actors, e.g. international organizations, neighbouring governments, or international non-governmental organizations (INGOs). Pressure might also come from national and local actors such as peace movements, religious groups or the business community. The local population can also pressure the parties to enter into a ceasefire (Oo and Min, 2007: 14). When external actors try to exert influence on the warring parties to engage in a ceasefire, they can do so in a more or less coercive manner. Incentives in the form of economic or other resources can be provided from outside the state, for example donor conferences at which pledges are offered if the parties agree to enter a ceasefire. Moreover, a conflict party might perceive an offer of recognition from external actors – whether implicitly or explicitly expressed – as an incentive to lay down its arms and engage in an agreement. Sanctions and other threats of repression can also be used by external actors to force the parties into a ceasefire. The international and regional context in which the

33 I use the term ‘genuine’ in this respect, i.e. to mean the intention to pursue ones aspirations through political negotiations rather than through military means.
conflict is embedded, as well as the severity of the conflict, can be assumed to largely determine whether and what kind of external pressure is exercised. However, forcing a ceasefire upon warring parties undoubtedly poses difficulties. While it might be effective for producing a treaty, whether or not actions to implement the ceasefire are actually undertaken will remain a challenge (Smith, 1995: 234).

When asking questions about why ceasefire agreements are initiated, it should also be remembered that if it is assumed that ideas matter, it is necessary to recognize that the opinions, attitudes and interests of actors can change over time as a process evolves and the modes of interaction alters. Hence, the initial objective should not be regarded as static. Furthermore, in line with a holistic approach, it should be recognized that conflict parties are not monolithic entities. Thus, while some elements within a group might see the stockpiling of weapons as the only value of a ceasefire and act accordingly, others might see a ceasefire as a feasible way to pursue goals and aspirations through negotiations. Lastly, it should also be emphasized that the parties’ motivations for engaging in a ceasefire agreement can be different from their motivations for engaging in a peace process.

This discussion of who initiates ceasefire agreements and why points to a number of questions that can be used in the operationalization of the study: Who initiated the ceasefire and how (unilaterally or bilaterally initiated)? Were international incentives offered or international pressure exerted in order to promote the reaching of an agreement? Was the initiative resisted or widely supported within the conflicting parties and among their constituencies? Why? At what phase in the process was a ceasefire initiated and what were the implications of this? Why was a ceasefire initiated – what were the motivations? Hence, how can the initiation of a ceasefire agreement be understood in relation to the broader peace process?

2.4.1.2 Form and content

The form and content of a ceasefire agreement can be influenced by the purposes and the timing of the initiation of a ceasefire, the actors involved, and, where relevant, earlier accords. By creating a framework within which the parties interact, the form and content of the agreement can, in turn, influence the subsequent process. As a ceasefire is defined in this thesis, it can constitute an agreement in its own right or be part of a substantive peace accord that is presented as a political solution to the core conflict issues. Even when they are separate agreements, however, the form and content of ceasefires can differ significantly as regards degree of formalization, substance and level of detail. Some ceasefire agreements are merely verbal understandings, while others are written accords and thus more formalized and potentially more substantial in nature. Nonetheless, there are a number of issues that, in general, can be addressed in such agreements,
including: (1) the aim or stated understanding (2) what constitutes a violation/prohibited acts (3) separation of forces (4) non-military measures to be undertaken (5) organizational structure (6) verification, supervision and monitoring (7) time frame and geographical coverage and (8) signatory. Fortna (2004: 29) makes a distinction between ‘strong agreements’ and ‘weak agreements’, based on the various mechanisms included in the agreement in order to maintain peace. I have chosen to use the terms ‘comprehensive’ and ‘limited’ agreements to indicate their degree of formalization and the terms and measures included in them.

Table 4. Aspects to consider regarding the form and content of a ceasefire agreement.

<table>
<thead>
<tr>
<th>Form?</th>
<th>Scope?</th>
<th>Content?</th>
</tr>
</thead>
<tbody>
<tr>
<td>• verbal or written accord</td>
<td>• mandate</td>
<td>• comprehensive or limited agreements</td>
</tr>
<tr>
<td>• separate agreement or part of substantive agreement</td>
<td>• timeframe</td>
<td>• organizational structure</td>
</tr>
<tr>
<td></td>
<td>• spatial/geographic coverage</td>
<td>• conflict regulatory mechanisms</td>
</tr>
</tbody>
</table>

A stated aim or understanding often constitutes the prelude to a ceasefire and serves as an expression of commitment and good will. To some degree it can be argued that these types of formulations are nice but essentially empty phrases. Still, a declaration of intent can be important for building trust between the warring factions and creating an environment of expectations both among the population and internationally. This in itself can act as a catalyst to mobilize pressure on the parties. Furthermore, such declarations might specify whether and how a ceasefire is linked to the broader peace process and to what degree political issues are addressed (Chounet-Cambas, 2011: 13).

In essence, a ceasefire agreement is concerned with the regulation of behaviour, which usually means that identifying and defining prohibited acts is a central component of the agreement (Nakagawa et al, 2005: 13). However, what constitutes a violation can be specified in greater or lesser detail. In some cases, all acts of hostility or violence are banned, while in others there are detailed definitions and descriptions of types of weapons and the like. Acts such as supplying new weapons and re-grouping forces can also be prohibited (Chounet-Cambas, 2011: 12). While regulation of physical behaviour is most common, there are also recent examples of ceasefire agreements in which so-called verbal attacks are included on the list of activities constituting violations of the agreement. Chounet-Cambas (2011: 13).

---

34 These issues are drawn both from empirical observations of agreements and from academic literature and policy reports. See for example Nakagawa et al. (2005), Fortna (2004) and Chounet-Cambas (2011).
13) suggests that this is increasingly common and provides examples from the Darfur Peace Agreement of 2006, which states that the parties agree to avoid ‘hostile propaganda and incitements to military action’. Another example is the ceasefire code of conduct signed in Nepal in 2006, which encourages parties to ‘use civilised and dignified language’. Furthermore, while ceasefire agreements generally regulate hostile behaviour between the warring parties, they can also address hostile behaviour against civilians (Chounet-Cambas, 2011: 12). Of course, it would be desirable and most effective if the regulations accepted in the agreement mirrored the types of violence that characterize the conflict. Nonetheless, the content will generally be the outcome of a bargaining process involving the main parties to the agreement and possibly third parties who can contribute their own ideas about content based on practical experience or theoretical insight. Darby and Mac Ginty (2008) stress the borrowing and learning that takes place as peacemakers move from one conflict zone to the other, through international peace conferences, and because agreements are easily accessible in public forums such as the Internet. Closely related to the prohibition of specific behaviours is the separation of forces in order to avoid clashes between armed forces. This measure can also be assumed to play a special role in intrastate conflicts over territory, as it might consolidate a particular group’s control over a territory.

The content of ceasefire agreements can also go beyond the restriction of security-related actions. Measures intended to enable the civilian population to return to their daily activities might also be included, for example reopening roads, removing checkpoints and returning control of public buildings such as schools and hospitals to their intended users. Many ceasefire agreements also include a commitment to allow humanitarian assistance to reach the population and to ensure safe and secure transportation of aid (Nakagawa et al., 2005). Hence, to use Galtung’s (1969) terminology, a ceasefire agreement can go beyond measures to address direct violence, and also address structural and cultural violence.

Different types of organizational structures can be established as part of a ceasefire agreement in order to help the ceasefire function and facilitate the implementation of its provisions. Given the warring parties’ history of violent interaction, these structures can considerably alter the forms of contact between them, especially in cases in which talks were not held prior to the ceasefire. Chounet-Cambas (2011: 12) stresses the need for detailed mapping, transparent information exchange and frequent contact between the actors in order to successfully implement measures like demilitarized areas. Darby and Mac Ginty (2008) also emphasize that in the initial, fragile stages of peace processes, which is when many ceasefire agreements are made, it is necessary to have proper channels of communication in order to avoid misunderstandings and reduce suspicion about the actions and
intentions of the other side. By functioning as a forum for enabling the implementation of agreed-upon measures, exchanging information, making decisions on matters related to the ceasefire and handling disputes, these sorts of organizational structures can be understood as cooperative measures. The organizational structure can consist of one body or several bodies that are horizontally or vertically related. In addition to designating the structures as decision-making fora, having leadership figures participate in them can also signal the weightiness of the agreement. On the other hand, the organizational bodies can also be composed of people from the outside chosen to represent the parties. This arrangement might be deliberately designed to downplay the importance of the agreement, but it might also be the result of a low level of trust between persons who, during years of hostilities, previously met only on the battlefield. Hence, feelings of fear and anger should probably not be understated as a barrier to agreeing to engage in cooperative forums. How the structure is organized – at what level, with what mandate and who is included – can thus influence the process.

Fortna (2004: 10) stresses the importance of cooperation if a ceasefire agreement is to endure and suggests that this can be facilitated in different ways. These include raising the costs of an attack, reducing uncertainty about the actions and intentions of the counterpart and preventing accidents and misunderstandings. A central element of a ceasefire agreement can thus be various mechanisms aimed at ensuring and facilitating implementation of the measures agreed upon, e.g. incident verification, monitoring and dispute settlement (Chounet-Cambas, 2011: 12). These mechanisms and the mandates and procedures for implementation can also be agreed upon after a ceasefire agreement is signed, and hence constitute an agreement in its own right. Aspects related to the implementation of ceasefire agreements will be addressed separately in the next section.

Besides physical constrains on the parties, ceasefire agreements can also include restrictions related to time and space. Time frames may be used to create a temporal limitation on the whole agreement, most commonly in the beginning of a peace process, or to specify temporal phases of implementation in order to gradually build trust and confidence in the process. Furthermore, while ceasefire agreements usually focus on ending all acts of violence and other obligations undertaken by the warring parties, special geographical provisions are also included in some agreements. These might hold for a specific geographical area or they might be special references to land, air and/or sea (Chounet-Cambas, 2011: 12).

Finally, in written ceasefire agreements, the signatory of the accord may be of importance. A signed agreement signals commitment and creates a notion of responsibility. It thus gives a sense of weight to the agreement, especially when it is also witnessed or signed by an outside actor, whether domestic or international. It can also influence power relations in
asymmetrical conflicts. The identity of the signatory can therefore be an issue to which the parties devote considerable attention and an indication of what status they want to give to the agreement. Uncertainty about whether or not an agreement will have effect can be reduced if it is signed by someone in the leadership with a reputation of being a person with decision-making authority and a base of support within the group. At the same time, if a government sends a high-ranking government official to sign an agreement, it might be perceived as sending a signal that the government sees the non-state armed group as an equal party. Furthermore, in conflicts in which a group makes claims of independence, it might signal that the group can be perceived as equal to other states in negotiations.

The following questions regarding the form and content of ceasefire agreements can help guide the empirical inquiry: What form and content does the agreement have and why? How was the form and content decided upon and who participated in the process? What were the implications of form and content for issues of recognition? To what extent have claims made by the parties been met? Were there conflicting interests? Were the terms of the ceasefire agreement and decision-making procedure influenced by international actors? Hence, how can the form and content of the ceasefire agreement be understood in relation to the broader peace process?

2.4.1.3 Implementation

Reaching a ceasefire agreement is a challenging task in protracted conflicts. The number of conflicts in which war resumes soon after the signing of a separate ceasefire agreement and even after substantive peace agreements have been reached illustrates the fact that there are many challenges still to be resolved when the agreement is to be implemented. The challenge of violence during the implementation phase has been addressed by Stedman (1997), who highlights the risk of ‘spoilers’ trying to bring down a peace process. Darby has taken a broader approach to violence after the signing of a ceasefire agreement by distinguishing between political violence, tactical violence, spoiler violence and violence conducted for personal rather than political objectives (Darby, 2001: 46-58). The issue of implementation is important not only in order to avoid an imminent relapse to war, but also for finding constructive ways to manage conflicts in the long-term and change patterns of interaction. Undertaking visible measures can signal commitment and seriousness, thus reducing distrust and fear of the other party’s intentions. They can also indicate whether the representatives involved in the bodies set up to implement the accord have control over their own ranks.
Table 5. Aspects to consider regarding the implementation of a ceasefire agreement.

<table>
<thead>
<tr>
<th>Actors?</th>
<th>Procedure?</th>
<th>Mechanisms?</th>
</tr>
</thead>
<tbody>
<tr>
<td>• internal</td>
<td>• immediately or step-by-step</td>
<td>• monitoring</td>
</tr>
<tr>
<td>• external</td>
<td>approach</td>
<td>• incident verification</td>
</tr>
<tr>
<td>(domestic/international)</td>
<td>• resources</td>
<td>• dispute settlement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• cooperative elements</td>
</tr>
</tbody>
</table>

A ceasefire has the potential to both alter behaviour and co-ordinate it. Many of the measures to be implemented focus on physically constraining behaviour, for example through the withdrawal of troops, creation of demilitarized zones and disarmament (Fortna, 2004: 21). The goal of such actions is a de-escalation of violence by disengaging and minimising contact between armed forces (Chounet-Cambas, 2011: 12). Mechanisms to ensure the implementation of such measures and build confidence in the process can include monitoring, incident verification and dispute settlement procedures. Fortna describes such various measures as ‘incorporated into ceasefire agreements by belligerents with the intent of helping to enforce the agreement’ (Fortna 2004:2). These sorts of mechanisms put both cooperative efforts and issues of trust and confidence to the test. Nevertheless, the structure created for implementing the agreement might also potentially serve as a forum for building trust and cooperation and for changing relationships.

Different procedures can be chosen to implement an agreement. The choices made in any particular case depend on the nature of the conflict, the content of the agreement and types of regulations included and the preferences of the actors involved in the process. The measures and undertakings agreed upon can all take effect immediately, or the parties can opt for an incremental, ‘step-by-step’ process in which measures are implemented gradually in phases. The latter procedure has a distinct temporal dimension and can be applied in conflicts in which there is widespread distrust between the warring factions and visible changes of behaviour are deemed necessary in order to build enough confidence for the parties to be willing to continue with further steps. This might be the case if demilitarization measures are included in the agreement, for example, the disarmament of armed groups or a relocation of soldiers that evidently alters the power-balance between the parties (Chounet-Cambas, 2011: 25-26). The step-by-step procedure is based on an assumption that confidence needs to be built up gradually and visible measures and changes in behaviours enable each of the parties to gradually trust the other’s intentions. Small committees can also be created to work simultaneously with specific issues. By working together in a ‘problem-solving mode’, the protagonists can
engage in discussions with each other and thus be ‘forced into a cooperative attitude on things that were previously tabu’ (Weiss, 2003: 113).

The ceasefire implementation can also have a spatial dimension through the creation of specific protected areas, or zones, that are usually referred to as peace zones, safe zones or demilitarized zones (Iyer and Mitchell, 2007: 137). Mitchell (2007: 2) points out that these kinds of arrangements usually refer to a ‘locational’ or ‘spatial protection’. Hence, they have a geographical dimension, with people inside a defined territory being given some form of guaranteed protection.35 Also, within these zones certain actions are prohibited, while others are encouraged (Hancock and Iyer, 2007: 29). Peace zones created in the middle of an on-going violent conflict usually focus on the protection of civilians and other humanitarian issues, while peace zones established during later phases of a peace process often serve as safe zones for DDR. The creation of peace zones during the later phases of a process can also be intended to promote incremental confidence building. The idea is that if a prohibition on the use of violence between the parties works in one area, then this can build enough confidence that the area can be gradually extended. In order to also build trust and support among the public, some ceasefire arrangements actively engage in public information campaigns during the implementation phases.

The monitoring of a ceasefire can be an exclusively internal arrangement by the conflicting parties, a mixed arrangement that includes both internal and external actors, or it can be entirely arranged by external actors. The scope and mandate can also differ significantly. The term peacekeeping mission usually refers to missions by the United Nations or other large international entities sent to supervise a ceasefire at the request of a government or as part of a forced intervention supported by the UN Charter. The monitoring of ceasefire agreements can also be conducted through more limited missions, for example by single states or ad-hoc coalitions of states (Rost and Greig, 2011: 173). The aims of such missions can be to monitor a cessation of hostilities and disarmament, protect and deliver humanitarian assistance or maintain law and order in a certain area, with the overall purpose being to provide and maintain security. International involvement in monitoring ceasefires can alter the incentives of the warring parties to stay committed to the agreement (Fortna, 2004: 3). Still, it can also be argued that international pressure and incentives might be more effective as a tool to get the parties to initiate a ceasefire agreement than as a tool to influence them once they have come to the negotiation table (Fortna, 2004: 14). In any case, international involvement can provide the resources required to implement a ceasefire agreement.

35 Mitchell (2007: 2) makes a difference between this kind of locational protection – usually offered for everyone within a given space – and personal protection given to pre-defined threatened individuals or groups. However, he notes that they can also overlap.
Finally, it should be emphasized that the breakdown of a ceasefire agreement is unlikely to be caused by the failure to implement one point in a ceasefire agreement. As Mac Ginty (2008: 85-86) warns, such single-cause explanations are usually articulated by the parties in order to ‘blame the opponent’. Such a narrow perspective risks overlooking the actions and interactions of other parties to the conflict, as well as factors that potentially hinder peace that already existed before the ceasefire was reached.

I pose the following questions in order to facilitate the analysis of ceasefire implementation: What actors were involved in implementing the agreement and what mechanisms were used to enforce and monitor compliance? To what extent were undertakings implemented? If they were not, why? Were there conflicts between the parties over the implementation process? Was there support within the warring parties to implement the agreement? What was the role of external actors? Were there sufficient resources to implement the measures agreed upon in the ceasefire agreement? Hence, how can the implementation of the ceasefire agreement be understood in relation to the broader peace process?

2.4.2 Bringing the pieces together: a framework for analysing ceasefire agreements in relation to peace processes

This chapter has explored theoretical and conceptual issues related to the transition from war to peace and the management of such transitions through engagement in peace processes and ceasefire agreements. Inspired particularly by Darby and Mac Ginty’s (2000, 2003, 2008) work on peace processes, the chapter began by defining and discussing central concepts and outlining the study’s theoretical underpinnings. The importance of contextual understanding was emphasized through a discussion of the state, conflict and conflict resolution in South and Southeast Asia, with insights drawn from Ganguly and Phadnis (2001) and Kingsbury (2008) in particular. Furthermore, given my goal to improve our understanding of ceasefire agreements in relation to peace processes, I argued in favour of a temporal and process-oriented perspective because it allows me to capture changes and dynamics between actors and events as well as previous experiences from conflict and peace attempts.

In coming chapters, I structure the empirical analysis by conducting a systematic exploration of the initiation of a ceasefire agreement, including a consideration of who initiated it; the form and content of the agreement, and the implementation and unfolding of the process. I rely in particular on insights drawn from Fortna (2004), Smith (1995) and Chounet-Cambas (2011). In conducting the analysis, I use the six factors that I identified in this chapter as having an ability to influence changes in the parties’ attitudes,
behaviours and relationships and lead the process onto a particular path. Hence, the emphasis on change and the notion of different paths is based on insights drawn from both conflict and conflict resolution theory (e.g. Galtung, 1969; Kriesberg, 2007; Miall, 2007) and path dependence theory (e.g. Pierson, 2004; Diehl, 2006). Table 6 summarizes the analytical framework.

<table>
<thead>
<tr>
<th>Context and dynamics</th>
<th>Initiation of ceasefire agreement and by whom</th>
<th>Form and content of ceasefire agreement</th>
<th>Implementation of ceasefire agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Factors that can influence changes in the parties’ attitudes, behaviours and relationships and help characterize and analyse ceasefire agreements in relation to peace processes:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) Recognition, status and legitimacy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ii) Trust and confidence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(iii) Claims are met</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(iv) External incentives and resources</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(v) Contextual changes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(vi) Intra-party dynamics</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Main actors</th>
</tr>
</thead>
<tbody>
<tr>
<td>- claims and positions</td>
</tr>
<tr>
<td>- internal fractions</td>
</tr>
<tr>
<td>- geo-political setting</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>How and whom?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- unilaterally</td>
</tr>
<tr>
<td>- bilaterally</td>
</tr>
<tr>
<td>- externally</td>
</tr>
<tr>
<td>- state or non-state actor</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Form?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- verbal or written accord</td>
</tr>
<tr>
<td>- separate agreement or part of substantive agreement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actors?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- internal</td>
</tr>
<tr>
<td>- external (domestic/international)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Paths for peace processes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Derailed; resumed violence</td>
</tr>
<tr>
<td>- Stalled; frozen in status quo</td>
</tr>
<tr>
<td>- Proceeding; peaceful change</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Conflict dynamics</th>
</tr>
</thead>
<tbody>
<tr>
<td>- attitudes</td>
</tr>
<tr>
<td>- behaviours</td>
</tr>
<tr>
<td>- relationships</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>When?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- prior to, during, or after peace talks</td>
</tr>
<tr>
<td>- prior to or after substantive agreement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Scope?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- mandate</td>
</tr>
<tr>
<td>- timeframe</td>
</tr>
<tr>
<td>- spatial/geographic coverage</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Procedure?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- immediately or step-by-step approach</td>
</tr>
<tr>
<td>- resources</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Experiences</th>
</tr>
</thead>
<tbody>
<tr>
<td>- history of violent conflict</td>
</tr>
<tr>
<td>- earlier peace processes and ceasefire agreements</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Why?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- tactical</td>
</tr>
<tr>
<td>- 'genuine'</td>
</tr>
<tr>
<td>- incentive-driven</td>
</tr>
<tr>
<td>- forced upon</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Content?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- comprehensive or limited agreements</td>
</tr>
<tr>
<td>- organizational structure</td>
</tr>
<tr>
<td>- conflict regulatory mechanisms</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mechanisms?</th>
</tr>
</thead>
<tbody>
<tr>
<td>- monitoring</td>
</tr>
<tr>
<td>- incident verification</td>
</tr>
<tr>
<td>- dispute settlement</td>
</tr>
<tr>
<td>- cooperative elements</td>
</tr>
</tbody>
</table>
The table is designed to capture central attributes and characteristics of ceasefire agreements with regard to their initiation, form and content and implementation. These aspects will be used to explore the nature of ceasefire agreements in protracted intrastate conflicts. The table also lists the different paths along which a peace process can unfold. Furthermore, the table highlights the six factors identified in the literature on peace processes that, in various ways, might influence changes in conflicting parties’ attitudes, behaviours and relationships. These general factors will serve as links in the analysis to explore ceasefire agreements in relation to the broader peace processes. The framework is not intended to be a model of a causal relationship. Rather, the thesis is based on the assumption that the course of events in social life has multiple and often mutually reinforcing causes. Accordingly, in contrast to single-directional understandings of causality (a causes b) the ‘arrows’ are understood as working in both directions. I assume that conflict dynamics influence ceasefire agreements, while ceasefire agreements contribute to creating the context in which parties’ interact and their attitudes, behaviours and relationships are shaped and re-shaped. Accordingly, rather than identifying a general causal link applicable to all cases, the interactions are expected to differ in each case. By using this framework, I hope to be able to conduct a more detailed analysis that enhances our understanding of ceasefire agreements in relation to the broader dynamics of peace processes in protracted intrastate conflicts. How I go about carrying out the analysis is presented in the next chapter on methodology.
Chapter 3

Methodology

In this chapter I discuss the methodological choices I have made in order to study ceasefire agreements in relation to peace processes in intrastate armed conflicts. The chapter is divided into six main sections. In the first section I present the research design, which is based on a strategy of qualitative, comparative case study. I also discuss the comparative logic I use in the study. The second section introduces the two settings of intrastate armed conflict examined in the study – Aceh and Sri Lanka – and outlines the criteria I used to select these cases. In the third section I discuss the case study method. Following that, in sections four and five, I explain how I conducted the case studies and the comparative analysis, in particular by writing dense historical narratives and exploring similarities and differences both within and across cases. In the sixth and final section, I present and discuss the materials I used, with written documents and interviews serving as the primary sources.

3.1 Research design

3.1.1 A qualitative comparative case study strategy

This thesis uses a qualitative comparative case study strategy to increase our knowledge about ceasefire agreements in relation to peace processes in protracted intrastate conflicts. This approach makes it possible to probe more deeply into each case and allows us to recognize the uniqueness of each one. At the same time, it enables us to use the knowledge and experiences from one case to enrich and inform our understanding of the others (Arnson, 1999). Thus, using multiple cases gives us a better understanding of both the common characteristics of a phenomenon as well as how it unfolds and develops in different situations and settings and why it does so (Stake, 2006: vi). In this research project, I compare ceasefire agreements in relation to peace processes both within the same conflict setting and across different conflict settings. Ceasefire agreements and peace processes within each conflict have been compared to explore changes and continuities over time. The study focuses on some of today’s most protracted conflicts, ones in which there have been multiple attempts to initiate peace processes and
ceasefire agreements. Thus, the insights derived from within-conflict comparisons will help us to understand what the ceasefires have meant in relation to peace processes in these conflicts. The purpose of comparisons across the conflict settings is to increase our knowledge of the characteristics of ceasefires, how they operate in different settings and why they operate as they do. This knowledge will improve our understanding of ceasefire agreements in relation to peace processes in the context of intrastate protracted conflicts. Hence, while the case study strategy is aimed at producing in-depth knowledge, the comparisons made both within and across cases also reflect an ambition to use localised knowledge to take a ‘bird eye view’ in order to identify changes and continuities as well as similarities and differences over time and space.

Comparative politics has been described as ‘aiming at developing concepts and generalizations at a middle level, between what is always true for all societies and what is true for only one society at one single point in time’ (Bendix 1963, quoted in della Porta, 2008: 200). In keeping with this description, the research design chosen for this thesis aims to facilitate mid-level theory-building and the development of theoretical abstractions from which one can propose how a phenomenon can be interpreted. With such an approach, it is not possible to definitively rule out or to ‘prove false’ alternative interpretations. However, the advantage of the approach is that it allows for theorizing by looking for clues that indicate a general pattern. This, as Eriksson (1997: 28) stresses, implies that ‘intellectual inquiry can reduce some uncertainties, and help us cope with an ambiguous and complex reality’. In order to find such clues and answer my research questions, I have considered theoretical insights from the literature, empirical insights from the case studies and the comparative analysis in a mutually influencing manner. The knowledge produced can thus be described as the result of a process of going back and forth between theory (where one finds the highest level of abstraction) and the contextualized empirical case studies, with comparisons being made continuously during the exploration and analysis of the phenomena under consideration. Accordingly, the thesis neither tests logically deduced hypotheses, nor builds theory solely on empirical observations in a strict inductive sense. Hence, the approach can be described as closer to abduction within the social sciences, which aims for ‘theoretical discovery rather than confirmation’ and ‘theoretical fruitfulness rather than evidence’ (Eriksson, 1997: 30). Accordingly, the aim is to open up a path for further inquiry rather than to close one.

The strength and challenge of the comparative case study approach is to acknowledge both the generalities and the particularities of a phenomenon. Or, as Bastian (1999: 3) explains it, ‘to explore a specific historical experience without ignoring universal categories, while at the same time not trying to
squeeze the complex historical experiences into universal truths in a simplistic way. In sum, the purpose of using the comparative case study strategy is to increase our understanding of ceasefire agreements in relation to peace processes both empirically by exploring and comparing similarities and differences within and across two conflict settings, and theoretically by drawing analytical conclusions from these insights.

### 3.1.2 Comparative logics

Comparative research has been at the core of political studies since the time of classical Greek philosophy (Wang, 1994: 1-2), and comparing knowledge and experiences continues to play an important role in our understanding of politics. Today, comparative research is a broad and diverse field. Studies can thus take a number of different forms, and comparative approaches can be grounded in different rationales. In order to illuminate the underlying principles for different comparative approaches, it has been suggested that comparative analyses can employ different logics for the purpose of making inferences and putting forth interpretations. To describe the main differences between such logics, a distinction can be made between ‘variable-oriented’ and ‘case-oriented’ comparative research (della Porta, 2008). The variable-oriented approach views the social world as made up of distinct elements that can be disaggregated and causally linked, if not easily at least possibly. To illustrate this, one can visualise a laboratory experiment during which different elements are isolated and added or removed in order to determine each one’s particular effect. The case-oriented approach, on the other hand, envisions the social world more in terms of time, space and context. From this perspective, the social world can be visualized as a theatre scene. All the actors are characters in the drama that plays out, and the particular scenery and actions of the characters are part of and influence the intrigues. In order to understand how the story develops, it is therefore necessary to create a comprehensive picture of the whole context in which the drama plays out. Accordingly, the term ‘context-oriented’ research might also be an appropriate term to describe the case-oriented approach and capture its essence.36

Making this sort of distinction between major schools of thought within comparative research is a simplification that emphasizes, and to some extent exaggerates, differences. In practice, many researchers are likely to draw on both logics. However, since most are also likely to be guided more strongly by one of them, making the distinction and describing the logics of the two approaches can be useful in order to increase our understanding of a

---

36 Since comparative studies that use a small number of cases can nevertheless follow the logic of variable-oriented research, referring to context might be a useful way to understanding the alternative approach.
particular research design. The comparative logic that primarily guides an inquiry can be influenced both by the specific research problem at hand and by the researcher’s preferences and skills (della Porta, 2008: 198). And as della Porta (2008: 199, 205) suggests, the comparative approach that is chosen will likely influence both methodological choices and the premises of explanations and conclusions.

This thesis primarily follows the comparative logic of ‘case-oriented’ comparative research (or ‘context-oriented’ as I proposed above). This approach ‘usually points at similarities and differences through dense narratives, with a large number of characteristics being taken into account, often together with their interaction within long-lasting processes’ (della Porta, 2008: 204, original emphasis). Accordingly, while the variable-oriented researcher generally aims to explore the direct causal effects of variables, the case-oriented researcher is less interested in causal explanations than in understanding the individual case as a ‘complex unit’ and in ‘grasping the relations among its constituent parts’. In other words, it can be described as ‘an effort to understand the principles by which the parts consistently fit together’ (Smelser 1976, quoted in della Porta, 2008: 205).

3.2 Why Asia and why Aceh and Sri Lanka?

The number of cases included in a comparative case study will vary depending on the objective of the research project and the amount of time and resources available. As noted above, comparative analyses guided by a case-oriented approach usually examine a small number of cases in order to enable the researcher to develop dense historical narratives covering long-lasting processes (della Porta, 2008: 204). Focusing on a few cases is also seen as particularly appropriate when a project involves field research, because this requires both resources and good knowledge of local context(s) (Höglund, 2011: 115).

In this study, ceasefire agreements are explored and analysed in relation to peace processes in two settings of intrastate armed conflict. These conflict settings include several such processes, thus making it possible to explore and compare ceasefire agreements both within and across contexts. Using a comparative approach makes it possible to achieve a more informed understanding and more comprehensive insights than is possible in a study limited to a single case. However, by limiting the focus to only two conflict settings, it is still possible to explore the processes in depth and to form dense historical narratives covering a long period of time. Nevertheless, comparing ceasefire agreements in relation to peace processes in only two

---

37 della Porta refers to Ragin’s and Zaret’s work in 1983, in which two such different logics in comparative politics were suggested by contrasting Durkheim’s and Weber’s research approaches (della Porta, 2008: 202).
conflict settings can also present challenges. For example, if a peace settlement is achieved after a ceasefire in one conflict but not in the other, it may be tempting to see the former as a ‘success’ and the other a ‘failure’. Furthermore, the ‘success’ might be understood as an example of the ‘ideal’ case. In this research project, I argue that reality is more complicated than this and that such prior assumptions are misleading because they implicitly equate a positive conflict outcome with a ‘successful’ ceasefire. This overlooks the fact that there are always multiple factors that mutually influence a conflict outcome and that the consequences of a ceasefire always depend on context. Moreover, if my aim had been to explore the conditions under which ceasefire agreements tend to be most successful, a different research design would have been more appropriate – in particular one guided by a variable-oriented approach that included a larger number of conflicts representing different outcomes. Instead, my goal is to explore and analyse how processes have played out, how ceasefire agreements have operated in different settings and what explains these developments. Given these ambitions, a case-oriented approach based on a small number of cases is the most suitable approach.

In choosing which conflicts to include in the comparative analysis, I took theoretical, empirical and practical considerations into account. Based on the theory-developing ambitions of the thesis, I gave priority to theoretical considerations and criteria and will therefore explain them first. As commonly recognized, most of today’s armed conflicts are intrastate conflicts, with a government and one or more belligerent groups defined as the main warring parties. These intrastate conflicts can be divided into two broad types based on the incompatibility that lies at the core of the conflict, or in other words, ‘the incompatible positions taken by the parties that motivate their actions’ (Wallensteen, 2007: 14). In the first category, we have conflicts where the incompatibility is about control over government, for example contestation about regime type and/or the composition of the government. The second category is made up of conflicts that concern the status of a territory, including demands for secession or autonomy. Harbom, Högb ladh and Wallensteen (2006) conclude that while over two-thirds of all peace agreements signed in 1989-2005 concerned conflicts over government, most conflicts during the period were conflicts over territory. Thus, the majority of armed conflicts are found in the latter group – i.e. territorial conflicts. At the same time, these are less likely to lead to peace agreements. In addition, Harbom, Högb ladh and Wallensteen (2006) also show that the provisions of agreements vary between the two types of conflicts, which suggests that conflicts over government and conflicts over territory pose

---

38 Furthermore, there is always a possibility that things change and new developments occur during the research process, which would further complicate such prior assumption.
different challenges and require different actions/responses. Given the poor track record of peace agreements in territorial conflicts, the territorial dimension can be assumed to complicate peace processes and to affect the content of any agreement reached. Given this, intrastate armed conflict with an incompatibility involving territory is a theoretically interesting criterion, and it should be used when selecting conflict contexts to examine in an analysis of ceasefire agreements in relation to peace processes.

Intrastate armed conflicts concerning territory can be found in all regions of the world. However, the region of Asia stands out as the region with the most conflicts of this type (Uppsala Conflict Data Program, 2008a). As outlined in the theory chapter, the Asian region can also be characterized as one in which the emphasis in intrastate conflict is on state sovereignty and territorial integrity. In addition, compared to other regions of the world, regional conflict management initiatives are low in Asia (Wallensteen, 2007: 236). Together, these characteristics make the region particularly interesting in a study focused on intrastate conflict with a territorial dimension. For the Asian region, the Uppsala Conflict Data Program identifies 28 intrastate conflicts in 11 states that have a territorial dimension (Uppsala Conflict Data Program, 2008a). The conflicts in South and Southeast Asia are presented in Table 7.

Table 7. Intrastate territorial conflicts in South and Southeast Asia.

<table>
<thead>
<tr>
<th>States</th>
<th>Territories</th>
</tr>
</thead>
<tbody>
<tr>
<td>India</td>
<td>Nagaland, Mizoram, Tripura, Manipur, Punjab/Khalistan, Kashmir, Assam and Bodoland</td>
</tr>
<tr>
<td>Indonesia</td>
<td>South Moluccas, West Papua, East Timor and Aceh</td>
</tr>
<tr>
<td>Malaysia</td>
<td>North Borneo</td>
</tr>
<tr>
<td>Myanmar</td>
<td>Karen, Arakan, Mon, Kachin, Karenni, Shan and Wa</td>
</tr>
<tr>
<td>Pakistan</td>
<td>East Pakistan and Baluchistan</td>
</tr>
<tr>
<td>Papua New Guinea</td>
<td>Bougainville</td>
</tr>
<tr>
<td>Philippines</td>
<td>Mindanao</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Eelam</td>
</tr>
<tr>
<td>Thailand</td>
<td>Patani</td>
</tr>
<tr>
<td>Vietnam</td>
<td>South Vietnam</td>
</tr>
</tbody>
</table>

39 An armed conflict is defined by the Uppsala Conflict Data Program as ‘a contested incompatibility that concerns government and/or territory where the use of armed forces between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths in one calendar year’. For more information, see www.pcr.uu.se/research/ucdp/.

40 Because the thesis focuses on South and Southeast Asia, two intrastate territorial conflicts in East Asian China (Taiwan and Tibet) are not listed in the table, although they are part of the original dataset.
Given the discussion above, for theoretical reasons, my point of departure for selecting conflict settings has been to choose intrastate conflicts in the Asian region that involve an incompatibility concerning territory.

Stake (2006: 23) points out another criterion that is important to consider when selecting cases in qualitative research: how much we can learn from them. With this in mind, because my primary interest is ceasefire agreements in relation to peace processes in protracted intrastate conflicts, the cases I choose to study should be ones with peace processes in which the parties engaged in mutually agreed ceasefires. Furthermore, it is advantageous if the cases illustrate the problem of protracted intrastate conflict with a history of failed peace processes and ceasefire agreements, because this will allow me to conduct within-conflict comparisons over time.

The two Asian intrastate territorial conflicts that I have chosen to include in my comparative analysis are the conflict in Aceh between the government of Indonesia and GAM and the conflict in Sri Lanka between the Sri Lankan government and the LTTE.\(^{41}\) These conflicts have been intentionally selected on the basis of pre-set criteria in order to achieve certain objectives. Accordingly, they are both contemporary protracted intrastate conflicts in Asia; the main fighting has involved government forces against a belligerent group, and the incompatible positions of the combatants involve the status of a territory within a region of the state. Furthermore, both conflicts have experienced multiple peace processes, including mutually agreed ceasefires. This is an indication of the difficulties of reaching a resolution in these conflicts and makes the cases suitable for an inquiry into historical processes that include within-case comparisons over time. Because both conflicts take place in Asia, they have a shared history of colonial rule and relatively similar experiences from other global developments, both of which have affected the geneses of the conflicts and the characteristics of conflict resolution initiatives – especially the extent of international involvement in managing efforts to forge a peace (see chapter 2). Despite these similarities, however, it is important to emphasize that all conflicts have unique political, economic and social backgrounds, and the belligerent groups in each conflict differ in terms of origin and degree of popular support. It is therefore not possible to automatically generalize or to assume that conclusions from one case are true for another. However, what stands out and makes the use of multiple cases interesting are the common themes that can be explored and compared in each conflict setting.

As mentioned above, the selection of conflicts to include in the comparative framework has also been influenced by empirical and practical considerations. Empirically, the amount of research on the conflicts in Aceh and Sri Lanka can be regarded as relatively limited, particularly in

\(^{41}\) Referred to as Eelam in Table 7.
comparison to conflicts in which the United Nations has intervened or where the West has had a significant interest, for example Northern Ireland, Israel/Palestine and South Africa (Darby and Mac Ginty, 2008: 4; Höglund, 2011: 117). Thus, as regards furthering our knowledge about peace processes and ceasefire agreements, the two conflicts I have selected are empirically interesting for further inquiry. Nevertheless, although neither Aceh nor Sri Lanka can be listed among the conflicts that have received the most attention, documentation of the peace attempts is sufficiently comprehensive as to enable me to undertake such an inquiry. Furthermore, since the processes have been studied retrospectively and both armed conflicts have been terminated, the situation on the ground makes it possible to conduct field research. An earlier research trip to Sri Lanka in 2006 also facilitated access to material in that particular conflict setting. In that sense, Stake’s recommendation that case selection should be informed by what we can learn from the cases has also influenced my thinking about practical considerations such as accessibility of empirical material and security concerns.42

3.3 The case study method

The case study method has been the overarching tool for carrying out the empirical inquiry in this dissertation. A brief definition of this method is that it involves a detailed and intensive analysis of a case (Bryman, 2004: 48). The method is considered useful for analysing processes because it allows for a detailed and in-depth exploration of a phenomenon that stretches over a period of time (Yin, 2009: 6). Furthermore, as Ritchie and Lewis (2003: 52) argue, by looking deeper into a case it is possible to develop a greater understanding of how different parts are linked in complex situations. This is because the researcher is usually focused on changes in relationships and processes rather than exclusively on outcome. Denscombe (1998: 31) also emphasizes the appropriateness of the case study method when then focus of the research is relationships and processes. These areas of interest (e.g. process, complex situations, relationships) correspond with the main focus of my thesis, which is an examination of changes in conflicting parties’ attitudes, behaviours and relationships in order to analyse ceasefire agreements in relation to peace processes in the context of the conflicts in Aceh and Sri Lanka.

The case study method can be used to pursue different objectives, and several scholars have therefore developed typologies of case studies designed to illustrate their different purposes. I find Stake’s typology (1995:3) useful for describing the case studies in this thesis. In keeping with his typology, my

42 Studying other conflicts on the list can also be fruitful and thus might be something for future research.
case studies can be described as *instrumental*. The goal is both to capture the particular in a case, but also to go beyond that in order to gain a more general understanding. As Stake puts it: instrumental case studies are used when the researcher believes that ‘we may get insight into the question by studying a particular case’ (Stake, 1995: 3). By contrast, an *intrinsic* case study refers to research in which the focus is a particular case, and the sole aim of the research is to learn more about that case.\(^{43}\) In this thesis I am interested in understanding the particulars of single cases. Beyond this, however, my overarching purpose is to learn more about other cases and a general research problem – specifically, ceasefire agreements in relation to peace processes in protracted intrastate conflicts. Given this, my work fits Stake’s description of *instrumental* case studies.\(^{44}\) In addition, referring back to the previous section where I explained that my selection of cases was guided by certain criteria, the cases used here can also be described as *exemplifying cases* (Bryman, 2004). This implies that they provide ‘a suitable context for the research questions to be answered’ (Bryman, 2004: 51-52). Exemplifying cases stand in contrast to cases that are studied on the grounds that they represent something unusual or unique.

Although case studies are characterized by their focus on instance and the particular, making comparisons is often central and conducted both within and across cases (Ritchie and Lewis, 2003: 52). As Druckman (2005: 4) argues, even if emphasis is put on the contextual and on decisions and behaviours in specific situations, this does not mean that one cannot learn from other contexts. Informed by a theoretical framework of abstract concepts, such contextual insights can increase our understanding of how ceasefires are produced and unfold in different contexts and why this is so. Accordingly, I use the theoretical framework to systematically focus attention on certain aspects in the cases and to organize the information about and interpretations of each case. This has been the foundation for developing comparative insights. The comparative design upon which the thesis is based has thus pervaded the research process. The collection of materials and the analysis of the cases were conducted by going back and forth between the two, thus allowing insights from one case to influence the theoretical and empirical understanding of the other. Thus, the overarching aim of the case studies has been to draw insights *from* the empirical cases rather than solely learn *about* the cases, and using a comparative approach has facilitated this.

\(^{43}\) As an example, Stake argues that a project initiated to evaluate a specific organization or programme can be seen as an *intrinsic* case study.

\(^{44}\) There are other widely used typologies of case studies, for example those of Lijphart (1971) and Yin (2009). However, I find Stake’s way of distinguishing among different case studies as the most useful for describing the case studies in this thesis.
3.3.1 Note on case studies and violent conflicts

When studying a topic related to armed conflict, there are some factors that the researcher needs to take into account when making methodological choices. If the research objective calls for in-depth analysis, field research will most likely be a vital part of the process in order to get access to material and gain an adequate understanding of the context of the conflict. Accordingly, as Höglund (2011: 114) puts it, ‘the insecure research context is not by accident, but by design’. As this implies, issues related to personal security must be considered (Smyth and Robinson, 2001: 3). The stage of the conflict cycle – whether it is an on-going armed conflict or a post-war context – might affect the possibility of using particular methods and gaining access to different materials. For this research project, the research trips to conduct field work have been conducted in post-war contexts in which there was no imminent security threat due to war. Nevertheless, since the termination of the wars took place in the relatively recent past, the research topic has been associated with issues that are sensitive and controversial, and it is necessary to take this into account. This was particularly true in Sri Lanka, where efforts to find a negotiated settlement failed and the war was terminated by a military victory for the government in 2009. Indeed, among the ceasefire agreements analysed in this thesis the 2002 Ceasefire Agreement in Sri Lanka stands out in terms of the way it has been debated and associated with controversy many years after it was abandoned and even after the war ended. In Aceh, on the other hand, the government and GAM reached a comprehensive peace settlement in 2005, and since then former GAM members have been governing the Aceh province as part of Indonesia. Hence, I did not perceive the previous negotiations with the separatist movement as a particularly controversial subject now that GAM has transformed into a political party and entered mainstream politics.

Related to this is the challenge of being a foreign researcher inquiring into on-going or recently ended armed conflicts. In countries with experience from armed conflict, there might be a general scepticism towards ‘observers’ from the outside. The degree and nature of such scepticism varies, and often depends on the particulars of conflict termination and features of earlier outside involvement. A researcher might also encounter a feeling of ‘research fatigue’, i.e. a fading interest among people to participate in research projects. Obviously these sentiments can pose challenges for carrying out the case study (Högland, 2011: 123-124). In addition to security concerns and the question of access, conducting in-depth studies of topics related to violent conflicts also pose challenges due to the fact that peace efforts are portrayed by people who often have many different opinions, views and points of departure. In Sri Lanka, although there were some critical voices against both the peace process in general and the ceasefire agreement in particular while the process was unfolding, they notably gained ground after
the war ended. In this context, public support for peace efforts has sometimes been met with accusations of being pro-LTTE. This poses challenges for the researcher, who must strive to present a balanced picture of the processes that have occurred. In the face of such challenges, Druckman (2005: 13) suggests that the conflict researcher will benefit from using a ‘tool kit’ comprised of different methods in order to gather the materials necessary to achieve the particular research objective. This advice corresponds well with the case study method, because this approach enables the researcher to use different methods and materials within the context of a single study (Denscombe, 1998: 31).

3.4 Writing dense historical narratives

The theoretical insights presented in Chapter 2 support the view that a war-to peace transition requires changes in the conflict parties’ attitudes, behaviours and relationships. In addition, they suggest that six different sets of factors can be assumed to influence such changes: (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) the degree to which claims are met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics. Based on these insights, I have conducted my inquiry into ceasefire agreements in relation to peace processes by exploring the nature of these agreements and looking for changes and continuities in the conflict parties’ attitudes, behaviours and relationships. My work has been informed by the six factors of influence and grounded in the recognition that such changes can take different directions and developments. With regard to the factors of influence, the analysis has taken into account both ‘external’ and ‘internal’ explanations (della Porta, 2008: 205). External explanations can be described as mechanisms found outside the actors that can help explain their actions, while internal explanations aim to identify the deliberate reasons for an action. I consider both external and internal explanations in the thesis because I think that both types must be included and understood in a mutually influencing way. In particular, the external explanations comprise the structure and context in which the actors operate and reason, and this reasoning and acting serves to shape and reshape the structure and context.45

As part of the research process, I have constructed dense historical narratives by identifying the actors who were most important in initiating a ceasefire, mapping out key events and interactions and illuminating different perspectives on these processes. In comparative politics, research to produce historical narratives is characteristically conducted in a structured and

---

45 While quantitative studies in general focus on the external explanations, a research design like this – comprising only a small number of cases – makes possible an inquire also into the internal explanations or reasoning (della Porta, 2008: 205).
systematic way as guided by theory (Capoccia and Kelemen, 2007: 357). As this implies, the theoretical framework has systematically influenced my writing of the narratives presented in the thesis. Insights from the literature have focused my attention on certain vital aspects in the empirical material and driven the construction of the narratives forward. Thus, the empirical material has been structured under the headings (i) initiation and by whom, (ii) form and content and (iii) implementation and unfolding of the process. Furthermore, following the comparative logic described in the beginning of this chapter, the construction of historical narratives has been done with the overarching aim to situate events, interactions and perspectives within the historical and geo-political context of the conflicts.

The research process has been guided by the three research questions posed at the beginning of the thesis. In the next sections I will describe the different steps in the process more thoroughly, beginning with how I have gone about conducting the case studies by answering research questions 1 and 2. After that I will discuss the comparative analysis and how I answered research question 3. While the process of answering the research questions cannot be easily separated in practice, I will nevertheless discuss them one at a time in order to elucidate the different steps in the research process more clearly. The materials used for the empirical inquiry will be presented and discussed in the last section of the chapter. Before addressing the research questions, I will begin with a short discussion about conflict actors and the identification of peace processes.

3.4.1 Conflict actors
This study focuses on the main warring parties broadly referred to in terms of government and non-state armed group. However, the ‘boundaries’ of these actors can be vague. As Kriesberg (2007: 29) points out, the boundaries that the analyst choses for the conflict under examination determine what is considered to be part of the relationship between the adversaries, what is internal to an adversary and what is external to or a part of the ‘system encompassing’ the adversaries. In this study the governments of Indonesia and of Sri Lanka and the two non-state armed groups – i.e. GAM and the LTTE – are considered the main adversaries, or conflicting parties. The leaderships of these parties, military elements and fractions within these groups are considered internal to the parties. For example, in the Aceh conflict, the Indonesian armed forces, TNI, has been identified as an important actor on the basis of internal considerations. Similarly, in Sri Lanka, the main political parties in parliament have been identified as important actors. The social and political structures in Indonesia and Sri Lanka are understood as part of the context of the conflicting parties’

---

46 Similar concepts are ‘analytical narratives’ or ‘theory-guided narratives’.
relations, while regional and international structures are considered to be external to the parties. Hence, while the focus of this thesis – i.e. the political processes – puts the main conflicting parties at the centre of the analysis, the complexity of intrastate conflicts nonetheless favours a holistic and contextualized approach that considers actors and events at different levels of analysis (see Ramsbotham, Woodhouse and Miall, 2005: 163-164).

### 3.4.2 Identifying peace processes

For analytical purposes, I have identified periods of peace processes in each of the protracted conflicts (see Table 8). I have followed the definition of a peace process as described in the theory chapter. Stated briefly, ‘peace processes’ refers to periods during a conflict when the parties have declared an intention to find a settlement through peaceful means and when more persistent initiatives are taken in order to carry out such a strategy. In Aceh, after decades of armed conflict the first serious peace attempts were initiated in the early 2000s – approximately five years before the comprehensive peace agreement was settled 2005. This five-year period has been divided into three periods of peace processes during which the warring parties engaged in repeated initiatives with the declared intention of solving issues through negotiations. Accordingly, the empirical chapter on Aceh comprises three sections, one each for the peace processes of 2000, 2002 and 2005. Despite the relatively short period of time between the two first peace processes, the definition of a peace process that I use in this thesis motivates this particular division. I do not think it would have affected the results if I had treated the 2000 and 2002 peace processes as one process. In Sri Lanka, the government’s and LTTE’s involvement in peace efforts has been narrowed down to two periods that are presented and analysed in the empirical chapter: the 1994 and the 2002 peace processes. Earlier efforts to end the armed conflict peacefully were undertaken in Sri Lanka. However, the scope of inquiry in this thesis is limited to agreements between the main conflicting parties – in this case the government of Sri Lanka and the LTTE – as well as to the contemporary post-Cold war context of war-to-peace transitions. Based on this, the two peace processes in table 8 have been identified.

It is usually difficult to define clear points at which peace processes start and end. For this reason, the years I have singled out have primarily been used to identify the intended period of peace attempts based on the year that a peace process officially started. Nevertheless, initiatives often commenced earlier. For this reason, ceasefire agreements must be understood in relation to peace processes by their transitional character (Bell, 2000: 305).
Table 8. Periods of peace processes analysed in the thesis.

<table>
<thead>
<tr>
<th>Conflict in Aceh</th>
<th>Conflict in Sri Lanka</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000 peace process</td>
<td>1994 peace process</td>
</tr>
<tr>
<td>2002 peace process</td>
<td>2002 peace process</td>
</tr>
<tr>
<td>2005 peace process</td>
<td></td>
</tr>
</tbody>
</table>

In order to begin writing the historical narratives, I broadly mapped out the core components of each peace process by situating the important actors, ceasefire agreements, other peace initiatives and other major events within these processes.

3.4.3 Answering research question 1 and 2

The first research question posed in this dissertation is: (1) What is the nature of ceasefire agreements in the conflicts in Aceh and Sri Lanka in terms of their initiation, form and content and implementation? Accordingly, the first objective is to explore the ceasefire agreements by looking into the process by which they were initiated, the content of the agreements and how the agreements played out. This has entailed both scrutinizing the ceasefire agreement documents and mapping out and reconstructing each step in the processes. Based on this I have written historical narratives. The questions derived from the theoretical framework were used to probe the empirical material and to ensure that attention was directed at those topics/issues that the literature identified as vital to explore. While some of these need no further clarification (for example whether an accord is verbal or written), a few will be elaborated upon here.

The first issue, initiation of a ceasefire and by whom, essentially addresses the question of agency. To create a picture of the landscape of actors, I identified those who were important for putting a ceasefire on the agenda and for promoting such engagement. I also identified other actors who were influential supporters or opponents of a ceasefire. Accordingly, I aimed to create an understanding of the different competing interests and positions that were at play. In Aceh, the relationship between the holder of the post of president, on the one hand, and the military and nationalist hardliners, on the other, became vital to explore. In Sri Lanka, I focused on exploring the construction of the government and the relative influence of the two largest political parties rivalling for governmental power as well as the influence of Sinhala nationalist parties. To explore the timing of ceasefires – i.e. when in the process a ceasefire was initiated – I created ‘timelines’ to temporally situate the ceasefire agreement in a relation to other initiatives and events in the conflict trajectory, both before and after the initiation of a ceasefire agreement. I focused on key initiatives in the process.
i.e. those with a direct connection to the peace processes and the ceasefire agreements, for example the dates of formal and informal talks, public statements, donor conferences, establishment of committees, meetings, etc. I also took into account other important events that might have influenced the process, including changes in government or the president, policy or legal reforms addressing the issue/issues of contention, internal fractions such as the creation of splinter groups, etc. These initiatives and events were identified by reading earlier accounts of the peace processes and from interviews. I also marked out approximate starting points for de-escalation and escalation of violence. While it is difficult to find accurate data about this, I used assessments in different reports about improvements or deterioration in the security situation. On the timeline, I highlighted the ceasefire agreements to better situate them in relation to other initiatives and events. In addition, my examination of when in the process a ceasefire was initiated in relation to other key initiatives and events was also linked to an exploration of the reasons and motivations behind the initiation of a ceasefire. The theoretical framework proposes that the initiation of ceasefire agreements can be tactical, ‘genuine’, incentive driven or forced upon an actor. Inevitably, it will be difficult to get a definitive and undisputed answer to the question of the motivations of different actors. Hence, I have used different accounts in order to create as comprehensive an understanding as possible. I have taken into consideration both behavioural indicators and information provided in interviews about actors’ purposes and how they have been perceived. Where I encountered differences in perspectives, I included them in the narratives. Indeed, for understanding the process it might be just as important to know how the intentions of a conflict party were perceived by the counterpart in the conflict, among the public and within the conflict party’s own fractions.

Second, with regard to the form and content of the agreements, one of the questions in the framework involves an assessment of whether an agreement can be interpreted as ‘comprehensive’ or ‘limited’. The notion of ‘comprehensive’ and ‘limited’ agreements is inspired by Fortna (2004) who makes a distinction between ‘strong’ and ‘weak’ agreements. She uses these concepts (i.e. ‘strong’ and ‘weak’) as different ends of a spectrum used to classify agreements based on their degree of formalization and the measures they include. In Fortna’s study, stronger agreements are ones that are formal and very detailed, and they incorporate a greater number of the measures that can be included in a ceasefire agreement to foster durability (2004: 4, 49-51). Since Fortna evaluates agreements as part of a quantitative study, she codes each ceasefire agreement by giving it a number on a scale. I have used the conception of ‘comprehensive’ or ‘limited’ agreement to help me analytically scrutinize the form and content of the agreements. Accordingly, I have assessed the various provisions and measures included in the
agreement, in particular the scope of the mandate, level of detail, the inclusion of a complex organizational structure and the number and extent of measures incorporated in the agreement. For example, if an agreement included more explicit links to the facilitation of an overall peace process, then this was understood as an indicator of a more comprehensive agreement. In a similar way, a more detailed agreement with comparatively rigorous mechanisms to handle disputes and incorporating measures that go beyond security concerns and also address dimensions of dialogue and structural change was considered a comprehensive agreement. Hence, rather than trying to situate each agreement on a nominal scale, I sought to understand why an agreement took a particular form and included a particular content and what this meant in relation to the peace process.

Third, as regards the analysis of the implementation of a ceasefire agreement, the discussion in the theoretical framework raises questions about how and to what extent agreements have been implemented. This entails an inquiry into the actors involved and the procedures and mechanisms introduced to facilitate the implementation of an agreement. A central aspect of the analysis was thus to explore whether the implementation was primarily an internal arrangement by the warring parties or if external actors, either domestic or international, were directly involved. If international actors were involved in the process of implementation, I explored their roles and mandate, how their engagement could be understood and how their involvement had been perceived. I also took into account potential ‘spoilers’ – i.e. actors trying to obstruct an agreement, as well as internal cohesion within the warring parties. The theoretical framework also highlights the various mechanisms introduced to implement an agreement, both in order to constrain violent behaviour and to serve as a potential forum for building trust and cooperation. Such mechanisms were mapped out and their objectives and organizational structures explored. Likewise, I considered the procedure chosen for the implementation of various undertakings, e.g. whether provisions were to take effect immediately or in a step-by-step process. Based on accounts from both interviews and documentary sources, I sought to develop an understanding of how these mechanisms and procedures had functioned and what problems and possibilities they encountered. I also explored central issues of tension with regard to implementation, including issues concerning the actors involved, the structures established by the agreement and behavioural aspects regarding compliance by the parties.

Finally, it should be noted that as part of inquiring into the initiation, form and content, and implementation of the agreements, I constantly looked for conflict dimensions regarding the ceasefires themselves. I did this because I believe that it is reasonable to assume that doing so helps the researcher understand the meaning of the ceasefires in relation to the peace
processes. Important questions in this regard include what tensions and conflicts were prominent during the initiation of a ceasefire? What conflicts dominated negotiations about what to include in the agreement? And which ones were most prominent in talks about the process of implementation?

The second goal of the research was to inquire into how the ceasefire agreements can be understood in relation to the peace processes in Aceh and Sri Lanka. As this implies, I sought to explore links between ceasefire agreements and the dynamics of the broader peace processes. Hence, the second research question asks: (2) How can ceasefire agreements be characterized and analysed in relation to peace processes in these two protracted intrastate armed conflicts? For instance, do they contribute to changing the conflicting parties’ attitudes, behaviours and relationships? Because this study’s point of departure is a process-oriented perspective that emphasizes conflict dynamics, it was necessary to conduct an analysis of changes and continuity in order to answer this question. Change can be defined as differences observed before and after a given interval of time (Bendix, 1968: 69). In order to discern such differences, when mapping the processes I took the ceasefire agreements as the starting points and then expanded the narrative to create a picture of what had come before and what came after. This meant, first, trying to create an understanding of the situation prior to a ceasefire, taking into account the attitudes, behaviours and relationships that characterized the conflict at the time the parties engaged in a peace process. What positions did the various actors hold on the main issues under dispute? What were the behavioural patterns and forms of interaction? How can the relationship between the main actors be characterized in terms of power? What was the situation ‘on the ground’ in terms of humanitarian and security concerns?

When searching for changes and continuity in connection to the parties’ engagement in ceasefire agreements and the unfolding of the processes, I was also guided by questions about changes in the conflicting parties’ attitudes, behaviours and relationships. Thus, when constructing historical narratives, I looked for indicators of change and continuity by focusing first on the parties’ behavioural patterns and security concerns. This includes the occurrence of violence between armed elements and towards civilians and the frequency, intensity and form of such violence. In addition, I looked for measures of de-militarization – or rearmament – as indicators of changes. Did violence cease? If so, to what extent? What forms of violence occurred? Where did it occur? Did other groups engage in violence? Were measures of de-militarization undertaken – e.g. closing down camps or reallocating armed elements? Did the parties rebuild their armed forces? In the midst of on-going armed conflict, information on clashes between armed groups, the number of people killed and wounded, incidents of kidnapping, etc. can be limited and facts uncertain. Consequently, while it would have been
desirable to have precise, comparable figures, this was not possible. Instead, I have relied on assessments from various sources about the occurrence of such events and their frequency and intensity. While these accounts about security do not provide exact facts, they nonetheless indicate direction, and this is sufficient for my research objective.

I also looked for changes in the parties’ attitudes, behaviours and relationships by studying their efforts to engage non-violently and to promote dialogue. Dealing with incompatibilities in a political forum rather than with violence and movements toward a political settlement were seen as indicators that the process was moving in a particular direction. I looked for different forms of contacts, for example formal and informal talks, committee meetings and other events that indicated interaction through dialogue. Statements implying that discussions on core political issues had taken place and statements of understanding on such issues were considered to be indicators that the parties might be getting closer to a political settlement. The reaching of additional agreements has also been considered an indicator of change. Did the parties change in positions, did they shift from apparently immovable to movable ones? Or was there a hardening of attitudes and a more vigorous advancing of claims? Did the level of trust between the parties change? In addition, I tried to understand changes and continuity in the larger political environment by looking beyond the interaction between the main warring parties. Were there any changes in the political climate? Were other actors able to enter the political arena? Did the political debate change in such a way that disputed issues and incompatible interests were redefined? To answer these questions, interviews were an important source of information about the occurrence of change in attitudes and positions.

I also considered changes in the situation ‘on the ground’. First, I considered how people described their perspectives about the security situation. Did people feel safer? Were they able to move to other areas and did they feel it was safe to do so? I also considered immediate humanitarian concerns and more long-term development and reconstruction. Regarding the humanitarian situation, I looked at basic needs such as access to food and shelter. Development/reconstruction aims to capture measures to promote and improve economic growth and infrastructure rebuilding. As this implies, I addressed the question of ‘normalization’ for people. For example, has freedom of movement increased or decreased? Have there been changes with regard to displacement and return? Have children been able to return to school? Have adults been able to secure their livelihoods? An accurate and comprehensive assessment of the question of ‘normalization’ would have required in-depth interviews with people living in the war-torn areas during the entire period of the peace processes of interest – preferably both before and after each ceasefire was initiated. Since this has not been
possible, I have chosen to rely primarily on written documentation and reports from these periods as well as on interviews with agencies devoted to these questions.

It should be stressed that I have not sought to produce all-inclusive accounts of these processes. This is impossible given the conflict environment and my research design, which included cases that took place over both time and space. Nevertheless, based on accounts from documentation and interviews, I have strived to create comprehensive and accurate descriptions in order to enable me to understand the direction of the processes. It should also be stressed that I do not mean to imply that a ceasefire, seen as an isolated initiative, can singlehandedly lead to a particular type of outcome. Rather, my goal is to explore the ceasefire and the measures incorporated in it in relation to developments in the broader peace process. Hence, rather than focusing on, for example, precise numbers of violent acts, the general direction of the process and the dynamics at play have been the focus of attention. My work has also been grounded in recognition that immediate changes might differ from more long term consequences. The narrative form of presenting the analysis enabled me to take into account changes as the processes evolved.

In the process of answering research questions 1 and 2, writing dense historical narratives has thus helped me to structure the empirical analysis. In each of the empirical cases I have explored the nature of ceasefire agreements and studied changes in the attitudes, behaviours and relationships of the conflicting parties during peace processes. Accordingly, I have focused narrowly on the emergence and evolution of ceasefire agreements, and I have also explored the dynamics and developments of the broader peace processes. The effort to explore links between ceasefire agreements and the broader peace processes was facilitated by the factors that I identified in the literature as potentially influential for changing the conflicting parties’ attitudes, behaviours and relationships – i.e. (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) whether or not claims are being met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics. In the process of writing historical narratives, I used these factors to guide the inquiry when asking questions of the empirical material. For example, did the ceasefire agreement impact on issues of recognition? Were measures undertaken as part of the ceasefire agreement in order to build trust between the parties? Whether and to what extent were claims made by one or both parties addressed in the terms of the ceasefire agreement? Were international incentives offered to the parties if they maintained their commitment to the agreement? In what ways did contextual changes influence its implementation? Were all the factions within the parties in favour of the ceasefire agreement or did it exacerbate intra-party conflicts? (See Chapter 2
for a comprehensive presentation of the questions and issues based on the theoretical framework, in particular 2.4 Analytical framework.) Thus, the six general factors informing the inquiry have served as mediating factors to explore and analyse ceasefire agreements in relation to the broader peace processes in Aceh and Sri Lanka.

### 3.5 Comparative analysis

As with the case studies, the theoretical framework has been used to structure the comparative analysis both within and across the two conflict settings. Guided by a common theoretical framework, it has thus been possible to conduct a systematic analysis of the cases that allows for comparative insights. In the previous section I discussed how I have explored and analysed ceasefire agreements in relation to peace processes within each case study. In this one I focus on within and across-case comparisons, which are aimed at increasing our empirical understanding of each peace process and our theoretical understanding of how ceasefire agreements can be characterized and analysed in relation to the broader peace processes. This has primarily involved searching for patterns by comparing similarities and differences between the two cases in dialogue with theoretical insights.

#### 3.5.1 Within and across-case comparisons

In this thesis, making comparisons has been central both for the empirical analysis and for fulfilling the theory-developing objective by lifting the analysis to a higher level of abstraction. Furthermore, it has been argued that comparative analysis is useful in case-study research on armed conflicts, particularly if they involve elements of field research, because it gives the researcher additional perspectives on the cases. As Höglund (2011: 126) puts it, a comparative approach can make it easier for the researcher to relate to the ‘broader picture and not only to one specific conflict zone’.

In this thesis, within-case comparison refers to a comparison of ceasefire agreements and peace processes in the identified periods of peace processes in each conflict – three in Aceh and two in Sri Lanka. This involves comparisons over time between comparable periods in history. These analyses are presented in empirical chapters 4 and 5. The across-case comparisons, on the other hand, focus on across-space comparisons of comparable states experiencing protracted intrastate armed conflict with a territorial dimension. They are presented in the comparative analysis in chapter 6. The purpose of conducting comparisons within and across the two conflict settings was to explore and analyse similarities and differences between cases. This can be described as an effort to research understanding by exploring diversity (della Porta, 2008: 208). Doing so enables the
researcher to use insights from one case to inform and enhance understanding of the others, whether they display similarities or differences.

3.5.2 Answering research question 3

The primary importance of the comparative analysis has been to answer the third research question: (3) **What similarities and differences that can be identified between the empirical cases can increase our understanding of ceasefire agreements in relation to peace processes and of war-to-peace transitions in intrastate protracted conflicts?** In order to answer this question I have focused on looking for discernible patterns in terms of characteristics, problems and possibilities. Rather than looking for a common general pattern, I looked for variations that can help us understand how ceasefire agreements can be characterized and analysed in each peace process and conflict setting.

The analytical framework has also been used to structure the comparative analyses. Accordingly, in making comparisons within the same conflict setting I explored similarities and differences in the nature of ceasefire agreements (in terms of initiation, form and content and implementation) as well as in the paths upon which the peace processes embarked (i.e. dynamics and developments). In order to analyse how ceasefire agreements can be characterized and analysed in relation to peace processes, I also elaborated on the six factors (identified in the theory chapter) that have been proposed as influencing conflicting parties’ attitudes, behaviours and relationships. This entailed searching for clues in the changes brought about by earlier experiences and in the contextual changes taking place from one period of time to another, whether they were internal (e.g. regime change or hardening or weakening positions among factions) or external (e.g. changing international norms or changed relationships between important actors).

The analytical framework and insights from the case study analyses were then used to inform comparison across the conflict settings. The internal and international context in which the ceasefires and peace processes played out have been important for understanding not only how the ceasefires have operated in different settings but also why. The analysis has been grounded in an understanding of the state of the state in Asia (see chapter 2) and more particularly the Indonesian and Sri Lankan contexts. Furthermore, as a way to process material collected during the research process, I wrote preliminary empirical analyses. This enabled me to work continuously in a comparative way, shifting focus from one case to the other, and to use the comparative approach as a method for analysing the cases rather than analysing them in isolation. Throughout the process I moved back and forth between field research to collect material and analysis of it. This made it possible for me to discern patterns and characteristics using both within-case and across-case comparisons.
3.6 On material: finding informative and reliable sources

In order to explore and analyse ceasefire agreements in relation to peace processes in Aceh and Sri Lanka I have strived to create comprehensive pictures by writing historical narratives that map out events, interactions and perspectives. As indicated, different methods and materials have been used to create these pictures and a contextualized understanding of the cases. As part of carrying out the case studies, I conducted fieldwork in Indonesia and Sri Lanka. Höglund (2011: 116) emphasizes two main purposes of field research: the collection of data from both primary and secondary sources and improved understanding of the cases and contexts in which they are embedded. Accordingly, making my own observations and interacting with various people during the field research increased and deepened my understanding of the dynamics and complexity of the conflicts. This, in turn, facilitated my analysis of data. In the course of researching the thesis I took four research trips to the region – two to Indonesia and two to Sri Lanka. In April-May 2010, I spent three weeks in Indonesia. I was primarily in Aceh, but made a short visit to Jakarta as well. The following year, in April-May 2011, I went to Jakarta for two weeks. This second trip was part of a two-month stay in Singapore for literature studies, where I mainly focused on the Aceh case. I spent one month in Sri Lanka in October-November 2010, and another month in January-February 2012.

When mapping out the processes in terms of events, interactions and perspectives, one of the most central methodological issues to be resolved is what kind of sources can be identified, accessed and used in order to create a comprehensible narrative. Yin (2009: 101) suggests that the six most common ‘sources of evidence’ in case study research are (i) written documents, (ii) archival records, (iii) interviews, (iv) direct observation, (v) participant-observation and (vi) physical artefacts. All these sources have strengths and weaknesses, and whether they are possible and appropriate to use depends on the objective of the research. While researchers seldom use all six in one case study, Yin argues that they are ‘highly complementary’ and that researchers should strive to use multiple sources (2009: 101). The use of multiple types of sources makes it possible to address and consider a wider range of issues related to the inquiry, because each type can contribute a particular kind of insight to the study (Denscombe, 1998: 31). In this dissertation, documentation and interviews have served as the primary sources.47 By using these two sources it was possible to include both

---

47 Since all processes have been studied retrospectively, it was not possible to use observation and participant-observation. Furthermore, there were no relevant archival records (defined as official statistics) or physical artefacts to access. Nevertheless, the analysis of documentation and interviews can in some respect be described as a way of gaining information from the observations of others in situations in which the researcher is not able to make observations herself (Stake, 1995: 64).
‘behavioural and subjective data’, something that Druckman (2005: 7) recommends as well. It allowed me to take into account both more tangible aspects, such as agreements and various measures taken by the conflicting parties, as well as more intangible matters like actors’ perspectives on the ceasefires and what ceasefires meant in relation to the broader dynamics of the peace processes.

Beyond the complementary role documentary sources and interviews can play in mapping out these processes, the use of multiple sources also makes triangulation possible. In contrast to an approach in which different sources address different facts within one study, triangulation refers to a ‘convergence of evidence’ (Yin, 2009: 116). A finding that is supported by several sources of information can generally be seen as ‘more convincing and accurate’ than one based on a single source (Yin, 2009: 116). Furthermore, taking a critical approach toward different sources and continuously assessing their reliability is always important in research, perhaps particularly so in research on violent conflicts. In conflict situations, where enemies constantly search for channels through which to exercise influence on their counterpart in order to gain the upper hand, the use of propaganda and communication of false messages through public forums are common. Furthermore, sympathies for one side or the other can easily affect the tone and perspective pervading analysis and reports. Hence, when researching conflicts using history-oriented approaches, source criticism is a valuable tool in order to improve the gathering and analysis of information (Dulić, 2011: 35). This includes both external evaluation of sources – i.e. the process of identifying the origin of the source and intended audience – and internal evaluation – i.e. content and reliability and (possible) biases (Dulić, 2011: 38-41). In order to address the potential problem of unreliable and biased sources, thereby reducing uncertainties about the empirical results and improving the quality of the analysis, the methodological tools of source criticism and triangulation have been used.

### 3.6.1 Written documentation

Written documentation is one of the central sources used in this thesis. Documentary sources play an important role in most case studies and can include a variety of written texts, ranging from personal diaries and notes to administrative documents, reports, minutes from meetings and newspaper articles (Yin, 2009: 101-103). As noted, they can be particularly useful in research projects where situations or events cannot be investigated by direct observation or by interviewing (Ritchie and Lewis, 2003: 35). Documents have many advantages – e.g. texts can be reviewed repeatedly; they usually contain detailed information about events that took place in the past, and they were not written for the sake of the research project. A challenge is to
find and to gain access to relevant documents and to avoid ‘biased selectivity’ due to an incomplete collection process (Yin, 2009: 102).

In this thesis, the use of documentary sources has been critically important because the cases have been studied retrospectively, thus limiting the opportunity to conduct direct observation and, to some extent, also to interview relevant persons. The documents used include official documents such as ceasefire agreements, implementation agreements, propositions and statements; biographies and other forms of personal accounts from people involved in or with good insights into the processes; reports from local and international NGOs and institutes; research articles and books, and newspaper articles (see Table 9). Some of these will be presented and discussed below. As this list indicates, the sources differ in terms of form, content and authorship, and are therefore treated and used differently.

Table 9. Types of documentary sources used.

<table>
<thead>
<tr>
<th>Primary sources</th>
<th>Secondary sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ceasefire agreements, implementation agreements,</td>
<td>Reports from INGOs, NGOs, research</td>
</tr>
<tr>
<td>comprehensive peace accords</td>
<td>institutes</td>
</tr>
<tr>
<td>Propositions, statements, letter correspondence,</td>
<td>Scholarly articles and books</td>
</tr>
<tr>
<td>internal evaluations</td>
<td></td>
</tr>
<tr>
<td>Personal accounts, biographies</td>
<td>Newspaper articles</td>
</tr>
</tbody>
</table>

Regarding the treatment and use of the different documentary sources, it should first be emphasized that the ceasefire agreements stand out among the various documents used in the research project. These agreements can foremost be described as ‘things’ to study, rather than solely as sources used to map out events, interactions and perspectives. In other words, as Prior (2004: 91) puts it, the ceasefire agreements can be understood ‘as a topic rather than as resource’. Hence, through careful analysis of their production, content and use, I have treated the ceasefire agreements with special attention and as objects produced to serve certain aims and objectives. As Yin (2009: 103) reminds us, ‘documents must be carefully used and should not be accepted as literal recordings of events that have taken place’. Hence, it is important to try to discern the purpose behind the writing of a document as well as the intended audience, and to recognize that some documents reflect ‘a communication among other parties attempting to achieve some other objectives’ (Yin, 2009: 103).

In the case of Aceh, the agreements of interest in this thesis are the Joint Understanding on Humanitarian Pause for Aceh signed on 12 May 2000 (Humanitarian Pause, 2000); the Cessation of Hostilities Framework Agreement (CoHA) signed on 9 December 2002 (CoHA, 2002), and the
Memorandum of Understanding (MoU) signed on 15 August 2005 (MoU, 2005). In Sri Lanka, the central agreements analysed are the Declaration of Cessation of Hostilities signed on 7 and 8 January 1995 (Declaration of Cessation of Hostilities, 1995), and the Ceasefire Agreement (CFA) signed on 22 February 2002 (Ceasefire Agreement, 2002). Implementation agreements reached in the peace processes have also been given attention. In Aceh, this has most notably included the Directive on Security Arrangements (2001); the Status of Mission Agreement (SOMA) on the Establishment and Management of the HDC Aceh Monitoring Mission (HAMM) (SOMA HAMM, 2002); the Agreement on Peace Zones (2003); and the Aceh Monitoring Mission Council Joint Action (AMM, 2005). In Sri Lanka, the Sri Lanka Monitoring Mission’s Status of Mission Agreement (SOMA) has been of particular importance (SOMA SLMM, 2002).

Apart from the documents discussed above, the majority of written documents used in the empirical research have primarily been treated as resources for the purpose of mapping out events, interactions and various perspectives on the ceasefire agreements and the peace processes. For this purpose, as previously explained, the documents include both primary and secondary sources. Primary documentary sources, both more official and unofficial documents, have been important for mapping events and interactions, but also for gathering information about the perspectives of people involved in the processes. In Aceh, official documents from the peace processes come primarily from the mediators, the HD Centre and the CMI. The HD Centre has also produced an internal review covering both the 2000 Humanitarian Pause agreement and the 2002 CoHA agreement (HD Centre, 2003). Furthermore, both the Aceh Monitoring Mission (AMM) and the Sri Lanka Monitoring Mission (SLMM) have produced some evaluations. In the Sri Lankan conflict, the most important official documents from the 1994 peace process are the published letter correspondence, comprising more than 40 letters, between the government and the LTTE. In the 2002 process, different statements and accounts from the sessions of talks were published on the Secretariat for Coordination of the Peace Process (SCOPP) website. After the war ended in 2009, a lessons-learned commission was established in Sri Lanka, resulting in a report that was published in 2011 (LLRC, 2011).48 Official accounts of the peace processes in Sri Lanka have also been written by third parties. While there was no third party involved in the first peace process, the Norwegian government mediated the 2002 process and it issued

48 There has been criticism directed towards this report. One notable source of criticism comes from the Tamil political party Tamil National Alliance (TNA), which argue that the LLRC’s investigation and report focus too much on the ceasefire agreement and, while they find such inquiry welcomed, it fails to address the accusations of war-crimes in the final phases of the war. Another criticism has been raised by former Secretary of Defence Austin Fernando, who questions the commission’s mandate as being specified to inquire into the failure of the ceasefire without acknowledging its’ potential merits.
an assessment of it that was published in 2011 by the Norwegian Agency for Development Cooperation, Norad (Goodhand, Klem and Sørbø, 2011).

Among the unofficial documents used in this study, I included biographical or personal accounts related to the peace processes and ceasefire agreements in Aceh and Sri Lanka. With regard to views expressed by the parties in Aceh, some documentation has been available on GAM’s official website. Furthermore, GAM’s political advisor in the 2005 peace process, Damien Kingsbury, has also written a personal account of the negotiations (Kingsbury, 2006). On the Indonesian government side, negotiators Farid Husain (2007) and Hamid Awaludin (2009) have written books on the peace process. In the Sri Lankan case, the account of former LTTE negotiator Anton Balasingham (2004) War and Peace: Armed Struggle and Peace Efforts of Liberation Tigers, which covers both the 1994 and 2002 peace processes, has been important. Notable accounts on the government side include a book on the 2002 peace negotiations published by John Gooneratne (2007), former Deputy Secretary General of the government peace secretariat SCOPP, as well as an extensive account on the 2002 ceasefire agreement from Austin Fernando (2008), former Sri Lankan Secretary of Defence. An inside view is also offered by Bradman Weerakoon (2006a), Secretary to Prime Minister Wickremesinghe who signed the 2002 agreement. In addition, different perspectives on the 2002 ceasefire agreement have also been expressed in a volume edited by Keethaponcalan and Jayawardana (2009). I used these types of written documents to greater and lesser extent, depending on how much access I had to interview subjects.

While the author, or ‘sender’, of a message is usually rather explicit in primary sources, it is necessary to be more cautious about this matter when working with secondary sources. Among the various secondary sources, newspaper reports can be useful for covering day-to-day events in the mapping of whom, how, and when. However, since this study encompasses several processes in two different conflict settings, covers a rather long period of time and aims to provide a contextual understanding, day-to-day newspaper reporting can be too rich in detail and information to be manageable. Different forms of scholarly accounts have helped me to navigate the large amount of information, because they tend to focus on and contextualize the important events that occur over longer periods of time. Important sources on the conflict and peace processes in Sri Lanka include Rupesinghe (2006a, 2006b), Uyangoda (2007), Goodhand and Klem (2005), Orjuela (2004), and Höglund (2004). In Aceh, some of the important

49 The assessment was conducted by an independent team of researchers. The final report was produced by Jonathan Goodhand, Bart Klem and Gunnar Sørbø.
50 Fernando (2006) has also published a book chapter on the peace process and security issues.
51 I have also interviewed some of the authors.
sources have been Aspinall (2005a, b), Aspinall and Crouch (2003), Schulze (2004, 2006), Huber (2004), and Miller (2006a, 2006b). Due to the risk of selection biases in scholarly accounts that focus on ‘what, in hindsight, is considered important’ (Möller, 2011: 84), the combination and triangulation of different sources has been important. Furthermore, with regard to source criticism, I have also tried to develop an understanding of the views held by frequently published authors and of their relations to the conflicts, both during the process of reading and learning about the cases and in discussions with other scholars who have long experience studying the conflicts.

Many of the documentary sources used in the study were gathered during my research trips to Indonesia and Sri Lanka – at local bookstores, research institutes and libraries and, to some extent, from daily newspapers. As mentioned, I have also spent approximately two months in Singapore, where the Institute of Southeast Asia Studies (ISEAS) library and the National University of Singapore’s library were valuable venues for gathering material. Thus, a central purpose of the research trips has been to acquire documents. While there is a larger amount of written documentation in English about the Sri Lankan case, there is a notable amount on the conflict and peace attempts in Aceh. It was rather difficult to access written material in English on the Aceh conflict on my trips to Indonesia; however, the libraries in Singapore proved very valuable in this respect and this was therefore my main focus during my visit there. In addition, many of the documents were also available on the Internet, especially official documents such as the ceasefire agreement texts and other similar documents, but also archived newspaper articles and reports from research institutes and similar organizations. For example, reports published by the East-West Centre, Conciliation Resources, International Crisis Group (ICG) and Asia Foundation could be accessed on the Internet. These types of reports are both current and detailed, while at the same time contextualizing events. They have therefore served as important sources of information in the writing of dense narratives on both Aceh and Sri Lanka.

3.6.2 Interviews

The other type of source extensively used in this thesis is the interview, which has been described as one of the most commonly used methods in qualitative research (Ritchie and Lewis, 2003: 36). Interviews can be used to serve several different objectives, but in general the purpose of interviewing is to provide new, insightful information and to get different perspectives about the phenomena being studied in a comprehensive and in-depth way (Holme and Solvang, 1996: 85). According to Yin (2009: 102), the strengths of interviews include the possibility to focus directly on the topic of inquiry and to gain insight into what is perceived as significant by people who personally experienced it. Nonetheless, he also notes that there is a risk that
answers will be biased, for example if questions are inadequately formulated. For this thesis, I have conducted interviews with persons who, in different ways, were involved in or have good insights into the processes being studied in Aceh and Sri Lanka. The purpose has been to gather information regarding their perspectives about and insights into the ceasefire agreements and the peace processes. In particular, the interviews served as a fruitful complement to the written documents because they enabled me to understand different actors’ understandings of and perspectives on the processes. In addition, because, for various reasons, documentation of violent conflicts often contains gaps in information and direct observation was practically impossible to arrange for the sake of this research project, the interviews gave me access to experiences from people who observed or participated in the processes themselves (see Stake, 1995: 47).

To create a comprehensive picture of the ceasefire agreements and peace processes based on different perspectives, I started by identifying broader categories of actors to interview. These are listed in Table 10. Based on these categories, I then identified and contacted relevant interview persons for both Aceh and Sri Lanka. I mainly relied on the snowball technique. That is, I identified additional persons to interview by asking for recommendations each time I had contact with someone. However, in both cases, it was important to first establish contact with persons who could act as gate-openers. Once these initial contacts were made, it was easier to reach additional persons. In Sri Lanka, I already had some established contacts, because I conducted a two-month minor field study there a few years before I began the thesis research. In Indonesia, the process was facilitated by my stint as a visiting fellow at the Aceh Institute in Banda Aceh in 2010 and the Centre for Strategic and International Studies (CSIS) in Jakarta in 2011. In order to develop a comprehensive understanding of the processes based on various perspectives, I interviewed persons from all the different categories of actors. Later on in the research process, I also identified particular key persons who I specifically wanted to interview. I created a ‘wish-list’ with their names, and I used it to help me get contact information about these persons from other interviewees.

As the list in Table 10 indicates, interview subjects include both informants and respondents. Respondents are persons who have in some way participated directly in the peace processes and ceasefire agreements on the political level, for example political representatives of the warring parties, mediators/facilitators and ceasefire monitors and politicians from

---

52 Nevertheless, as Höglund (2011: 123) suggests, in order to avoid biases caused by interviewing only certain groups of actors or networks, as well as to avoid being seen as affiliated with a certain actor or organization (and thus potentially biased), I sought to use different points of entry.

53 I would like to thank Dr. Michelle Miller for this concept and advice on procedure. The approach was particularly used in Jakarta in 2011.
opposition parties. *Informants* are persons who have not personally participated in the processes under study, but can be assumed to have good insight and information to share. This group includes academics, representatives of civil society and international organizations and members of the media. While a distinction between informants and respondents can be useful for analytical purposes as way of organizing actors and perspectives, it should nevertheless be noted that, in reality, the dividing line between them is not always clear-cut. For example, some persons had multiple roles and positions over the years of the conflict. In both Aceh and Sri Lanka I have come across examples of academics and civil society activists who switched roles during the conflict – e.g. persons who went from a position as outside analyst of the political processes to direct involvement and vice versa. These persons can have valuable insights both as informants and as respondents.

Table 10. Types of actors to interview.

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Informants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflict party negotiators and/or members</td>
<td>Academics</td>
</tr>
<tr>
<td>Mediators/facilitators</td>
<td>Civil society leaders/activists/analysts</td>
</tr>
<tr>
<td>Ceasefire monitors</td>
<td>International agency representatives</td>
</tr>
<tr>
<td>Opposition politicians</td>
<td>Members of the media</td>
</tr>
</tbody>
</table>

For this thesis, I conducted 57 interviews in Indonesia, Sri Lanka and Singapore (see Appendix for a list). As the types of actors in Table 10 indicate, interviews were conducted with public persons who are generally used to being interviewed. The interviews took place in different venues, including offices, restaurants, coffee shops and residences of the interviewees. The length of the interviews varied between 15-20 minutes and more than 2 hours. With few exceptions, they were recorded and transcribed.54 The vast majority of the interviews were conducted in English, but an interpreter was used on a few occasions in Indonesia. This allowed me to gain insights from persons who I would not otherwise have been able to interview due to a language barrier. Nevertheless, using an interpreter inevitably poses certain risks – e.g. that information and details might be left out and that misunderstandings might arise due to multiple translations. In order to reduce such risks, I tried to take more time with each question and to ask follow up questions. The format of the interviews was semi-structured. They were guided by prepared themes and open-ended questions (see

54 Some of the first interviews were not recorded because they were conducted at an early stage in the research process, while later on a few interviews were not recorded on request by the interviewees. In these cases, notes were thoroughly taken during the interviews and immediately written down more carefully after each session.
Appendix for interview guide). The interviewee’s position and insights – for example, whether the person was a negotiator or a civil society activist – guided which themes and time-periods during the protracted conflicts (i.e. particular ceasefire agreements, particular peace processes) were emphasized in the interview. In order to ensure that new insights and perspectives not included in the interview guide could nonetheless be raised during the interview, I made sure that the interviewee had the opportunity to relate his/her own experiences and stories. Since my objective was to get different perspectives and insights into the phenomenon being studied rather than to ask the same questions to a big enough sample of persons, the guide had to be used with flexibility and questions adjusted to the interviewee’s background and insights. Later on in the research process, I also prepared questions on specific issues in order to fill gaps in the narratives.

There are some issues that researchers must consider when they use respondent interviews in research projects in which the main focus is political processes at elite level. First, there is a practical question of access. This became a challenge in the Sri Lankan case, where the war ended with the government’s military defeat over the LTTE. As mentioned previously, this development made it difficult and dangerous to conduct respondent interviews with political representatives from the guerrillas. Many of them are dead, in exile or imprisoned. Thus, I relied on documents from primary and secondary sources to get the LTTE view. Secondly, when dealing with political games at the elite level in conflict-affected areas, it is necessary to treat the answers to questions with some caution, because some of them are likely to be shaped by the current political situation. During an on-going war, this can be part of a warring party’s propaganda in order to promote a specific image or an impression about the group’s current political or military strength. Also in a post-war context, the end of the war and changes in power-relations can give some actors the incentive to portray previous processes in a certain way (Höglund, 2011: 121). A third issue to consider when using interviews – both informant and respondent – is that when interviewees are asked about events and processes that occurred in the past, the question of memory is a crucial issue. In Sri Lanka, the first process included in the study was initiated in 1994, which was a long time ago. Still, the letter conversation that took place during this process made it possible to follow how the issue of a ceasefire was discussed. In Aceh, two processes were mediated by the HD Centre – one that began in 2000, the other in 2002. There is therefore a risk that these two processes might be somewhat difficult for people involved in or observing both processes to differentiate from one another. I have taken this into account by asking follow up questions and using triangulation to validate detailed information.
While it is necessary to be aware of the limitations of interviewing discussed above, talking to people who have been directly or indirectly involved is invaluable for developing a comprehensive understanding of the ceasefire agreements and peace processes. As such, the interviews have been important both to fill in gaps in the mapping of events during the processes, but foremost to gain an understanding of different actors’ perspectives about the ceasefire agreements and peace processes. That is, to gain an understanding of how different actors interpreted the nature of the agreements and the conflicts they saw as dominant during the processes. This knowledge was needed to analyse changes in attitudes, behaviours and relationships and to explore why these changes occurred. In addition to this, the interviews were also useful because they highlighted specific things and pointed me in important directions not yet explored. Furthermore, to meet the challenges mentioned above, I made a point of identifying and interviewing people representing both similar and different perspectives. By using the method of triangulation, I was able to use the interviews and documentary sources to complement each other, each filling in gaps found in the other, and together increasing the reliability of the findings. The parts of the processes before and after ceasefires were given less attention to in the interviews. For this information I relied more on different types of documentary sources. This was primarily because I had limited time for each interview and therefore needed to prioritize. While I decided that it was possible to rely on primary and secondary documentary sources to map the situation before a ceasefire, in each interview I asked how the ceasefire agreements influenced the broader peace processes in order to hear the views of the interviewee.

3.6.3 Considerations for the comparative framework
Before moving on to the empirical chapters, some comments should be made about the implications of using case studies in a comparative framework and the comparability of the cases. One such issue is differences in access to materials. As already mentioned, the way the conflicts ended might have impacted on how close I was able to come to the material. After I had started the research project and outlined the overarching research design, the conflict situation in Sri Lanka changed significantly – from a highly tense situation but one where a resumed peace process was conceivable, to a military victory by the government and the dissolution of the LTTE. As mentioned, at the end of the war and since then, there has been a lot of controversy about this process. In addition, at least some people are hesitant to talk about earlier efforts to reach a negotiated settlement with the LTTE. Hence, how the conflicts ended might have affected how my interview

55 See also Höglund (2011: 118, 121) on the challenges of changes in conditions for comparative field research.
questions were received and the answers I got. This might also have had an effect in Aceh with regard to the different peace processes ending in different ways. Another critical factor is time. Some of the ceasefires and peace processes included in the study took place more than a decade ago, while others ended just a few years ago. Beyond the issue of fading memories, this had consequences for direct access to participants in some cases. Furthermore, some processes have been better documented than others, both primary and secondary accounts. For example, while there has been quite extensive documentation of the 2002 peace process and ceasefire agreement in Sri Lanka, documentation has been comparatively scarcer for the 1994 process – which was notably shorter in duration and characterized by modest international involvement and attention.

There are some issues that need to be recognized as regards the comparative framework, and I have strived to be attentive to them and to consider them during the research process. For example, if it was difficult to get the perspectives of the conflicting parties by conducting interviews, I searched for written documentation of earlier interviews, biographies written by process participants and statements published on their websites. In a similar way, I compensated scarcity of written documentation through interviews with people who have good insight into the conflicts and peace processes. Since each of the cases in this study represents different real-life situations and events, the conditions cannot be arranged and controlled like in an experiment. Thus, variation in the amount and depth of accessible empirical material possible is something that field researchers must take into account. They must frequently reassess changes and comparability during the research process. As Höglund (2011: 127) stresses, comparative field research has to find ‘the appropriate balance between stringency and flexibility’.

In the following chapter, I move on to the empirical analysis. I first present the case study chapters on Aceh (chapter 4) and Sri Lanka (chapter 5). In these chapters I seek to answer research questions 1 and 2. More specifically, I construct theoretically guided historical narratives by mapping out the processes and looking for changes in the conflicting parties’ attitudes, behaviours and relationships. Each of the chapters begins with a background analysis, including a historical account of the emergence of the conflicts, identification of the main actors and incompatibilities and an effort to grasp the conflict dynamics. Thereafter, the main parts of the empirical analyses are structured around the identified periods of peace processes. These sections begin with a contextual background aimed at setting the scene in which the peace processes were initiated. This is followed by an analysis of the initiation of a ceasefire agreement and who initiated it; the form and content of the agreement, and the implementation and unfolding of the
process. After mapping out each peace process, I discuss and preliminarily assess how the ceasefire agreements can be characterized and analysed in relation to the peace process. The mapping of processes is influenced by both external and internal explanations, but I do not claim to provide an exhaustive picture of the processes that rules out alternative interpretations. Rather, informed by a variety of documentary and interview sources that recognize different perspectives, the aim has been to create pictures that are as comprehensive as possible in order to enable us to understand the ceasefire agreements in relation to the broader peace processes. Following the case study chapters, in chapter 6 I present the comparative analysis and conclusions. Chapter 6 uses the same analytical framework and the purpose is to draw comparative insights from the case studies. I lift the analysis to a higher level of abstraction by discussing ceasefire agreements in relation to peace processes on the basis of the six factors of influence presented in the theoretical chapter and by linking the ceasefire agreements to the state of the state in the Asian context.
Chapter 4

Aceh

This chapter explores and analyses ceasefire agreements in relation to peace processes in Aceh, where the government of Indonesia and the Free Aceh Movement (GAM) were involved in an armed conflict for nearly three decades. The chapter is structured as follows: First, I present the background to the conflict, including a brief review of important historical information and a discussion of the main actors and the commencement of armed conflict. The purpose of this section is to provide an understanding of the central contradictions and dynamics that caused and drove the armed conflict. Second, the main part of the chapter is an analysis of ceasefire agreements and peace processes in Aceh. These are presented as historical narratives and structured into three subsections, each one addressing one of three peace processes that took place in 2000, 2002 and 2005. Guided by the analytical framework, I begin each subsection with an exploration of both the situation prior to the peace process and the conflict dynamics at play. Thereafter I discuss the initiation of the ceasefire, its form and content and the implementation and unfolding of the process. Each of the subsections ends with a concluding discussion. In the last section of the chapter, I compare the three peace processes in order to draw conclusions and develop insights that will be used in the cross-case comparative analysis. I explore similarities and differences as well as changes over time, and I elaborate on the six factors of influence identified in the theory chapter in order to characterize and analyse ceasefire agreements in relation to peace processes in Aceh.

4.1 Background to the armed conflict

Aceh\textsuperscript{56} is located on the northern tip of the island of Sumatra, in the westernmost corner of the Indonesian archipelago. Indonesia is the largest archipelagic state in the world, with a population of 179 million people spread across 13,677 islands. Of these, approximately 4 million live in Aceh.

\textsuperscript{56} Today, the name of the region is usually spelled Aceh, which is adapted from the Indonesian way of spelling it. I will follow this convention throughout this thesis. Exceptions are made only when referring to the names of documents and such, in which other spellings are used. For instance, the older GAM leadership uses the spelling Acheh and has often referred to the region as Acheh Sumatra (Reid, 2006: xvi).
(Arifin et al., 2007: 14). The armed conflict between the GAM movement and the government of Indonesia has mainly concerned the territorial status of Aceh. While GAM demanded territorial partition and independence, the government has always claimed the region as part of the sovereign state of Indonesia.

Even before the contemporary armed conflict, historical accounts describe Aceh as a region characterized by unrest. From the 16th century, European colonizers took interest in the area, first the Portuguese and then the British and the Dutch. In the late 19th century, the local population fought a thirty-year war against the Dutch (Djalal and Djalal, 2006: 18). People from Aceh also participated in the fight for independence from Dutch colonialists that was waged by Indonesian revolutionaries, and when Indonesia declared independence in 1945, authorities in Aceh joined the new republic. This was done under the assumption that Aceh would be granted considerable autonomy and that the Indonesian state would be based on Islamic principles (Miller, 2006b: 293). However, following Indonesian independence there was a period of political unrest and widespread resentment about the way the republic was developing under the authoritarian rule of President Sukarno. This led to numerous violent struggles throughout the archipelago. For Aceh, the process of forming the post-colonial Indonesian state had several consequences. In the early 1950s, Aceh lost its autonomy over local affairs when it was merged into the Northern Sumatra province as part of a reorganization of the state. The region, which is rich in natural resources, experienced economic decline because an increasing part of the national budget was allocated to Jakarta. Furthermore, there was an increase in both non-Acehnese and non-Muslim workers to the region, and military troops also established a presence (Miller, 2006b: 293). In 1953, a violent uprising started spreading across Indonesia, and it reached Aceh in the form of the Darul Islam rebellion (House of Islam). Darul Islam initially rose in West Java with the aim to transforming Indonesia into an Islamic state (Miller, 2008: 13). While the Darul Islam in Aceh did not demand independence, it made claims for the enhancement of regional status and increased autonomy over education, religion and customary law (Huber, 2004: 13). Because the central government was unable to repress the rebellion by force, it declared Aceh to be a province in 1957 (Kell, 1995: 11). Two years later Aceh gained the status of a ‘special region’. While promises were made that this would imply considerable autonomy for the region, it was never implemented in practice (Miller, 2006b: 294).

The Darul Islam rebellion in Aceh faded out after a settlement was reached in Jakarta. Nevertheless, another violent struggle arose in the region when the GAM movement declared it independent in 1976 (ASNLF Declaration of Independence, 1976). By that time, Indonesia had come under the rule of General Suharto – who became president after a military coup in 1967 and remained in power for 21 years. During the Suharto period,

---

57 Indonesia’s independence was internationally recognized in 1949, and in 1950 sovereignty was formally handed over by the Dutch. For comprehensive accounts of Aceh’s history, see for example Reid (ed.), 2006; Graf, Schröter and Wieringa (ed.), 2010.
Indonesia was characterized by authoritarian rule with a strong tendency to centralize power in Jakarta. As part of Suharto’s New Order regime, the power of the provincial parliaments was restricted. Once again, Aceh saw its regional autonomy decline (Miller, 2006b: 295). Suharto also dismantled established social and political structures, replaced existing leaders with a ‘new secular and technocratic-oriented developmental elite’ that served the interests of the centre rather than the region and failed to gain legitimacy among the Aceh population (Kell, 1995: 84). Furthermore, profits from significant oil and natural gas reserves that had been discovered in Aceh in 1971 never came to the advantage of the Acehnese population; instead, most of the revenue went straight to Jakarta. Estimations suggest that no more than 5 percent of the resources allocated to Jakarta came back to benefit the Aceh province (ICG, 2001c: 3). At the same time, the armed forces had by then established a permanent presence in Aceh in order to defend ‘state assets’ as well as to enforce social and political order (Miller, 2006b: 295).

All of this prompted growing discontent about the lack of influence over local government and religion and the uneven economic distribution of regional resources. This discontentment, in turn, contributed to a rise in Acehnese nationalism and laid the foundation for protracted armed conflict. While the number of casualties remains uncertain and disputed, the death toll has been estimated to be somewhere between 12,000 and 20,000 people in the period 1976 to 2005 (Aspinall, 2009: 2).

4.1.1 The main actors
The government of Indonesia and GAM were the main parties in the contemporary armed conflict that started in Aceh in the mid-1970s. The GAM movement was founded in 1976 by Tengku Hasan di Tiro – an Acehnese businessman who returned to Aceh after several years in the United States, driven by an ideology of national liberation. di Tiro was a descendant of a prominent Acehnese religious leader who led the resistance against the Dutch in the 19th century, and in the 1950s – when he was still living in the United States – he joined the Darul Islam rebellion from a distance (Kell, 1995: 61). However, in comparison to Darul Islam – which mobilized in favour of transforming Indonesia into an Islamic state – GAM’s ideology has been described as ethnic nationalism, with the Acehnese language, culture, family ties, religion and history constituting the main features of Acehnese identity. GAM saw religion as an integral part of Acehnese identity and culture rather than the driving force in its independence struggle (Schulze, 2004: 7). GAM claimed that Aceh had been

58 While these developments are central in most scholarly accounts of the ‘root causes’ of the armed conflict, analysts evaluate their individual importance somewhat differently.
59 An early and formal version of GAM’s name is the Acheh-Sumatra National Liberation Front (ASNLF).
an independent entity before Dutch colonial occupation and that the incorporation of Aceh into the republic of Indonesia was therefore an ‘illegal’ act done without consent of the Acehnese people.\textsuperscript{60} From GAM’s perspective, Aceh continued to suffer from colonization, this time by the central government in Jakarta (Schulze, 2004: 4-6). The armed struggle was justified on the grounds of the right to self-determination of colonized people (ASNLF, 2010).

When GAM was founded in the mid-1970s, di Tiro was joined by approximately 70 men, many of whom had fought in the earlier Darul Islam rebellion (Schulze 2004: 14). While the movement immediately started growing in size, its military capacity was initially low and its main activities were to mobilize people by spreading the group’s message through pamphlets and by raising the GAM flag (Kell, 1995: 66). When the movement’s membership reached its a peak in the early 2000s, it was estimated that it included between 3000 and 8000 men (Schulze, 2006: 227). The organizational structure of GAM was divided into a civilian and a military component. The civilian leaders were GAM’s highest decision forum, to which the military structure was subordinate. After many GAM leaders were forced into exile during the first phase of the armed conflict, from the early 1980s GAM ran a ‘government-in-exile’ from Sweden. The group was led by di Tiro acting as ‘Head of State’, and throughout the conflict it was considered the highest decision forum within GAM. Other important GAM leaders in exile who played key roles in the peace negotiations were ‘Prime Minister’ Malik Mahmud, ‘Foreign Minister’ Zaini Abdullah and GAM spokesperson Bakhtiar Abdullah. It has been suggested that after di Tiro was affected by a stroke in 1997, these other GAM seniors actually led the negotiations (Aspinall, 2009: 225).\textsuperscript{61} There were also leading figures in Aceh who participated in negotiations both inside and outside of the region.

The leaders of GAM have commonly been categorized as ‘old GAM’ and ‘new GAM’. The former refers to long-term GAM members who have maintained largely immovable positions on the movement’s goals throughout the conflict. The latter are people who became active more recently, many when the peace processes were initiated, and they often hold more moderate views. In addition to the GAM in Sweden, some of the leaders who fled Aceh in the late 1980s settled in Malaysia and Singapore. During the 1990s, the movement experienced an internal split when a faction called MP-GAM was established in Malaysia. This split was seemingly caused by power struggles within the movement and disagreements about ‘means rather than the end goal of independence’ (ICG, 2001c: 6). Nevertheless, this

\textsuperscript{60} See also The Legal Status of Acheh-Sumatra under International Law written by di Tiro (1980, 1999).

\textsuperscript{61} Zaini Abdullah formally led the GAM delegation, while Malik Mahmud reportedly played an important role by preparing strategic analysis for negotiations and maintaining close contact with and giving instructions to GAM commanders in the field (HD Centre, 2003: 39).
The group did not have enough support to pose a threat to the GAM leadership in Sweden, and after the leader of MP-GAM was killed in Kuala Lumpur, members in Malaysia and Singapore gave their support to di Tiro (ICG, 2001c: 6).

The military component of GAM was initially known as the Forces of Free Aceh Movement (Angkatan Gerakan Aceh Merdeka; AGAM), but in 2002 it was renamed the Army of the State of Aceh (Tentara Negara Aceh; TNA). The military wing was led by a commander on the ground in Aceh and a number of mid-level commanders at regional and district levels. The latter held authority over the troops in the field (Schulze, 2004: 12). The military leadership in Aceh was strongly loyal to the leadership in Stockholm (HD Centre, 2003: 39). Telecommunication and satellite phones were used to maintain close contact between the leadership in exile and military units in Aceh (interview with Nur Djuli, Banda Aceh, 12 May 2010). However, Schulze (2004: 11) has argued that, in practice, the military wing also adapted to prevailing ‘realities on the ground’ and acted according to them.

Throughout the armed conflict, GAM remained strongest and most well armed in the traditional areas of Pidie, Bireuen, North Aceh and East Aceh. However, the recruitment base and composition of combatants changed over time and came to include a larger number of young unemployed men from areas not traditionally seen as GAM strongholds. Furthermore, fear of personal safety and the safety of family members also served as motivations for joining the armed movement. A lot of the arms acquired by GAM were smuggled to the region from Thailand via diasporas in Malaysia and Singapore. Weapons were also stolen or purchased from the Indonesian armed forces and police (ICG, 2001c: 8). While the military struggle was central in GAM’s strategy, they also used a policy of ‘internationalization’ in order to gain support for their claim of the right to self-determination. This policy was considered important for the GAM leadership as early as the late 1970s, and efforts were made to lobby support for independence, especially from the United States, Europe, Australia and – later on – the United Nations (Schulze, 2006: 236-237). Besides di Tiro’s strong international links from his years in the US, several other senior GAM officials were also diaspora nationalists (Aspinall, 2009: 220). In the 1990s, the search for international support became a more central part of the movement’s strategy to gain independence, as it was increasingly recognized that this was necessary in order to achieve the objective (Schulze, 2004: 9).

Throughout the conflict, GAM claimed to be the sole representative of the Acehnese people in the struggle for an independent state. Nevertheless, it has been difficult to assess GAM’s level of support among the Acehnese

---

62 These reasons have also been confirmed to the author in interviews with ex-combatants in the village of Lamno, Aceh Jaya (16 May 2010).
population. For example, Kell (1995: 70) describes attitudes towards GAM and their claim for an independent state in the 1980s as ‘ambiguous’. Still, many observers have stressed that the movement had widespread support by the end of Suharto’s rule in the 1990s, and that its original strongholds in the rural areas had expanded considerably (Iyer and Mitchell, 2007: 140). Those people in Aceh who supported and identified with the Indonesian state were predominantly government officials and some businessmen who benefitted from Jakarta’s rule (ICG, 2001c: 6). While GAM became the dominant organization leading the struggle for independence in Aceh – and did so with the use of violent means – other organizations in the region also actively called for independence. Among civil society organizations striving for this cause, the pro-referendum movement SIRA (Sentral Informasi Referendum Aceh; Aceh Referendum Information Centre) – formed by Acehnese students inspired by the East-Timor referendum – has been important (ICG, 2001c: 5).

When the armed conflict started in Aceh in the mid-1970s, Indonesia had been under influence of the authoritarian ruler Suharto and his ‘New Order’ state ideology for about a decade. Suharto continued in the footsteps of his precursor Sukarno, whose rule of ‘Guided Democracy’ 63 – which aimed at creating a united and uniform Indonesian national identity across the archipelago – violently collapsed in 1965-66. During Suharto’s rule, state policy was influenced by the concepts of ‘national unity, harmony and stability’, as defined by the Suharto regime (Wang, 1994: 251-252). The mission of creating a single Indonesian identity was combined with an ‘excessive centralism’ of power to Jakarta, and complaints from people beyond the island of Java were largely ignored (Sukma, 2003: 168-169). Thus, in practice, the objective of creating a uniform Indonesian identity meant a ‘Javanisation’ of the whole archipelago (Sukma, 2004: 4).

Another central feature of Suharto’s New Order was the military’s strong influence over politics. As early as 1957, President Sukarno declared martial law, which gave the military legal status to intervene in civil affairs as well as representation in civilian government. This laid the foundation for the military’s dual role in Indonesia, one that included ‘both defending and helping run the state’ (Kingsbury, 2008: 356). When Suharto came to power, the armed forces started to play an even more central role in Indonesian politics. In reality, the political party of the army, Golkar, 64 became the government party and only two other parties – the Muslim- backed Development Unity Party (PPP) and the nationalist/Christian party Indonesian Democratic Party (PDI) – were allowed to participate in national politics.

63 The rationale of this policy was to have a powerful executive leader that would provide directions for the nation (Wang, 1994: 254).
64 This is a federation of some 60 organizations that is sponsored by the government.
elections (Wang, 1994: 263-264). Under Suharto’s rule, the Indonesian army also became increasingly involved in suppressing local uprisings throughout the archipelago (Wang, 1994: 267). Accordingly, the army had a central role in the Aceh conflict, especially since GAM not only disturbed law and order but ultimately threatened the sovereignty and territorial integrity of the republic.

In the reformation of the Indonesian state that followed the breakdown of the Suharto regime (referred to as reformasi), the military changed its name in 1999 from the Armed Forces of the Republic of Indonesia (Angkatan Bersenjata Republik Indonesia; ABRI) to the Indonesian Defence Force (Tentara Nasional Indonesia; TNI). The Indonesian National Police (Kepolisian Republik Indonesia; Polri) was separated from the command of the armed forces and given responsibility for internal security in Indonesia, while the TNI was to focus on the external security of the state. This also implied that responsibility for security operations in Aceh was transferred to the police, although they could call on the military for support in handling internal security challenges. The police had headquarters in Banda Aceh and a presence throughout the region. The paramilitary unit of the police force – the Police Mobil Brigade (Brigade Mobil; Brimob) – also played an active role in Aceh and was deployed to carry out ‘military’ operations on behalf of the police (ICG, 2001c: 9-10). The shift from army-led military offensives in Aceh to police’ operations aimed at restoring security and public order did not bring about any significant changes in practice. The style of the operations and the abuses of human rights continued as before (Sukma, 2004: 14). Throughout the conflict, the Indonesian army was far more powerful than GAM in terms of numbers and military equipment. In 1990, the number of soldiers in Aceh doubled from approximately 6000 to 12.000 troops (Kell, 1995: 74). However, while GAM fighters were outnumbered, the GAM movement could take advantage of its superior knowledge of the jungle terrain and use of guerrilla warfare (Aguswandi and Zunzer, 2008: 9).

During Suharto’s rule, the government’s strategy towards the conflict in Aceh was thus of distinct military character, with the armed forces playing a central role. While various state reforms led to changes in the formal role of the military, it nevertheless managed to retain significant influence. In order to gain or maintain power in Indonesian state affairs, political elites have by and large been persuaded to win support not only among government officials and parliamentarians, but also within the military (ICG, 2001a). In general, Indonesia’s political landscape has been characterized by constantly shifting alliances manoeuvring to gain power (Miller, 2006a).

It should also be noted that during the period of interest in this thesis, the Indonesian state has undergone extensive political reforms and experienced different government constellations. After decades of authoritarian rule, the republic held its first free elections to parliament in 1999. In 2004, the first
direct election for the presidency was held (Crouch, 2010: 43-46). The unitary state, which is administratively divided into 34 provinces with regional governments, has also undergone a process of decentralization. During the Suharto era, the regional governments were described as ‘essentially an extension of the central authority’ (Crouch, 2010: 88), and Aceh was no exception in this regard. Notably, the first time the army’s special forces were sent to Aceh to destroy the GAM rebellion, it was in response to a request from the provincial government. It has also been reported that in the mid-1990s the provincial governor encouraged Suharto to order the armed forces to crush the GAM movement (ICG, 2001c: 3). Even after the fall of the Suharto regime the regional government continued to have close ties to the government in Jakarta (HD Centre, 2003: 38).

4.1.2 Commencement of armed conflict and conflict dynamics

The three decades that followed the commencement of armed conflict in Aceh in 1976 were characterized by phases of guerrilla warfare and counter-insurgency operations in Aceh. The top leadership on both sides operated from geographical distance – the GAM leadership from Sweden, and the Indonesian government from Jakarta on the island of Java. The first military operation to repress the rebellion in Aceh was launched in 1977 and continued for two years. The operation severely affected GAM. It suffered numerous casualties; GAM sympathizers were imprisoned, and the organization’s leadership was forced into exile. Nevertheless, the members who remained in Aceh continued to recruit new supporters, albeit at a low level. To prepare for taking up arms in the future, GAM fighters were sent abroad for military training (Kell, 1995: 66). It has been estimated that 800 men were trained in Libya, and there are reports that some fighters were trained in Afghanistan (ICG, 2001c: 3).

A second phase of violent conflict was eventually initiated in 1989. By then the military wing of GAM had become more advanced and structured (Djalal and Djalal, 2006: 26). In response, the Indonesian government initiated a second major military operation, turning the area into what was commonly referred to as a ‘military operation zone’ (Daerah Operasi Militer; DOM). The DOM did not confer a special legal status on the area, but rather came to represent a period during which it was seemingly possible for Indonesian military forces to undertake whatever measures they found necessary in order to uphold security in Aceh (ICG, 2001c: 3). The years of military operations in the region were characterized by repression, extensive human rights abuses and a politics of impunity, all of which fuelled resentment among the Acehnese against the central government in Jakarta (Sukma, 2004: 3; ICG, 2001d).

The military’s goal was to weaken and destroy the GAM movement, so attacks were directed towards GAM leaders and fighters. However, military
operations also included different methods of searching through villages for rebels and discouraging people from joining the movement, both of which severely affected the civilian population (Djalal and Djalal, 2006: 26-27). The families of GAM members were deliberately targeted, and houses of suspected GAM members were marked with an X to indicate that they were to be kept under military observation (Schulze, 2006: 252-253). Neither the government nor the military acknowledged that they were fighting a politically motivated separatist movement, but commonly referred to GAM as a ‘gang of peace disturbers’ (Sukma, 2004: 9).

The military operations that began in 1989 continued until August 1998. The first three years were the most violent phase, and it is estimated that more than one thousand Acehnese civilians were killed. Many others were imprisoned and tortured (HRW, 2003: 8). While there was speculation that GAM was eventually defeated, di Tiro nevertheless continued to lead the fragmented group from Sweden. GAM did not engage in frontal war with the Indonesian armed forces, engaging instead in guerrilla warfare mainly characterized by ‘hit-and-run’ ambushes (Schulze, 2006: 228). The movement carried out attacks against both the military and police, as well as against people who were suspected of being government informers and members of the civil authorities in Aceh (Kell, 1995: 72). Thus, in order to weaken Jakarta’s influence over the region (and ultimately win independence), the movement attacked public buildings and symbols of Indonesia’s political structures in Aceh, the government-run educational system and the energy infrastructure, which GAM saw as exploiting Aceh’s natural resources (Schulze, 2006: 230-236). By the late 1990s the movement had managed to gain territorial control in some areas, and here they set up local administrations (Uppsala Conflict Data Program, 2008b). GAM also collected taxes from individuals and business, which provided income to help fund the movement’s activities (ICG, 2000c: 8). Kidnapping, commonly of government employees, was also used as a means to raise funds (Barron, Clark and Daud, 2005: 10).

Throughout the years of violent conflict, it was often difficult to determine whether the army, police, GAM, or various criminal armed groups were responsible for committing particular acts of violence (Aspinall and Crouch, 2003: 11). Moreover, it was also difficult to determine the extent to which the leadership of the two parties actually controlled the actions of their troops in the field. As the violent conflict proceeded, both government soldiers and GAM fighters developed economic incentives rooted in the conflict. There were reports of economic gains from illicit trade in drugs, diamonds and arms (ICG, 2000: 2). The TNI, police and GAM also engaged in extortion, most commonly directed against commercial and public transports and on aid transports (Barron, Clark and Daud, 2005: 12). In addition, the government’s failure to address the grievances that initially provoked the
violent conflict, the large number of atrocities committed by Indonesian security forces during the conflict and the unwillingness of the government to acknowledge these atrocities and other violations of human rights violations only served to further aggravate resentment among the Acehnese against Jakarta. Many people were internally displaced during the conflict. At the height of military operations whole villages were forcibly moved (Barron, Clark and Daud, 2005: 10).

Thus, the conflict between the Indonesian government and GAM remained unsolved throughout the 1990s. By the end of the decade, however, a number of significant changes in Indonesia’s political landscape occurred, beginning with the breakdown of President Suharto’s regime in 1998 and followed by presidential shifts and an incipient democratic transition. These changes proved important for creating favourable conditions for the initiation of peace attempts during the 2000s. These attempts will be analysed in the following sections of this chapter.

4.2 The 2000 peace process

In the late 1990s, Indonesia experienced significant political change as the authoritarian regime of Suharto ended and the new president, B.J. Habibie, introduced initial democratic reforms. In Aceh, the military operation area was ended and some restrictions on the media were lifted (Large and Aguswandi, 2008: 99). Habibie also launched human rights investigations, started a withdrawal of military troops from Aceh and released a number of Acehnese political prisoners (Miller, 2006b: 297). Furthermore, symbolic statements were made by influential leaders in Jakarta. Military General in Chief Wiranto apologized for abuses committed by ‘individual soldiers’ in Aceh (Huber, 2008: 17), and President Habibie made a public apology to the Acehnese for atrocities and human rights violations committed by the military (Large and Aguswandi, 2008: 99). However, the new political approach pushed by Habibie was manifest in more far-reaching ways in other regions. Significantly, the president had given approval for another regional territory, East Timor, to hold a referendum in order to determine the future status of the region, and the result was a vote for independence in 1999. At massive demonstrations and mass rallies – many of which were arranged by student organizations established in early 1998 – calls were made for a similar referendum in Aceh. This request was rejected by the government, which feared that such an initiative would create a domino effect and ultimately lead to a break-up of the state (Aspinall and Crouch, 2003: 6). Some observers have also argued that Aceh’s valuable economic assets, including oil and natural gas, also explain why the government was unwilling to risk secession of the region (Aspinall and Crouch, 2003: 2). GAM was not active in pressing for a referendum; they considered Aceh to
have been an independent nation ‘since time immemorial’ (Aspinall, 2009: 226).

The East Timor experience brought international attention to Indonesia and to armed conflicts taking place within the republic. The end of Suharto’s rule and the increased transparency of Indonesian society that followed from it also meant that public information about the systematic human rights violations committed by the military during the DOM-period increased. This further reinforced resentment among the Acehnese against the Indonesian government and led to stronger support for GAM (Kingsbury and McCulloch, 2006: 209). GAM seized this moment by intensifying their political strategy and calling for international negotiations to be supervised by the United Nations. Beyond such measures at the elite level, GAM also increased their political activities on the ground in Aceh, for example arranging gatherings for people in mosques. Parallel to their intensification of political efforts, GAM continued to engage in guerrilla warfare (Schulze, 2006: 236-237). The movement grew in size, became better organized and increased its base of support and control, especially in rural areas (Sukma, 2004: 2). In late 1999, violent conflict escalated and there were increasing clashes between GAM and Indonesian security forces (Sukma, 2004: 18). At the same time, the GAM leadership in Sweden faced difficulties gaining international attention. Meanwhile, the Indonesian government was challenged by political instability and the weakening of the army in the aftermath of the end of the Suharto regime, so the state’s power in Aceh was very weak (Miller, 2006a: 42) and efforts to crush GAM militarily failed. The state had also suffered due to the Asian financial crisis, and the government faced harsh international criticism for its handling of East Timor’s independence (Aspinall and Crouch, 2003: 8). Severe criticism of human rights abuses in Aceh came from prominent international NGOs, including Human Rights Watch, Amnesty International and the International Crisis Group, as well as from national NGOs, among others Indonesia Imparsial and the Indonesian Human Rights Commission (Kivimäki and Gorman, 2008: 165). These developments proved to provide important impetus for Indonesia’s decision to participate in a peace process.

4.2.1 The Humanitarian Pause agreement

4.2.1.1 Initiation and by whom

In October 1999, there was yet another presidential shift in Indonesia and Abdurrahman Wahid assumed office. He was a man with few links to the military, and he believed in seeking peaceful solutions to communal conflicts (Aspinall and Crouch, 2003: 9). Wahid had announced his intention to deal with the conflict in Aceh personally, and despite resistance from some officials in the Indonesian government and the military, he decided to
explore an approach based on dialogue with GAM (Huber, 2008: 17). Thus, more than two decades after the armed conflict had begun, this created a context for efforts to forge a peace in the Aceh conflict. The Swiss-based Henry Dunant Centre – later known as the Centre for Humanitarian Dialogue (HD Centre) – mediated the process. This low-profile NGO was established by humanitarian practitioners in January 1999. The organization’s mission was to support mediated solutions to armed conflicts in order to protect civilians suffering as a result of them (Huber, 2008: 17). The HD Centre conducted its first ‘assessment mission’ in Indonesia in September 1999. This was followed by a meeting with various Acehnese groups in Aceh in order to discuss the on-going conflict and possible solutions. The assessment mission developed a number of recommendations that were presented to Hasballah Saad, Indonesian Minister of Human Rights Affairs. After a representative from the HD Centre met with President Wahid in Jakarta in November 1999 and offered to facilitate contacts with GAM, their involvement in the peace process was formally recognized (HD Centre, 2003: 6). As Hasballah Saad explains, President Wahid accepted the HD Centre’s offer of assistance because the organization met the three primary requirements that he had for an acceptable mediator: ‘no foreign state; no UN body; and no military institution’ (interview with Hasballah Saad, Jakarta, 30 April 2011). Moreover, the president welcomed outside assistance, because his dialogue approach had received modest support in Jakarta. Just after assuming office, the president had made a statement indicating that he would allow a referendum to be held for Aceh, but the idea was met with heavy criticism from government officials and military leaders (Miller, 2006b: 300). Consequently, the HD Centre’s status was initially unofficial (HD Centre, 2003: 6). Besides exploring the situation in Jakarta, the HD Centre also went to Aceh to further assess the prospects for initiating a peace process. In order for such a process to succeed, they wanted to establish contact with the ‘strongest faction’ of GAM. Accordingly, they talked with various people in Aceh to find out whether they should approach GAM leaders in Stockholm or the MP-GAM faction in Malaysia. The trip pointed them in the direction of the former fraction (interview with Otto Syamsuddin Ishak, Jakarta, 26 April 2011). Importantly, GAM’s military

---

65 In Aceh, HD Centre is commonly known by the acronym HDC. In this thesis, the organization will nevertheless be referred to as the HD Centre, which is the acronym used by the organization itself on their website and in various publications.

66 The core principles of the HD Centre’s activities are grounded in the concept of ‘New Prevention’, which was developed by the organization in September 1999 and used in practice for the first time in Aceh (HD Centre, 2003).

67 The talks that were mediated by the HD Centre were funded by the United States Agency for International Development (USAID), the United Nations Development Program (UNDP) and others (ICG, 2000: 4). The Norwegian government also provided funds throughout the whole period of engagement, from September 1999 until the breakdown of the Cessation of Hostilities Agreement in May 2003 (HD Centre, 2003: 40).
wing in Aceh acknowledged the leadership of di Tiro in Sweden (ICG, 2001c: 6). The GAM leadership also welcomed the dialogue effort and international involvement through the HD Centre (Huber, 2004: 22-23).

In January 2000, a confidential dialogue process was thus initiated with the assistance of the HD Centre. The first face-to-face meeting was held on 27 January in Bavois, Switzerland and included GAM leader Hasan di Tiro and the Indonesian ambassador to the United Nations and other international organizations in Geneva, Hassan Wirajuda, representing the government. The government did not consider the negotiations to be a task for the foreign ministry because it did not recognize GAM as a foreign entity, and thus it was not to be dealt with through regular diplomatic links. Wirajuda had earlier experience facilitating peace processes from his involvement in the 1993-1996 peace process in Mindanao in the Philippines, and this was an important factor in President Wahid’s decision to appoint him as chief negotiator. The meeting in January 2000 was the only negotiation session where di Tiro himself participated directly (interview with Hassan Wirajuda, Jakarta, 28 April 2011). While the security situation in Aceh continued to worsen, GAM and the government agreed to arrange further meetings in Bavois on 24 March and 14-17 April. During these sessions, they discussed a ceasefire and humanitarian issues. The April meeting was arranged as a four-day session to draft a mutual agreement. The agreement was also to be based on the HD Centre’s earlier field assessments and interviews with key stakeholders in Aceh (HD Centre, 2003: 7). Because of the high level of mistrust between the parties – which was due, in part, to the fact that they had been involved in conflict for a very long time – much of the negotiations were conducted indirectly through the facilitators. Furthermore, the process was carried out in secrecy out of concern for the safety of the participants. For this reason, GAM in Aceh did not send their top-level leaders to join GAM leaders from Sweden at the Geneva talks. They did not trust that the government in Jakarta had control over the military and could guarantee a safe trip for GAM leaders from Aceh (interview with Otto Syamsuddin Ishak, 26 April 2011).

To consolidate support on the ground in Aceh, President Wahid sent his acting state secretary Bondan Gunawan to meet with GAM field commander Abdullah Syafi’e. The meeting took place in GAM’s stronghold Pidie in March and was seen as an important measure and indication that an agreement could be reached. Gunawan was the first government official from Jakarta to meet with the leader of GAM’s military wing, and in an interview he described Abdullah Syafi’e’s security concerns and the procedures he took to make sure that the government official was not accompanied by the Indonesian military. For Gunawan, the meeting was an indicator of whether the situation would prove conducive for conducting a dialogue process:
When I went to Aceh, I had in my mind that I only had a one-way ticket. But if I came back to Jakarta, it would mean we could discuss with Aceh people (interview with Bondan Gunawan, Jakarta, 27 April 2011).

This initial dialogue and measures taken to build confidence between the two warring parties eventually led to the establishment of an initially three-month long Joint Understanding on Humanitarian Pause for Aceh in May 2000 (henceforth the Humanitarian Pause).

4.2.1.2 Form and content

The Humanitarian Pause was a written accord signed on 12 May in Bavois, Switzerland by the Indonesian ambassador to the UN in Geneva, Hassan Wirajuda, representing the government of Indonesia and Zaini Abdullah for the GAM leadership (Humanitarian Pause, 2000). The rationale behind the Humanitarian Pause agreement was to focus on facilitation of humanitarian assistance and to reduce violence and tension in order to enable assistance to reach the population, thus limiting the suffering of the Acehnese people. The emphasis on humanitarian concerns reflects the overall approach of the HD Centre. Given the low level of trust between the warring parties and the immovable positions they held, this proved to be a way for them to engage in a ceasefire and initiate a process of interaction without requiring them to immediately address disputed political issues or forcing either one to give up their claims. As one participant in the negotiations on the ceasefire explained:

It was impossible to talk directly about political commitment, so we tried to start from the humanitarian side. That is why it was called a Humanitarian Pause (interview with Otto Syamsuddin Ishak, Jakarta 26 April 2011).

The HD Centre is a small NGO and it lacked the authority to tell the warring parties what to do. What it could do, however, was point to the humanitarian situation and outline security measures necessary to protect safe access (interview with Azhari Idris, Jakarta, 22 May 2010). Moreover, given that one of the objectives of the Humanitarian Pause was expressed as the ‘promotion of confidence-building measures towards a peaceful solution’ (Humanitarian Pause, 2000: Article 1), the parties also managed to take a step towards a peaceful settlement by declaring their intention to engage in a process with a more long-term purpose than merely a three-month pause in the fighting. The importance of communicating the process publicly, through the media or other means, in order to mobilize support for it was also specifically addressed in the accord (Humanitarian Pause, 2000: Article 6).

In order to make these improvements in the humanitarian situation possible and to build support among both the warring parties and the public for a continuation of the process, the agreement included the establishment
of three organizational bodies whose purpose was to enable implementation. The bodies were a Joint Forum and two joint committees. The Joint Forum was the highest organizational body of the Humanitarian Pause and was composed of representatives of the government of Indonesia and GAM, with the HD Centre acting as facilitator. The body was based in Switzerland and its main tasks were to formulate and oversee basic policy, to review the progress of the agreement and to generate the support necessary for its implementation (Humanitarian Pause, 2000: Article 3). The two committees – the Joint Committee on Humanitarian Action (JCHA) and the Joint Committee on Security Modalities (JCSM) – were based in Aceh and charged with carrying out the policy of the Joint Forum. The former was to assess needs of humanitarian assistance and coordinate and ensure its delivery to the people in Aceh. The latter was primarily established to make sure that no military confrontations would be initiated by government’s armed forces or by GAM and that violence and tension in the war-torn region would be reduced. The committee also aimed to ‘prepare ground rules for the conduct of activities’ related to the Humanitarian Pause; to facilitate legitimate or non-offensive presence and movements of armed forces, as well as to ensure that the police functioned properly and the rule of law was upheld in Aceh (Humanitarian Pause, 2000: Article 3).

Each committee included ten members – five appointed by each party to the accord – and the HD Centre acting as a facilitator. Two small monitoring teams – one for each of the two committees – were also set up to supervise compliance. They were composed of persons chosen by GAM and the Indonesian government and approved by the other side. Monitors from the Joint Committee on Security Modalities were responsible for investigating violations of the agreed upon cessation of military action. The findings of investigations were not made public, but reported to the Joint Forum in Geneva (ICG, 2003c: 2).

Hence, a few months after the start of the confidential dialogue, the Humanitarian Pause agreement was reached. It created a structure for new forms of interaction and marked the formal starting point of a confidence-building process. Nevertheless, the agreement also reflected the ongoing conflict, power relations between the parties and the central issue of recognition. The government refused to use the word ‘ceasefire’ in the title of the agreement, because doing so might have been perceived as recognizing GAM as an equal party to the government. The government’s chief negotiator Hassan Wirajuda stressed the sensitivity of the issue:

*A nature of a ceasefire is that it is an agreement between two warring factions or parties and must be preceded by recognition. We tried to avoid the issue of recognition. Therefore, we used the rather neutral term Humanitarian Pause (interview with Hassan Wirajuda, Jakarta, 28 April 2011).*
While the TNI officially expressed their support for the agreement and assured that the military would implement it, there were numerous individual military leaders who did not actually support it. Some of them publicly expressed their personal resentment against the Humanitarian Pause (Sukma, 2004: 19). In addition, the signing of the agreement abroad – and by a high official representing the Indonesian government – was also sharply criticized by politicians in Jakarta and people within the military (Aspinall and Crouch, 2003: 15-16). Hence, as the negotiations themselves were controversial among elements within the government, the presence of an international, third-party monitor of the ceasefire was out of the question for this group (interview with Hassan Wirajuda, Jakarta, 28 April 2011). For GAM on the other hand, the international dimension was an important prerequisite for their coming to the negotiation table and entering into a ceasefire. It was fully in line with their political strategy of internationalization.

4.2.1.3 Implementation and unfolding of the process
The humanitarian ceasefire came into effect on 2 June 2000, and during the first three months violence in Aceh declined significantly. Still, it did not stop entirely – almost immediately after the ceasefire began there were reports of clashes between armed groups (Aspinall and Crouch, 2003: 18). The committees created by the agreement were able to organize and started negotiating safe passage for humanitarian assistance. This was done separately for each humanitarian project, so both the area that was to receive an aid delivery and the organization that owned the project differed from case to case. The duration of the safe passages also varied, starting with shorter projects and then gradually expanding to longer ones (interview with Azhari Idris, Jakarta, 22 may 2010). The Joint Committee on Humanitarian Assistance (JCHA) managed to facilitate the provision of humanitarian aid to several local projects, and the Red Cross estimated that the number of internally displaced persons (IDPs) dropped from approximately 50,000 before the signing of the Humanitarian Pause to an estimated 6000 afterwards (HD Centre, 2003: 25-26).

The initial reduction in violent incidents and the easing of tension after years of violent conflict meant that people could enjoy a relative ‘return to normal life’ for a period of time (HD Centre, 2003: 9). The importance of the committees and their presence is indicated in a report from the International Crisis Group, which emphasized that ‘the sight of jeeps with the blue dove [...] is a new symbolic element holding out some hope of an end to violence’ (ICG, 2000: 5). However, while the creation of safe passages worked well in some areas, it proved to be more difficult in others, something that illustrated the problems of relying on negotiated decisions to change
behaviour in the field. A former employee at the HD Centre noted that different groups had different interests and that some were unwilling to take orders from authorities other than the troop commander. Furthermore, the low level of trust that existed between the parties was evident. For example, the government was suspicious that humanitarian aid would end up in the hands of GAM fighters (interview with Azhari Idris, Jakarta, 22 May 2010). In addition, while the members of the different committees were well aware of the provisions of the Humanitarian Pause, the troops in the field had insufficient information, and this made it more difficult to cooperate and hindered the investigation of incidents. Once the Humanitarian Pause was implemented, both parties also expressed concern that the agreement did not include any mechanism to sanction violations against the ceasefire. The mandate of the monitoring teams was limited to investigating and reporting to the Joint Forum (HD Centre, 2003: 8–9).

That the agreement rested upon shaky ground became more evident in September, when the pause got close to the three-month expiration date. Violence started increasing in Aceh, prompting the Indonesian Foreign Minister to warn that an extension of the agreement would only be made on the condition that GAM ended their attacks on the security forces. When President Wahid, on the very last day of the pause, announced its extension for an additional three months, until 15 January 2001, the Foreign Minister stressed that there would be no subsequent extension (Aspinall and Crouch, 2003: 18). Thus, the ceasefire hesitantly continued, despite the increasingly insecure situation on the ground. In the first six months after the signing of the Humanitarian Pause, an estimated minimum of 221 persons were killed (ICG, 2000: 5). While these numbers remain uncertain, the International Crisis Group (2003c: 2) nonetheless concluded that by the end of 2000 violence was ‘at least as high as before the pause’ and that it was affecting civilians on a large scale.

While the situation on the ground became increasingly unstable, some steps were nonetheless taken in the negotiations. During the Joint Forum meetings held on 23–24 September 2000, the parties made plans to arrange exploratory talks on ‘substantive issues’ (Provisional Understanding, 2001). These exploratory political talks were postponed due to the escalation of violence and a GAM boycott of meetings planned for November, but talks were eventually held in Geneva on 6–9 January 2001 – approximately a year after the first dialogue process had started. This time, the HD Centre was assisted by the Harvard scholar and negotiations expert William Ury, Hurst Hannum from the Fletcher School of Law and Diplomacy and the United Kingdom’s Lord Eric Avebury, who were tasked with facilitating a four-day workshop with representatives of the government and GAM (HD Centre, 2003: 9). This resulted in a Provisional Understanding in which the parties committed themselves to use only non-violent means to achieve their
political objectives and to deepen the process of dialogue in order to find a solution to the conflict guided by the concept ‘Peace Through Dialogue’. The Provisional Understanding also comprised a list of elements to be incorporated in a future negotiated solution, including a democratic process, human rights and humanitarian law, socio-economic development and security arrangements (Provisional Understanding, 2001). While the spokespersons for the GAM and the government continued to press their respective claims of independence and territorial unity, many observers regarded the outcome as a notable step forward. Aspinall and Crouch (2003: 20), for example, described it as a first ‘hint of a real breakthrough’ in the protracted conflict.

When the Humanitarian Pause was about to expire on January 15, the parties decided to establish a one month ‘moratorium’ rather than formally extending it, thus buying time to work out a new security arrangements (Provisional Understanding, 2001). A number of direct meetings were arranged between commanders in Aceh, both from the military and GAM, in order to work out security arrangements and consult about their formulation. This produced new security directives that emphasized co-ordination and communication between commanders. The directive also declared that security arrangements would be developed and implemented ‘indefinitely’ and reviewed at least every three months by the Joint Council (Directive on Security Arrangements, 2001). A total of four meetings took place between commanders in Aceh during February and March (Aspinall and Crouch, 2003: 20). At a Joint Council meeting in Geneva on 14-16 February, the parties also agreed to establish exploratory ‘security zones’ covering the two most violence-prone districts in Aceh: Bireuen and North Aceh. In an initial phase, these were intended to last for approximately two weeks and then be evaluated (ICG, 2003c: 3).

While the process in Geneva and in Aceh continued during the first months of 2001, there were also indications of growing resistance in Jakarta to the peace talks and security arrangements (ICG, 2003c: 3). Notably, spokespersons within the military expressed their doubts about the process and even announced that the stationing of army and police troops in Aceh would be extended (Aspinall and Crouch, 2003: 21).

In comparison to the de-escalation of violence that was visible during the initial months of the Humanitarian Pause agreement, the subsequent moratorium seems to have had little effect on the security situation in Aceh. The first short phase of security zones led to a reduction in violence that lasted only a few days. In addition, there appeared to be significant difficulties with monitoring. During the ceasefire period, the capacity to monitor the implementation of the agreement had generally proven to be low, and monitors were fearful of reporting the truth. The government accused GAM of engaging in violent behaviour within the zones, including
attacking army and police posts, murder and robbery. GAM, in turn, blamed
the government for lacking the capacity to end the violence (HD Centre,
2003: 10) and pressed for the strengthening of the monitoring teams (ICG,
2003c: 3). In reaction to violent incidents, the HD Centre withdrew from the
security zones within a week (Iyer, 2003: 8-10). In this context, the incipient
trust-building process that seemed to be developing at the beginning of the
year became increasingly uncertain.

The killing of a monitor in South Aceh in March, which Brimob was
accused of having committed, further reinforced this sentiment (HD Centre,
2003: 10). Reports that GAM was recruiting members and expanding
territorially (Schulze, 2004: 17) increased the military’s suspicion that GAM
was using the pause to set up alternative government structures. The
government was particularly concerned about GAM’s increasing strength in
the northern industrial area around Lhokseumawe (ICG, 2001c: 8). GAM, on
the other hand, suspected the government was using the protection of vital
industrial sites as an excuse to send in more troops. Months of frequent
attacks on Exxon-Mobil plants and employees had culminated in the latter
half of February, forcing the company to close down its operations in March
2001. This was followed by the closing down of other companies in the area
that were dependent on supplies from Exxon-Mobil (Iyer and Mitchell,
2007: 141). In effort to improve the security situation, talks among the field
commanders were arranged, but no progress was made (HD Centre, 2003:
10).

In this context, in April 2001, Indonesian President Wahid produced a
Presidential Instruction to ‘resolve the Aceh problem’. While it was
presented as a comprehensive initiative, what it meant in practice was that a
military offensive was launched in Aceh. The army had tried to pressure the
president to go so far as to declare a state of emergency in the region (ICG,
2003c: 3), but Wahid had resisted. However, his decision to give the military
an extended mandate to handle the conflict in Aceh must nevertheless be
understood in the context of political competition in Jakarta and the
weakening of the president’s power, which forced him to seek support within
the military (Sukma, 2003: 173). After the Presidential Instruction had been
declared, GAM was formally classified as an ‘armed separatist movement’ by
the government, thus justifying the use of military force against it (ICG,
2001c: 4). An estimated 7000 Brimob troops and 10,000 non-organic
military troops were stationed in Aceh, in addition to 7000 regular police
and 6000 organic military troops (ICG, 2001c: 11-12).

The human rights organization Kontras reported over 500 people killed
between April and August 2001, more than double the number of casualties
that the organization reported for January - April of that year (Aspinall and
Crouch, 2003: 22). In June, the International Crisis Group (ICG, 2001b)
estimated the number of dead and injured was ‘as high as they had been
during the Soharto regime’. Furthermore, hundreds of houses and shops were burnt down, the number of IDPs – which had dropped during the Humanitarian Pause – increased again and numerous checkpoints were once again set up along the roads in the region (HD Centre, 2003: 11). Due to the deteriorating security situation in Aceh, the committees had difficulties carrying out their assignments. A number of international humanitarian organizations scaled back their programs and even closed down offices in Aceh (Aspinall and Crouch, 2003: 19).

In the context of the worsening security situation, the Joint Council met again at the end of June and formulated new directives. However, the parties could not agree on implementation. In the beginning of July the government’s chief negotiator declared that the government had ‘frozen’ the Joint Committee on Security Modalities, and during local talks on security and humanitarian issues held in Banda Aceh, six GAM negotiators were arrested by the local police and imprisoned for a shorter period of time (Aspinall and Crouch, 2003: 23). These incidents took place during a period of political instability in Indonesia. As a result of the instability, President Wahid was impeachment and the former Vice-President Megawati Sukarnoputri returned to office at the end of July 2001. In Aceh, the situation became increasingly tense (HD Centre, 2011).

4.2.2 Derailed process – return to armed conflict

After decades of armed conflict, the ceasefire initiated in 2000 can be considered a breakthrough in the sense that it was the first time the warring parties reached a mutual agreement. As such, it provided an opportunity to take measures to improve the situation for people in Aceh and to build inter-party trust by working out a joint structure to handle issues of cooperation. Nevertheless, the ceasefire did not resolve the conflict, only froze things as they were, and the situation increasingly deteriorated within a few months. By and large, the period was characterized by continuing violence and distrust. The progress that was made is better described as sporadic glimpses of progress rather than as robust and continuous peace initiatives. The Humanitarian Pause was primarily an agreement between the leadership of GAM and the government that focused on security arrangements and a cessation of violence in Aceh within a limited time frame. As the process unfolded there were no significant changes in the parties’ behavioural patterns. Although there was an initial de-escalation of violence, the agreement was violated from the very beginning. Furthermore, the committees set up to facilitating projects for humanitarian improvements did not function as intended. The government’s military troops remained in the region and reports indicate that GAM gained military strength.

To some extent it appears that elite-level negotiations and the situation on the ground were moving in somewhat different directions, with more
progress being made in the former. As described in a report from the International Crisis Group (2003c: 3) ‘each step in the negotiation process seemed to produce a breakthrough that, in fact, never materialized’. While the cession of violence was mainly justified with reference to humanitarian goals, the parties also declared that their aim was to find a peaceful solution to the conflict, which was a statement of symbolic importance. Furthermore, the parties outlined a broad framework describing how future discussions on political issues could be carried out. Nonetheless, at the end of the day the parties remained firmly committed to their positions and no fruitful discussions on core issues were held.

Given the deterioration of the situation on the ground, the failure to implement the ceasefire agreement and the absence of real steps towards a political settlement, the parties seem to have had few incentives to take any further action to expand the initial agreement on peaceful engagement. For GAM, a central reason to engage in the process seems to have been to gain recognition. To enter into a formal agreement with the government – especially one that was worked out in an internationally-backed process – enhanced the status of the movement. GAM also gained an opportunity to increase its military strength and expand its public support. The government, on the other hand, made efforts to minimize the status of the agreement by refusing to call it a ceasefire. As the process proceeded, President Wahid increasingly faced intra-party difficulties rooted in discontent and pressure from both politicians in Jakarta and people within the army, in part due to the international dimension of the agreement. According to Hasballah Saad, the former Minister of Human Rights who was mandated by the president to deal with the Aceh conflict during the 2000 peace process:

*We did not achieve very much because, at that time, we had two wings within the government. One [of them] we called the ‘hawk’s’ wing, that is the military wing, and some of these [people] wanted to solve Aceh with military operations. But the other part, a small part of the military and my group of civilians, wanted to solve Aceh by peace* (interview with Hasballah Saad, Jakarta, 30 April 2011).

Thus, within the Indonesian national elite, there were internal fractions and a lack of common understanding about how to handle the conflict in Aceh. This created an ambiguity in the government’s actions and challenged efforts to find a peaceful settlement to the protracted conflict.

---

68 There was also some initial resistance within GAM. The leader of Malaysian faction MP-GAM, Don Zukfahri, condemned the Humanitarian Pause agreement. However, the day before the agreement came into effect Zukfahri was killed by an ‘unknown gunman’ in Kuala Lumpur. It was rumoured that Indonesian intelligence may have played a role in his assassin, but there was no evidence to validate the accusation (ICG, 2001c: 6).
4.3 The 2002 peace process

The next ceasefire agreement in Aceh was signed approximately two and a half years after the Humanitarian Pause, and almost three years after the initiation of the first confidential dialogue process between the Indonesian government and GAM. After the increase in violence and hostilities that began in April 2001, some sporadic, small-scale efforts were made to restart a process. Although it kept a lower profile, the HD Centre had maintained its office and staff in Aceh, and it tried to build confidence among the parties to engage with one another (HD Centre, 2011). The Indonesian government continued to rely mainly on military offensives to handle the Aceh problem—an approach that had gained increased support after President Megawati assumed office (ICG, 2002: 8). While Megawati followed the example of earlier presidents and apologized for the suffering of the Aceh people, she neither withdrew troops nor eased the intensity of the security operations. In comparison to former presidents Habibie and Wahid, Megawati had closer links with the military and was keen to have their support for her presidency (Miller, 2006a: 249-251). In October 2001, she extended the counter-insurgency approach launched by Wahid in April (Huber, 2004: 26), and in February 2002 she approved the re-establishment of regional military command in Aceh (Jemadu, 2006: 280).

It was difficult for observers to form a reliable picture of the military situation during this period. Nevertheless, the International Crisis Group suggests in a report from early 2002 that although the military offensive had weakened GAM, there were no signs that the movement was close to a defeat (ICG, 2002: 2). The same report estimated that the number of TNI, Brimob and Polri was about 25,000-30,000 (of which approximately 17,000 were army soldiers) and that the number of GAM fighters had dropped from approximately 3000 to 2000.69 The report also concluded that GAM had lost control over some areas, and that they now controlled only 30-40 percent of the territory in the province.70

In January 2002, GAM field commander Abdullah Syafi’e was killed in a secret hideout place. The killing was carried out by Indonesian security forces three days after Syafi’e had been invited to peace talks by the provincial governor in Aceh, Abdullah Puteh. In addition, human rights violations were taking place on a daily basis in Aceh. The violations were being committed by both soldiers and police and GAM fighters. The number of fatalities in Aceh has been estimated to have been an average of two to

69 These numbers do not include members and supporters without ‘modern weapons’, which was estimated to be much higher (ICG, 2002: 2).
70 It is emphasized in the report that these figures are uncertain and that the expanding of territorial control constantly changed depending on the degree and characteristics of military operations in the region. Nevertheless, they give an indication of changes in control.
three persons per day after the breakdown of the 2001 Humanitarian Pause. For every government soldier or GAM guerrilla killed in the conflict, an estimated four civilians lost their lives (ICG, 2002: 2). In addition, student organizations and NGOs that had been central drivers of the referendum movement had largely been silenced and forced underground, and many members were arrested or killed (Miller, 2006a: 249). Hence, while the government managed to weaken GAM’s military capacity through extensive counter-insurgency operations, levels of violence in Aceh remained high and the operations showed few signs of coming closer to an end (ICG, 2003c: 5).

While President Megawati had declared her intention to increase efforts to resolve the conflict in Aceh, in many ways her approach was ambiguous. It was not obvious whether she would continue to use military means or whether she would pursue efforts to handle the conflict peacefully. When she ran for president in 1999, Megawati promised that ‘no blood would be spilled in Aceh’ if she was elected (Sukma, 2003: 175). She also selected former chief negotiator Hasan Wirajuda to be her foreign minister and Susilo Bambang Yudhoyono to be coordinating minister for political and security affairs. Both men were seen as favouring the search for a peaceful solution (HD Centre, 2003: 12). At the same time, it had soon become clear that her presidency prioritized political stability over democratic reforms. When several violent struggles intensified in various regions across the archipelago, she explicitly declared the territorial integrity of Indonesia to be of foremost importance (Sukma, 2003: 175). In the end, Megawati’s approach to Aceh came to be characterized as a ‘dual approach’, with military offensives launched in effort to defeat GAM and at the same time as efforts were made to resume dialogue (ICG, 2003c: 5-6).

4.3.1 The Cessation of Hostilities Agreement

4.3.1.1 Initiation and by whom

In the midst of continued military operations in Aceh, the Indonesian government announced that they would meet GAM again on 2-3 February 2002 in Geneva. During this session, the parties agreed to resume the political dialogue and to use this approach as way of managing the conflict (ICG, 2002: 1). As before, the talks were facilitated by HD Centre. This time however, an extended mediation team had been created that included a number of international officials referred to as the ‘wise men’ (Huber, 2008: 18). The team was formed by the HD Centre to assist and advise the parties in the talks. Its role was to provide expertise and exert influence on the parties in order to reach a mutually acceptable solution. The team was comprised of three former senior diplomats: Anthony Zinni, retired United States’ Marine Corps General and United States’ envoy to the Middle East; former Foreign Minister of Thailand Surin Pitsuwan, and the former Foreign
Minister of the Federal Republic of Yugoslavia and former Yugoslav ambassador to Indonesia, Budimir Loncar (HD Centre, 2003: 11-12). GAM had demanded that international involvement be strengthened as a condition for them returning to the negotiations. Importantly, they argued that they did not trust the government after the earlier imprisonment of GAM negotiators (ICG, 2002: 9). GAM also thought that increased internationalization through the engagement of the ‘wise men’ was important for the image of the whole process (interview with Nur Djuli, Banda Aceh, 12 May 2010). In the same way, holding meetings outside Indonesian territory was considered important in order to gain international legitimacy and the attention of influential actors on the international scene (Schulze, 2006: 240-241). The idea of a team of ‘wise men’ had been raised before Megawati became president, and when she took office her government approved the participation of the ‘wise men’ team-members on the condition that they were not to be regarded as representatives from their own countries, but were to operate as individuals and advisors to the HD Centre (Aspinall and Crouch, 2003: 27). The government had also tried to delegate the negotiations to the provincial level in order to keep the conflict a domestic issue, but GAM insisted on dealing with the central government (ICG, 2002: 9).

On 10 May 2002, the government and GAM made a joint statement based on the February talks and subsequent talks held in early May. The statement was referred to as a point of departure in the ceasefire agreement that was subsequently signed by the two sides. Besides recognizing earlier progress made in reaching understandings and difficulties experienced in implementing them, the statement declared that the parties’ aim was to engage the whole Acehnese society in a ‘democratic, all-inclusive dialogue’ (Joint Statement, 2002). Furthermore, it said that a law on special autonomy – Law No18 on Nanggroe Aceh Darussalam (NAD law) signed by president Megawati in August 2001 – would be used as a starting point in negotiations. The NAD law was originally grounded in an initiative introduced by a small Jakarta-based Acehnese delegation in the Indonesian parliament (Miller, 2006b: 301). Signing the law was one of the first major initiatives Megawati took as president. The law proclaimed ‘special autonomy’ for Aceh, which meant that the region would have a special solution on economic revenue, local government and the influence of Islamic law. Accordingly, this law was supposed to stand in contrast to the general ‘regional autonomy’ package.

---

71 The wise men team first included a fourth member: the former Deputy Prime Minister of Malaysia, Tan Sri Musa Hitam. However, GAM objected his involvement as they questioned Malaysia’s support for the Acehnese cause. Consequently, he decided to withdraw from the team (HD Centre, 2003: 12). In the last period before the CoHA agreement broke down a Swedish ambassador – Bengt Söderberg – was also introduced as a ‘wise man’ (Jakarta Post, 2003).

72 This can be translated as ‘Aceh: Abode of Peace’ or ‘Aceh: House of Peace’.
that had been offered to other areas across Indonesia earlier that same year (ICG, 2001b).

In the Joint Statement the parties also expressed the intention that within a reasonable period of time they would reach an agreement on a cessation of hostilities and make sure that the agreement included ‘an adequate mechanism for accountability of the parties to such an agreement’ (Joint Statement, 2002). The agreement was intended to build on the earlier Humanitarian Pause agreement and arrangements from the commander-to-commander meetings (HD Centre, 2003: 15).

The intention to engage in a ceasefire was announced seven months before the second ceasefire – the Cessation of Hostilities Framework Agreement (CoHA) – was actually signed on 9 December 2002. While the Joint Statement in May created a mandate for a ceasefire agreement, the months between the declaration and the signing of the agreement indicate how many challenges the parties faced when they sought to formulate it and agree on its provisions. While GAM was not ready to abandon its goal of independence, the government considered the law on special autonomy for Aceh to be a solution to the problems in the region that would nonetheless keep Aceh a part of Indonesia. Accordingly, the government sought to persuade the Acehnese to accept the offer. At the same time, they continued to use military means in order to either eliminate GAM or weaken the movement to the extent that it would accept the law and the concept of special autonomy (Miller, 2006a: 250). The government also publicly expressed their concern with GAM’s behaviour in the field, referring to them as a ‘terrorist organization’ and threatening to declare a state of emergency in Aceh. Eventually, the government set an ultimatum for GAM to sign a ceasefire agreement by the end of the Muslim fasting month on 7 December (HD Centre, 2003: 17). In this context, various external actors, including the United States, European Union (EU), Japan, Canada and the World Bank, also engaged in efforts to bring about a cessation of hostilities agreement. They sought to negotiate with the parties and to use the economic rehabilitation of Aceh as an incentive for initiating a ceasefire (Schulze, 2006: 259). On 3 December 2002, no fewer than sixteen states and a number of international organizations participated in a conference in Tokyo, where pledges were made to support the dialogue process in Aceh and the funding of an international monitoring team to be located in the region (HD Centre, 2011). According to Bambang Dharmono, deputy force commander for TNI in Aceh during the process:

_The government was willing to sign the CoHA, so the military mission was to support this by pushing in the field, to pressure the armed wing of GAM in the field until they wanted to sign the CoHA (interview with Bambang Dharmono, Jakarta, 29 April 2011._)
4.3.1.2 Form and content

The CoHA agreement was finally signed on 9 December 2002 by Ambassador Sastrohandoyo Wiryono representing the Indonesian government and Zaini Abdullah representing the GAM leadership. This time, the agreement was also witnessed by Martin Griffiths on behalf of the HD Centre (CoHA, 2002). In early 2002, Ambassador Wiryono had succeeded Hassan Wirajuda as the government’s chief negotiator when the latter became foreign minister in Megawati’s government. As head of the government delegation, Ambassador Wiryono reported to the coordinating minister for security and politics, Susilo Bambang Yudhoyono (interview with Sastrohandoyo Wiryono, Jakarta, 27 April 2011). After the joint meeting in May 2002, the parties did not meet again in Geneva in the months prior to the CoHA, but they came together for the signing of the agreement (HD Centre, 2003: 27-28). The agreement was built on experiences from earlier agreements between the government and GAM. Nevertheless, in comparison to the previous Humanitarian Pause agreement, CoHA was more detailed and comprehensive, which indicated the parties’ ambition to produce a stronger accord. This time the agreement stated that hostilities and all acts of violence were to cease ‘forever’ in Aceh, not just for a limited period of time (CoHA, 2002: Article 5). Furthermore, the objective behind ending hostilities was more explicitly expressed as to enable progress towards the ‘next phases of the peace process’ (CoHA, 2002: Article 1). Thus, while the CoHA was not a peace settlement, it was a framework for discussions of peace based on the assumption that ‘if indeed hostilities and all acts of violence could decrease dramatically, or even cease altogether, during this first three month period [...]’ it would be considered that ‘[...] the peace process would most likely succeed’ (CoHA, 2002: Article 5). Accordingly, in comparison to its predecessor, the CoHA had a more comprehensive political dimension, with the May 2002 statement about an ‘all-inclusive dialogue’ as point of departure. The parties confirmed their commitment to engage in a process intended to lead to the holding of elections for a democratically elected government in Aceh in 2004, which was in accordance with the review of the NAD law (CoHA, 2002: Preamble). The provisions and undertakings in the CoHA also point to some of the challenges experienced during the Humanitarian Pause period. For example, the CoHA took a ‘bottom up’ approach as it dealt with issues closer to the field and involved decision makers on the ground. The agreement also emphasized that TNI/Polri and GAM forces guaranteed that they were in control of both their own forces on the ground and other armed elements claiming to represent either party (CoHA, 2002: Article 2).

The CoHA was based on two organizational bodies: the Joint Council and the Joint Security Committee (JSC). The Joint Council included the senior leadership from the warring parties and the facilitators from the HD Centre.
The body was charged with resolving all disputes regarding the implementation of the agreement that could not be dealt with by other structures in the agreement. The latter body – the JSC – was a reinvention of the Joint Committee on Security Modalities from the Humanitarian Pause, although some changes in objective, mandate and tasks had been made and the name had been slightly modified. It can also be noted that, in contrast to the Humanitarian Pause, the CoHA did not have a dual structure, that is, there was no second committee to deal specifically with humanitarian matters. The JSC was to formulate a plan for the implementation of the agreement, monitor the security situation, investigate and report violations and – if abuses were committed – take measures to restore the security situation before sanctions had been decided on. The parties to the CoHA also agreed to a phased-in time plan for the demilitarization of GAM combatants, which was expected to be completed within five months, and to a parallel process in which military forces would relocate and transform themselves from striking forces into defence forces (CoHA, 2002: Article 3).

The composition of the JSC indicates an ambition to establish a clearer line of decision-making than characterized the organizational structure of the JCSM in the Humanitarian Pause, and the importance of employing senior officials with authority to make instant decisions was emphasized. GAM, the government and the facilitators were each to choose one senior representative and these representatives, in turn, were to select a maximum of four additional members of the committee (CoHA, 2002: Article 3). Hence, the JSC constituted 15 persons stationed in Banda Aceh. Furthermore, the JSC was assisted in the implementation of the ceasefire agreement by a monitoring team tasked with monitoring the security situation and investigating violations of the agreement. In this way, the team was supposed to function as a security guarantee for both warring parties (CoHA, 2002: Article 3). The HD Centre was responsible for setting up the international monitoring mission, and the mandate and duties of the mission were declared in a separate Status of Agreement signed in Jakarta on 16 December 2002 (SOMA HAMM, 2002). The SOMA confirmed that the monitors would be unarmed and that the final responsibility to ensure the safety of the monitors rested with the government (SOMA HAMM, 2002: Article 4, 5). In total the monitoring team consisted of 150 monitors – 50 each from GAM and the army as well as 50 monitors from Thailand and the Philippines. The monitors were grouped into tripartite teams and deployed in field offices throughout the province (Huber, 2004: 11). As with the international advisory group of 'wise men', the Indonesian government emphasized that the foreign monitors were not to be regarded as representatives of their own countries, but as responsible to the HD Centre (Aspinall and Crouch, 2003: 33). GAM had demanded an internationalization of the monitoring team and hence welcomed the
structure, but they were dissatisfied with presence of monitors from the Philippines, which they considered a pro-Indonesian state. Fuelling this suspicion was the fact that Philippine government faced its own separatist conflict in Mindanao, which GAM thought made it sympathetic to the Indonesian government, and that the Indonesian and Philippine armed forces had conducted a joint-training exercise (interview with Michelle Ann Miller, Singapore, 8 April 2011).

The concept of ‘peace zones’ was also introduced in the CoHA agreement. This referred to ‘locations of conflict’ designated by the JSC in cooperation with the senior leadership of security from both warring parties (CoHA, 2002: Article 4). By focusing attention on efforts to improve security in geographically bounded areas, the peace zones were intended to facilitate the work of the JSC as well as to move the implementation of the agreement closer to people in the field. The parties agreed not to carry weapons in these zones and not to transfer new forces into them (ICG, 2003c: 10).

4.3.1.3 Implementation and unfolding of the process

The agreement was to be implemented in a two-step process, starting with a two-month confidence-building phase to be followed by a five-month demilitarization phase beginning in February. The agreement seemed to be working quite well in the initial phase. The organizational structures were put into place relatively quickly and levels of violence dropped significantly. As early as 20 December, the JSC met for the first time in Banda Aceh, and during the first month it set ground rules and agreed on a mechanism for information exchange and guidelines for the monitoring team. It also came to an agreement about procedures to verify incidents, which were to be carried out by a special-projects team, and agreed on guidelines for sanctioning responsibility. On 24 December, the first monitors from Thailand and the Philippines arrived and they were ready to operate after a few days (HD Centre, 2003: 19-20). Within a few weeks, more than half of the monitors were in place, including representatives from the government, GAM and the internationals (ICG, 2003c: 10). Furthermore, donor pledges made during the Tokyo conference came through quickly, and these resources facilitated the implementation process (HD Centre, 2003: 19).

The first peace zone was established in a public ceremony on 25 January 2003, and by 8 February six more areas had been chosen and a specific Agreement on Peace Zones had been created (Agreement on Peace Zones, 2003). In comparison to the security zones of 2001, which had proven highly ineffective, the first peace zone was established at the sub-district level rather than district level and was not located in the most violent-prone area (ICG, 2003c: 3). The month following the establishment of the first peace zone in Indrapuri, Aceh Besar, passed without reports of violations within the zone (ICG, 2003c: 10).
At the end of January the JSC announced that it was sanctioning both GAM and the government after investigating offences of the agreement. The committee did not have the authority to penalize the parties – only to observe and report (interview with Azhari Idris, Jakarta, 22 May 2010). Still, for the first time the parties had worked out a joint mechanism to determine responsibility for ceasefire violations with the help of a third party. Moreover, after the signing of the Cessation of Hostilities Agreement there was a significant decrease in violence. Civilian casualties, violent clashes between armed elements and destruction of property that was characteristic of the violent conflict dropped almost to zero (HD Centre, 2003: 24). The decrease in violence raised hopes and expectations across the province, and this was manifest visibly as people began travelling and staying out later in the evenings. Furthermore, during the first two months of the CoHA a number of donor teams visited Aceh in order to assess the need for assistance so that they could support the peace process and provide tangible ‘peace dividends’ for people in the region (ICG, 2003c: 10-11).

The demilitarization process was scheduled to start on 9 February. Thereafter its progress was to be assessed every month for five months (ICG, 2003c: 1). According to the terms of the agreement, GAM pledged ‘the placement’ of its weapons, and the government pledged to relocate the TNI (CoHA, 2002: Article 3). However, the placement of weapons and relocation became a source of differing interpretations. While the military understood placement to mean disarmament, GAM saw it as retaining control of their weapons but not using them. Hence, they did not intend to completely give up their arms. In an effort to resolve the problem, it was proposed that the guns would be stored in a facility accessible to both parties and to the mediators. GAM rejected the proposal, as well as one in which only GAM and the HD Centre would have access. Eventually, the parties came to an agreement that GAM was to store the weapons themselves and allow the HD Centre to frequently check that they were still in place (ICG, 2003c: 9). Thus, while progress had seemingly been made during the initial phase of the ceasefire period, problems arose during the implementation of the demilitarization process due to mistrust and different views about what, exactly, demilitarization should include (ICG, 2003a: 1). As noted by Bambang Dharmono, former deputy force commander of the TNI in Aceh, the TNI did not believe that GAM was implementing the placement of their weapons because they never got to see any weapons being turned in (interview with Bambang Dharmono, Jakarta, 29 April 2011). Furthermore, the parties also had different views about the meaning of a relocation of the TNI. From GAM’s viewpoint, the military was to relocate all its troops back to the headquarters at their respective levels and dismantle military posts. The government, on the other hand, did not see the relocation as a reduction in military capacity in Aceh, but simply a shift from an offensive to a
defensive position in the peace zones. This would be accomplished by increasing their distance from GAM posts in cases where the two sides’ military posts were too close to each other (ICG, 2003c: 9). The responsibilities undertaken by each party in the CoHA were thus continuously negotiated, and by the end of February the government made an appeal to delay their demilitarization until 9 April. GAM accepted this request and responded by delaying their own undertakings accordingly. However, when the placement and demilitarization were supposed to begin in early April, neither party accepted the other’s proposal on how the process would be carried out (HD Centre, 2003: 20).

Hence, incipient problems with the implementation of the CoHA agreement became evident as early as February 2003 and can be traced to contentious issues in the negotiations about the form and content of the agreement. Indeed, the parties had different interpretations about what they had agreed to in the CoHA as regards how the process was supposed to proceed. From the beginning of the negotiations, GAM had argued that the mentioning of the NAD special autonomy law in the agreement was only to be regarded as a starting point for discussions. From their perspective, they had neither accepted nor rejected it, thereby leaving open the possibility of independence. The government, on the other hand, argued that the agreement implied an acceptance of autonomy within the Indonesian state (ICG, 2003c: 7). As a result of these different positions, the drafting of the agreement had been preceded by numerous discussions about how to get the wording right. GAM wanted to use the term ‘review’ of the NAD law in order to leave open the possibility of saying yes or no – i.e. of rejecting it. The government favoured the word ‘refine’, which they saw as an acceptance of the law as a point of departure, but leaving open the possibility of improving it without making any major changes. While the parties finally accepted the word ‘review’, there was nonetheless no common understanding between them about which direction the process was taking (interview with Nur Djuli, Banda Aceh, 12 May 2010).

Many observers also stressed that the NAD law had a number of shortcomings, and enthusiasm for it among the Acehnese was limited. Of central importance was the fact that the NAD law made it difficult for GAM to engage in the political process and transform itself into a political party. Indonesian law does not permit the establishment of local political parties, and the NAD law made no exception to this for Aceh (ICG, 2003c: 4). In addition, the public did not participate the process of formulating the law, and it did not address retribution and compensation for earlier human rights

---

73 Nur Djuli stresses the importance of leverage used by the international diplomats in reaching an agreement about which word to use. An informal discussion between the author and another person present at the negotiations confirmed that there were many discussions about the meanings of different words and translations during the negotiations.
abuses. Because they remembered earlier broken promises for special autonomy in Aceh, many Acehnese were sceptical that the law would bring about any real change (Miller, 2006b: 304). As one interviewee explained:

_The Indonesian government wanted to use the peace process as political instrument to push GAM to agree with special autonomy. But on the GAM side, they very much believed they would get independence during that time_ (interview with Otto Syamsuddin Ishak, Jakarta, 26 April 2011.)

While the level of violence declined significantly when the CoHA was signed, it started to increase again shortly after the demilitarization process began. In March and April some JSC district offices were threatened and attacked in Central and East Aceh, and after these incidents international monitors were relocated to Banda Aceh (ICG, 2003a: 1). While international involvement had been expanded in comparison to the Humanitarian Pause period, Aspinall and Crouch (2003: 50) argues that many international leaders still kept a low profile on the Aceh conflict. Importantly, they were unwilling to jeopardize their relationship with the government in Jakarta because Indonesia was seen as an important partner in the ‘war on terror’. As for the United Nations, its experiences in East Timor and the impact that their involvement had had on relations with Jakarta complicated the UN’s involvement in Aceh.\(^{74}\)

When the student organization SIRA arranged new rallies calling for a referendum on independence, their leader was arrested. This incident was followed by several similar arrests of civil society activists between February and May (Jemadu, 2006: 283). The government considered civil society in Aceh in general, and SIRA in particular, to be associated with GAM. Allegations were also made that GAM was intensifying their activities to mobilize support for independence and to expand their control over administrative structures throughout the region (HD Centre, 2003: 21).

As the CoHA was showing signs of breaking down, the Indonesian military started preparing for another operation to defeat GAM by military means, and public support for such an approach grew stronger among many non-Acehnese (Sukma, 2004: 21). After weeks of deterioration in the security situation, efforts were made to arrange a Joint Council meeting in April 2003 to discuss the situation. However, the parties could not agree on a date and the meeting was never held (HD Centre, 2003: 21). After additional efforts, they managed to arrange a session of talks in Tokyo in May, but no progress was made on political issues. GAM continued to insist on independence for Aceh and the government insisted on maintaining the unity of the state (Aspinall and Crouch, 2003: 10). Moreover, the tension

---

\(^{74}\) Huber (2004: 60) stresses that while the United Nations did not engage in public diplomacy in Aceh, it nonetheless frequently exchanged information with the HD Centre about how the process was proceeding.
between the parties had further escalated when the military prohibited GAM negotiators based in Aceh from traveling to Tokyo. Only a few hours after the meeting, the JSC was dissolved and President Megawati declared martial law in Aceh, beginning the next day, 19 May 2003 (Yamin and Daorueng, 2003). This was followed by the largest military operation ever launched in the region (Huber, 2008: 19).

4.3.2 Derailed process – return to armed conflict

Just like the first peace process, the second process also derailed. However, compared to the Humanitarian Pause, this ceasefire agreement can be described as more comprehensive, insofar as it was more detailed and substantive, included a more active role for conflict regulatory mechanisms and included a more evident political dimension with links to the broader peace process. Through the commander-to-commander mechanism (an idea briefly introduced in the end of the previous peace attempt), decisions, actions and responsibility moved closer to actors operating in the field. In the beginning there were observable behavioural changes and a significant drop in violence, which improved the security situation in the region and raised hope among the public. During this ceasefire, there was greater implementation of agreed-upon measures and new steps were gradually taken. One example of this is the peace zones agreement, which was more robust than the previous effort to create security zones and was at least partly implemented. Importantly, the parties also managed to cooperate for the first time to mutually determine responsibility for violations. Furthermore, together with experiences from the previous ceasefire, people from each side had more time to interact and become familiar with one another. The greater international engagement through the international advisory team and the monitors was also an incentive for GAM to engage in the process.

Nonetheless, the parties still had different views about the meaning of the agreement and the intentions of the other side. The government still envisioned a future peace settlement within the context of a unitary state based on the NAD law, while GAM saw the CoHA as a gateway to elections and independence. As a former GAM negotiator described it ‘they won’ with the CoHA, because it stated that elections should be held, and GAM was confident that this would result in a referendum in favour for independence (interview with Nur Djuli, Banda Aceh, 12 May 2010). Thus, what had been perceived as possible signs of changes was, in practice, not change. Both parties stayed firm to their entrenched positions. Furthermore, by the time of the breakdown of the peace process, the ‘hardliner’ approach within Indonesian politics that favoured a ‘no compromise’ position had gained dominance (Aspinall, 2005a: 9). During the Megawati presidency, the military regained influence in politics and proved to be sceptical towards
peace negotiations. Many in the military were convinced that the only way to solve the Aceh problem was through military means. In the context of increasing violence, problems about the implementation of the demilitarization process and growing suspicion between the parties, extensive military operations were launched again.

4.4 The 2005 peace process

The breakdown of the CoHA in May 2003 was the starting point for what became the most violent phase of the armed conflict in Aceh. Megawati’s presidential decree of martial law put Aceh under the rule of the military for an initial six months. This was subsequently extended to one year, and was followed by a softer civil emergency from 18 May 2004 (Eye on Aceh, 2011). During the period of martial law and civil emergency in Aceh, outsiders’ access to the region was very limited. It was practically closed to foreigners, which meant that most international observers and human rights NGOs were denied access to the region. To large extent, the TNI controlled the flow of information (ICG, 2003b), and the Indonesian government advised humanitarian agencies, for example from the UN, to leave. Martial law also limited the opportunities that domestic human rights organizations had to campaign against the war. Despite this, as much as possible, these organizations continued to monitor human rights violations and spread information about atrocities (interview with Hendra Fadli, Banda Aceh, 17 May 2010). The civilian Acehnese population was significantly affected by the deterioration in the security situation in the region and many people fled the country (HRW, 2003: 4). Estimates of human rights violations committed during the period are high, and they were done with total impunity (Kivimäki and Gorman, 2008: 177). In October 2003, five members of GAM who had participated in the negotiations of the CoHA agreement were convicted of treason and terrorism and sentenced to 12-15 years in prison (Huber, 2004: 5). A notable portion of the armed wing of GAM was either killed or imprisoned. Thus, the government’s military operations significantly weakened GAM’s capability to fight (interview with Muslahuddin Daud, Banda Aceh, 11 May 2010). Nevertheless, the army’s offensive had more severe consequences for the ‘lower ranks’ of the movement than those higher up. The leadership of GAM remained largely intact (Jones, 2005). Moreover, martial law proved to be a tough experience for the government as well, which continued to face difficulties in solving the Aceh problem by military means.

In the autumn of 2004 new political changes occurred in Jakarta. This time, Susilo Bambang Yudhoyono assumed the office of the president in October 2004 after winning the first direct presidential elections ever held in Indonesia. Yudhoyono’s military background proved to be an asset when he
stated publicly that the conflict could not be solved by military means. This is because he was seen as having credibility on the matter of what the military could accomplish and because his contacts within the army protected the peace process from potential spoilers. Another important actor in the new government was Vice-President Yusuf Kalla (Large and Aguswandi, 2008: 92-97).

Kalla and Yudhoyono had both been part of the previous government, with Kalla serving as President Megawati’s coordinating minister of people’s welfare and Yudhoyono as her coordinating minister for security and politics. Hence, they were both familiar with the various issues in the negotiations in Aceh as well as with the difficulties faced in earlier attempts. Notably, Yudhoyono had been a central figure in negotiating the CoHA agreement and in persuading the government to agree to foreign assistance to mediate and monitor the process (ICG, 2003c: 2, 5). In addition, a key issue and priority on his political agenda was to continue to transform the Indonesian state by separating the army from politics and renewing its structure. Yudhoyono and Kalla also had important political experience settling domestic conflicts in Poso and Ambon. In his presidential campaign Yudhoyono promised to search for a non-military solution to the conflict in Aceh (Merikallio, 2006: 36). Once elected, however, he made no public announcement about immediate initiatives to be taken in order to search for such a solution. Rather, in November 2004 the state of emergency in Aceh was extended for another six months (Jones, 2005).

On 26 December 2004, Aceh was severely damaged by a tsunami triggered by an earthquake in the Indian Ocean. The tsunami killed approximately 160,000 people in Aceh and left many other Acehnese homeless. The waves destroyed much of the capital city of Banda Aceh, as well as numerous coastal villages (Large and Aguswandi, 2008: 101). After having been closed to most foreign organizations and media for 18 months, massive international attention was now suddenly turned towards the region for humanitarian relief and reconstruction. Both donor states and humanitarian organizations increasingly pressured the parties to resume negotiations.

Although a new peace process did not gain momentum until after the tsunami catastrophe, initial contacts had nonetheless been initiated prior to it (Ahtiisaari, 2008a: 10). In June 2003, Juha Christensen, a Finnish businessman acting on his own initiative, started discussions with GAM leaders in Stockholm about the possibility of resuming talks with the Indonesian government. Christensen had been living and working in

---

75 Already in ICG reporting from 2000, Susilo Bambang Yudhoyono – at that time the Coordinating Minister for Political, Social and Security Affairs – is introduced as a person representing a ‘middle ground’ within Indonesia’s political elite between a more peacefully oriented approach and more confrontational one (ICG, 2000: 7).
Indonesia for several years, and he had developed good, in-depth insight into various aspects of Indonesian culture. He was confident that he had the experience and understanding necessary to navigate the politics of negotiations in this cultural setting. He also thought that he was capable of ‘assuring people what is possible’ in terms of reaching a political settlement (interview with Juha Christensen, Jakarta, 29 April 2011).

In late 2003, Christensen crossed paths with Indonesian deputy coordinating minister for people’s welfare, Dr. Farid Husain, during a business meeting in Jakarta. In a process parallel to Christensen’s, a few weeks after the breakdown of the CoHA, Husain had been assigned by Yudhoyono and Kalla to explore the possibility of renewed negotiations with GAM by trying to gain the trust of the GAM leaders (interview with Dr Farid Husain, Jakarta, 3 May 2011). In February 2004, Christensen approached former Finnish president and well-known international mediator Martti Ahtisaari. Ahtisaari became involved in the developing process a few days before Christmas 2004 as Christensen met him and informed about the progress that had taken place since their February meeting (interview with Juha Christensen, Jakarta, 29 April 2011; Ahtisaari, 2008b: 22). As mediator in the new process, Ahtisaari got involved by virtue of his position as chairman of the Crisis Management Initiative (CMI) – a Helsinki-based NGO founded by him in 2000 with the aim of engaging in conflict resolution and peacebuilding around the globe (CMI, 2011). Both parties also confirmed their intention to hold peace talks, and they were positive to having Ahtisaari as mediator (interview with Juha Christensen, Jakarta, 29 April 2011). Hence, while the tsunami often has been referred to as a ‘blessing in disguise’ in relation to the ending of the Aceh conflict, the agreement to talk and the involvement of the mediator Ahtisaari was initiated before the tsunami hit Aceh (Aspinall, 2009: 232; Aspinall, 2005b: 19; Ahtisaari, 2008: 22).

4.4.1 The Memorandum of Understanding agreement

4.4.1.1 Initiation and by whom

At the first meeting Christensen attended with the GAM leadership in Stockholm in 2003, they indicated a willingness to re-open a dialogue with the government, but insisted that a ceasefire was a prerequisite to any new talks (interview with Juha Christensen, Jakarta, 29 April 2011). The day after the tsunami at the end of December 2004, GAM declared a unilateral ceasefire. The government did not respond with any similar measure, and on

76 On 24 December 2004, Christensen sent an invitation letter to the GAM leadership in Stockholm and informed that Ahtisaari was willing to meet them in Finland in January (Christensen, 2004).

77 This phrase has often been used in for example media reports, and it was also used by some of the interviewees.
January 2005 violent acts were reported in Aceh (Uppsala Conflict Data Program, 2008b). The Indonesian armed forces simultaneously engaged in humanitarian relief and searched for GAM fighters. Many of the GAM guerrillas who came out of the jungle to look for their families were either arrested or shot (Merikallio, 2006: 14). Despite this, and although the security situation in Aceh was not stable, the government and GAM held a first round of peace talks on 27-29 January. The negotiations took place in Finland, in a mansion outside of Helsinki. For the first time, people from the Indonesian government were directly represented at the negotiations. Hamid Awaludin – the Minister of Law and Human Rights – lead the negotiations on behalf of the government, and he was accompanied by two other government ministers. Since many of the Aceh-based GAM negotiators from the earlier peace processes were still in prison, additional Acehnese diasporas were brought in to join the Stockholm leadership. The strategy used by mediator Ahtisaari and the CMI differed from the one used earlier by the HD Centre. Instead of using an incremental approach in which the parties accepted a ceasefire in order to build confidence and pave the way for negotiations, the peace talks proceeded according to the formula ‘nothing is agreed until everything is agreed’ (Ahtisaari, 2008a: 10). The talks were aimed at reaching agreements on substantial political issues before putting a ceasefire into effect. The parties thus focused on political issues and on what could be reached within the next few months. GAM agreed not to talk about a referendum and the government agreed not to talk about the special autonomy law. The issue of having a ceasefire was nonetheless raised in the talks, especially during the first round of negotiations. GAM insisted on a ceasefire agreement at least while the talks continued, while the government wanted to proceed with talks without such an arrangement, arguing that there was ‘no need for a formal ceasefire agreement’ (Husain, 2007: 96-97). The question a formal ceasefire almost led the negotiations to collapse during the first round of talks (ibid). However, as described by one of the participants, a separate agreement on a ceasefire as long as peace talks were on-going eventually became a ‘non-issue’, because the security issues discussed in negotiations were strictly limited to ‘political security arrangements’, such as how many weapons GAM should destroy and how many Indonesian troops should be stationed in Aceh (interview with Shadia Marhaban, Banda Aceh, 17 May 2010). Although there was no formal ceasefire agreement during the negotiation phase, the mediators nevertheless stressed that both parties needed to inform their units and troops on ground about the on-going peace talks and order them not to engage in any operations or make any moves. As Ahtisaari’s military advisor during the negotiations, Jaakko Oksanen, explained:
We agreed with the parties that both sides would inform their units and troops on ground that peace negotiations were ongoing, tell them to ‘hold your horses’. [...] It was not mentioned that there would be no ceasefire, but it was mentioned that peace negotiations were in a critical phase and the best way to support the process was to keep TNI in the barracks and GAM on hold, to not engage in any operations or moves but just stay where you are and stop fighting. This was never written anywhere, it was only in our memos, but it was advertised this way to the troops and units, and to the police as well. To be as passive as possible (interview with Jaakko Oksanen, Jakarta, 4 May 2011).

To ensure that such behavioural changes took place, the mediators had also insisted on having contact persons on ground in Aceh who were respected and had power within their respective groups. As Jaakko Oksanen explained, even if the TNI had agreed to accept a ceasefire, the mediators would not have had sufficient capacity to manage such an arrangement during the talks; it would have required a lot of time and resources to monitor and investigate violations in a credible way (interview with Jaakko Oksanen, Jakarta, 4 May 2011). In order to prevent groups within the military from challenging the peace process, in April 2005 the president also replaced military officers in Aceh with officers more loyal to the civilian leadership (Kivimäki and Gorman, 2008: 178). Furthermore, although violence did not entirely stop, levels had nonetheless dropped in the aftermath of the tsunami and the simultaneous opening of negotiations. Still, a conflict assessment conducted by the World Bank in the summer of 2005 showed a gradual increase in violence during the first half of 2005, with reference being made to 108 conflict incidents between GAM and the government that resulted in 178 deaths and 170 injuries (Barron, Clark and Daud, 2005: 14). The Uppsala Conflict Data Program records 175 battle-related deaths in Aceh during the first three months of that year (Uppsala Conflict Data Program, 2008b).

**4.4.1.2 Form and content**

During the second round of peace talks held between the Indonesian government and GAM in February 2005, there was a breakthrough in negotiations. For the first time, GAM declared that they would accept a political solution to the conflict based on ‘self-government’ for Aceh within the Indonesian state (Aspinall, 2005a: 16). By the end of the fifth meeting in July 2005, the parties finally reached an agreement on a draft Memorandum of Understanding (MoU). The agreement was signed on 15 August in Helsinki by Indonesian Minister of Law and Human Rights, Hamid Awaludin, and Malik Mahmud on behalf of GAM leadership. Martti Ahtisaari witnessed the signing (MoU, 2005). The MoU was to be seen as a final ‘comprehensive peace settlement’, an agreement that dealt with the future relationship between GAM and the Indonesian state, including political, socio-economic and security related matters.
According to the agreement, there would be a special arrangement for the government of Aceh and provisions for this would be secured in a new law, which was to be promulgated and entered into force no later than March 2006 (MoU, 2005: Article 1). As a primary security arrangement, it was agreed that ‘All acts of violence between the parties will end at the latest at the time of the signing of this MoU’ (MoU, 2005: Article 4). Furthermore, GAM undertook to demobilize ‘all of its 3000 military troops’, as well as to decommission all arms, ammunition and explosives in the possession of persons who were participants in GAM’s activities. This was specified as 840 arms. From the very day of the signing of the MoU, GAM combatants were not allowed to wear uniforms or military symbols. The decommissioning of arms was scheduled to begin one month after the signing, and this process was to be conducted in a four-phase sequence to be completed on 31 December 2005 (MoU, 2005: Article 4).

Parallel with the four-phase demobilization of GAM combatants, the government undertook to withdraw from Aceh all military forces and police that originally came from outside the region. The agreement also specified that the remaining military forces would be responsible for upholding the external defence of Aceh. After 31 December 2005, no more than 14,700 military troops and 9100 police were to be remained in Aceh. However, it was also stated that the armed troops were not to make any major movements within the region without the prior approval of the head of the monitoring mission (presented below). The MoU also stated that GAM members would be granted amnesty and that those who were imprisoned would be released within 15 days of the signing of the agreement (MoU, 2005: Article 3).

As part of the MoU, an international monitoring team – the Aceh Monitoring Mission (AMM) – was established. The objectives of the AMM was to supervise GAM’s demobilization and decommission and the relocation of military troops; to monitor the reintegration of GAM, the human rights situation and the process of legislative change; and to rule on disputed amnesty cases and investigate complaints and violations of the MoU (AMM Council Joint Action, 2005). The mandate of the AMM was more comprehensive than that of the monitoring mission in the 2002 Cessation of Hostilities Agreement. The head of the monitoring mission was given the power to make binding decisions in order to settle potential disputes that could arise over aspects of the MoU. If this proved to be inadequate, the mediator of the agreement could to step in and make a binding decision after consulting with signatories from the two parties (MoU, 2005: Article 6).

---

78 Commonly referred to as ‘non-organic’ troops.
At the same time, however, one feature of the CMI’s third party strategy was to make sure that their own engagement was of limited depth and duration (Ahtisaari, 2008a: 14). Accordingly, the task of monitoring the agreement and following its development through the AMM was undertaken by the EU, five contributing countries from the ASEAN – Thailand, Malaysia, Brunei, the Philippines and Singapore – and Norway and Switzerland (Wiratmadinata, 2009: 78). The AMM head of mission reported to the European Council and Secretary General Javier Solana (EU Council Secretariat, 2005). The Indonesian government did not want a purely EU-deployed mission, but insisted on having a number of ASEAN countries involved (Schulze, 2007: 4). Furthermore, a United Nations mission was not considered an option for the Indonesian government, which still sought to avoid ‘internationalizing’ the matter. Hence, a combined EU-ASEAN team was an acceptable solution for both parties (Ahtisaari, 2008b: 24).

Importantly, the presence of the international monitors was based on a formal invitation from the Indonesian government, with the full support of GAM, and its main purpose was to assist the two warring parties in their efforts to implement the peace agreement (EU Council Secretariat, 2005). One of the government’s conditions for accepting the establishment of the AMM was that the security of the monitors in Aceh would be the responsibility of the government and that AMM personnel would not carry arms (Kingsbury, 2005: 83). Nevertheless, compared to the earlier peace attempts in Aceh with the HD Centre, acceptance of international involvement was greater this time around. Among other things, the Indonesian government saw how international aid for the reconstruction of areas damaged by the tsunami would increase if there were a peace process.

In this respect, the EU played a vital role by providing financial support for the CMI mediation; funding and employing the AMM; supporting the reintegration of ex-GAM combatants, rule of law and democracy, and by providing assistance in the elections arranged after the peace agreement (Aguswandi and Large, 2008: 97). Thus, while initiatives to undertake the externally mediated dialogue were taken prior to the tsunami, it must also be taken into account that the peace process unfolded in the context of the natural catastrophe. As an effect of the tsunami, the international community was brought to the region with more authority than before, and it had a stronger reason to exert pressure on both sides in light of the difficult humanitarian situation (interview with Teuku Kamaruzzaman, Banda Aceh, 14 May 2010). Thus, the tsunami sped up the process, for example by distributing aid and money that was invested in the peace process (interview with Shadia Marhaban, Banda Aceh, 17 May 2010).

79 The importance of the increased international involvement in the Helsinki process has been emphasized in a number of interviews.
While the third peace attempt thus represented a more comprehensive and holistic approach than the two earlier attempts, which were more security oriented, a report from the World Bank completed in the end of August 2005 – just after the peace agreement had been settled – concluded that the MoU still outlined ‘just the bare bones of a settlement’ (Barron, Clark and Daud, 2005: ii). It stressed that many issues were left unresolved and that many details about its implementation were unclear. Immediately after the signing, Aspinall (2005a: 18) also cautiously warned that there was a plausible risk that some groups would try to spoil the agreement, either the military and its militia or elements of GAM that opposed their leaders’ decision to compromise on complete independence for Aceh. With reference to the failed Humanitarian Pause and CoHA agreements, Aspinall also stressed that ‘problems of security guarantees, disarmament and monitoring will again be severe’ (ibid). Thus, at this point it was not obvious what path the process would take. In order to avoid new outbreaks of violence and to create conditions favourable for post conflict reconstruction, the AMM was initially given mandate to stay for 6 months. This time-frame was eventually extended a number of times until 15 December 2006 (Schulze, 2007: 4). In the initial phase, the mission deployed included some 80 monitors, and after a month the group was strengthened to include 226 unarmed personnel. When the first monitors arrived in Aceh the mandate for the mission was still not finalized, but as the AMM head of operation Jaakko Oksanen explained, it was vital to have monitors visible from the very first day of the agreement so that people would realize that it was a ‘real agreement’. The first two weeks were expected to be critical in order to avoid ‘losing the momentum’ (interview with Jaakko Oksanen, Jakarta, 4 May 2011). With this in mind, an Interim Monitoring Presence was set up for the month between the signing of the agreement and the date that the AMM was supposed to be in place (Schulze, 2007: 4). In the last phase of the process, less than 40 monitors remained in Aceh. The AMM established headquarters in Banda Aceh, in addition to eleven district offices and four mobile patrolling teams (EU Council Secretariat, 2005). An important part of the AMM structure was the weekly meetings – referred to as Commission on Security Arrangements (COSA) meetings – that were held in Banda Aceh. These meetings were led by the head of the monitoring mission and attended by senior representatives from GAM and the government, with participants from the military and the police as well. The main representative from the government was Bambang Dharmono and from GAM Irwandi Yusuf. During the earlier phase of peace talks from January, these two had been contact persons in the field. Accordingly, they were both already involved in and familiar with the peace arrangements (interview with Bambang Dharmono, Jakarta, 29 April 2011). Similar meetings were also held with representatives
at the district level (i.e. DiCOSA meetings). The COSA and DiCOSA meetings functioned as forums at which the parties could immediately address various concerns and complaints that arose during the process. They were complemented by the dispute resolution mechanism had been agreed upon in the MoU (Schulze, 2007: 4).

In the immediate period following the signing of the MoU, the AMM focused on security-related issues and building confidence in the process. The process of granting amnesty and the release of prisoners went relatively quickly and this was important insofar as it encouraged GAM to maintain their confidence in the process. Within two days of the signing of the MoU, almost 300 GAM prisoners had been released, including many of the GAM negotiators who had been in prison since the breakdown of the CoHA agreement. Before November, approximately 1700 prisoners had been released (Merikallio, 2006: 153-154). The decommissioning of GAM’s weapons also went according to the four-phase plan. When the first weapons were handed over to the AMM, it was considered an important sign to the Indonesian government that GAM was sincere in its commitment to the agreement. Indeed, this was considered crucial for the government because it was over this particular point that the failure of the CoHA agreement had been manifested and its flaws had come to the forefront (Schulze, 2007: 6).

The disarmament and demobilization phases were guided by the idea that any movement of armed combatants should be avoided. Therefore, the AMM arranged for mobile teams to come to agreed-upon locations in villages and cities to collect and destroy weapons (interview with Jaakko Oksanen, Jakarta, 4 May 2011). While the process of demobilizing GAM and the general relocation of the army proceeded without any major incidents, challenges nonetheless occurred. A few violent incidents were reported. Furthermore, in some districts the commitment to the MoU appeared to be weak among GAM. In fact, during the second phase of decommissioning in November, the process seemed close to collapsing because of disturbances within the movement. GAM replaced their representative in the decommissioning process and stressed that there were no more weapons left to be decommissioned (Schulze, 2007: 6). Nonetheless, after this difficulty additional numbers of weapons were eventually handed in.

In addition to these challenges in the decommissioning process, there were also reports of continuing ‘aggressive patrolling’ by the TNI and harassment by Brimob, especially in the early phases of the process. In this respect, it has been stressed that the COSA meetings played an important role for the overall smooth implementation of the MoU. In the few incidents of violence that did occur, neither the government nor GAM challenged the investigation and ruling of the AMM (Schulze, 2007: 7). More than 30.000 security forces – both from the TNI and Brimob – were relocated from Aceh in a process parallel to the demobilization of GAM. Furthermore, the MoU
also briefly outlined the procedures for facilitating the reintegration of former GAM combatants into society (MoU, 2005: Article 3). In order to implement this undertaking, a government agency – the Aceh Reintegration Agency (Badan Reintegrasi Aceh; BRA) – was eventually set up. The objective of the BRA was to deal with socio-economic and political matters related to the reintegrating GAM combatants into society and to address civilian victims of the protracted conflict. This included working on poverty reduction, political participation and legal issues (Wiratmadinata, 2009: 70-71). In December 2005, demobilized former GAM combatants organized themselves as the Aceh Transition Committee (Komite Peralihan Aceh; KPA). The development of the process and the implementation of various aspects of the MoU led to important improvements for the people of Aceh, who, for many years, had been forced to travel without basic security and to live in constant fear of being arrested or becoming a target for torture, abduction, or extortion (interview with Saifuddin Bandasyam, Banda Aceh, 18 May 2010).

A central part of the MoU agreement was the political arrangement for the governing of Aceh, which was to be established in a new law. The drafting of the Law on the Governing of Aceh (LoGA) began after the decommissioning was completed. The process took five months and the law was finally passed on 12 July 2006, approximately two months after the date specified in the MoU. This law stipulated that the province of Aceh would exercise authority in all areas of public policy except in foreign affairs, external defence, national security, monetary and fiscal matters, justice and freedom of religion (Schulze, 2007: 9). The law was criticized by some local NGOs, including SIRA, who argued that it gave too much authority to the Indonesian government in matters that they saw as Acehnese affairs. To some extent, GAM also joined in this criticism. At the same time, some civil society groups in Aceh saw the promulgation process of the LoGA as an opportunity for them to participate and exercise influence, something which they had not had in the MoU drafting process (interview with Wiratmadinata, Banda Aceh, 18 May 2010). While some civil society groups seized this opportunity, GAM opted to emphasize the importance of the MoU, and when the law was completed they argued that some things in the LoGA were incompatible with the MoU (ibid). Nonetheless, once the LoGA was passed it was possible to arrange the first-ever direct elections in Aceh. The elections were held in December 2006, and a governor, vice-governor, a number of regents and mayors were elected. Irwandi Yusuf, a member of GAM who ran as an independent candidate, became the first new governor

---

80 In June 2006, GAM issued a press statement where they urged the government and the parliament not to deviate from the MoU when drafting the LoGA (GAM, 2006).
of Aceh. After the election, GAM eventually founded a formal political party, Partai Aceh (the Aceh Party).

### 4.4.2 Proceeding process – peaceful change

In the third attempt to solve the armed conflict in Aceh in 2005, the parties embarked on a peaceful path that has held for several years. This peace attempt differed significantly from the earlier ones, both in terms of context and procedure. The process was initiated in the context of the most intense period of fighting between the two sides, a period that proved costly for both parties. In addition, the process gained speed in the aftermath of the tsunami. Compared to the earlier initiatives, the sides also accepted some significant changes in approach – for example, the involvement of a new mediator, who was in turn supported by an international community that significantly increased its attention to the region after the 2004 tsunami catastrophe. The scope and sequencing of the process also differed. The ceasefire declared by GAM at the beginning of the process was not reciprocated by the government, and once negotiations began they were conducted on the basis of an understanding that nothing should be agreed upon until a settlement on political and security issues could be reached. During the period of negotiations the mediators encouraged the parties to inform their armed elements on the ground not to make any moves or to engage in violent confrontations. The MoU that was finally reached after a few months included terms for ending the violence in Aceh by demobilizing GAM combatants and relocating military soldiers.

While the primary rounds of elite-level negotiations took place before a ceasefire was reached, the agreement was only a framework. Many issues about implementation and the exact features of a new law of governing for Aceh were left to be decided at a later date. During negotiations and in the immediate aftermath of the signing, there was considerable uncertainty about how the process was going to proceed. Despite this, the measures undertaken were implemented fairly smoothly, and a more robust international monitoring mission with a stronger mandate than earlier missions was established to oversee implementation. Economic incentives offered by the international community to support the demobilization and reintegration process were also important. Compared to earlier processes, this one also provided opportunities for civil society to participate in later phases of the process, notably by giving groups an opportunity to influence the drafting of the new law on governing Aceh. During earlier peace efforts, GAM had occasionally invited civil society to discuss the process, but the conflict atmosphere that still prevailed during those periods meant that such attempts were not fruitful. As described by the founder of a human rights organization in Aceh, many people did not want to talk openly during the conflict due to the great risk associated with being seen as taking sides with
either GAM or the government (interview with Saifuddin Bandasyam, Banda Aceh, 18 May 2010).

Another influential factor in the third peace process was the fact that a number of politicians in Jakarta who earlier had supported negotiations as a way to end the armed conflict were now in power and could take leading roles in the process. That both parties were prepared to make some concessions was also important, most significantly that GAM dropped its demand for an independent state and accepted the notion of ‘self-government’. Hence, significant progress was made both on the ground in Aceh and in the elite level negotiations. In this context, the support of the international community gave the agreement an extra amount of strength.

4.5  Within-case comparisons and concluding remarks

During the 2000s, a number of attempts were made to end the protracted armed conflict in Aceh peacefully. While the ceasefires in the three peace processes studied in this chapter differed as regards the context in which they were initiated and their form, scope and outcome, each one went beyond a mere declaration of a cessation of hostilities. All of them included instruments in the form of organizational structures with bodies intended to help achieve the goals outlined in the agreements. Despite this, the extent to which they functioned and promoted constructive action varied due to widespread mistrust between the parties and differences in their intentions and interpretations of the agreements. In this final section of the chapter, I compare the three ceasefires in order to explore and analyse similarities and differences among them, changes in the processes over time and contextual changes in which the different ceasefires took place. I also discuss the six factors identified in the theory chapter as developments that might change the attitudes, behaviours and relationships of parties to a conflict. These include (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) whether or not claims are being met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics. Some central features of the ceasefires presented in this chapter are summarized in Table 11.
Table 11. Summary of ceasefire agreements in peace processes in Aceh.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Initiation of ceasefire agreement and by whom?</strong></td>
<td>Initiated May 2000 after approximately four months of confidential talks, mediated by NGO HD Centre</td>
<td>Initiated December 2002, signed 7 months after parties declared intent to start peace process, mediated by HD Centre and international advisory group</td>
</tr>
<tr>
<td><strong>Form and content of ceasefire agreement?</strong></td>
<td>Signed ‘Joint Understanding on a Humanitarian Pause for Aceh’ for a limited time (initial three months, extended)</td>
<td>Signed ‘Cessation of Hostilities Agreement’ (CoHA), (no time limitation for cessation of violence)</td>
</tr>
<tr>
<td></td>
<td>Focus on security aspects to enable humanitarian improvements and confidence-building to promote search for a solution</td>
<td>More comprehensive and detailed. Political dimensions addressed in addition to security and humanitarian issues. Includes demilitarization</td>
</tr>
<tr>
<td><strong>Implementation of ceasefire agreement?</strong></td>
<td>Three bodies created for implementing the ceasefire agreement: one at elite level (Joint Forum), two on ground (JCHA and JCSM)</td>
<td>Two bodies created for implementing the ceasefire agreement: one at elite level (Joint Council), one on ground (JSC)</td>
</tr>
<tr>
<td></td>
<td>Two small monitoring teams to supervise, one for each of the established committees (JCHA and JCSM)</td>
<td>International monitoring team led by HD Centre, monitors from Thailand and the Philippines</td>
</tr>
<tr>
<td></td>
<td>Establishment of Peace Zones</td>
<td>Establishment of Peace Zones</td>
</tr>
<tr>
<td></td>
<td>Dispute settlement mechanism</td>
<td>CosA and DiCOSA meetings with head of AMM and party representatives to discuss GAM demobilization and relocation of military</td>
</tr>
<tr>
<td></td>
<td>International monitoring team (AMM) from EU and ASEAN. Mandate to make binding decisions</td>
<td>International monitoring team (AMM) from EU and ASEAN. Mandate to make binding decisions</td>
</tr>
</tbody>
</table>
When the Humanitarian Pause was initiated in Aceh in 2000, it was the first time after decades of prolonged violent conflict that the government and GAM agreed to engage in new forms of interactions. The successful negotiation of a ceasefire in this context was a turning point in the conflict trajectory. It illustrated that it was possible for the parties to reach common understandings and to make commitments to change violent behavioural patterns. However, it was a comparatively limited agreement of a more explorative nature, and while it created some momentum, in the end this was not cultivated. The ceasefire was steeped in considerable uncertainty and was only valid for a limited period of time, so it had to be repeatedly renegotiated. It led to an immediate drop in the level of violence, but this was followed by renewed and escalating tension, to the extent that the situation in Aceh soon resembled that of the pre-ceasefire period.

The point of departure for the subsequent ceasefire agreement – the 2002 CoHA – was the experience of the first attempt. This second agreement thus contained elements from the first one, but it was more comprehensive and detailed, and a larger number of measures were taken in to implement its provisions. For example, it had a clearer line of decision-making, with only one joint committee on ground, and it involved senior representatives and commanders with the power to give direct orders to troops in the field. Moreover, in addition to the humanitarian and security concerns that pervaded the Humanitarian Pause, the CoHA had a more evident political dimension and links to the broader peace process, not least because its starting point was an ‘all-inclusive dialogue’ and because it included a statement about holding elections in Aceh. The agreement thus went a step further and touched on sensitive political issues, although it did not express a clear view about what a mutually acceptable ‘final’ settlement should look like. While this open-ended approach made the agreement possible, it nevertheless also contributed to its rapid breakdown when it became clear that the parties had different ideas about how the process should proceed. Like the 2000 Humanitarian Pause, the CoHA was based on a rationale of gradual progress and establishing a ceasefire agreement as a stepping-stone to impel and to structure the subsequent process.

The third process, which took off in 2005, differed in this regard. The government rejected GAM’s offer to initiate a ceasefire during the peace talks, and it was not until a political settlement had been reached that a formal ceasefire agreement was established. Thus, while the Humanitarian Pause and the CoHA left many questions about a political solution unanswered, the 2005 MoU provided a framework for a mutually acceptable settlement on the future relationship between the warring parties and the territorial status of Aceh. Furthermore, another notable difference in the 2005 peace process was the greater level of international involvement. This was evident in many stages of the process, including the mediation of the
MoU, the provision of economic support to carrying out the process and the capacity of the international mission deployed to supervise its implementation.

In each peace process studied in the previous sections, the establishment of a ceasefire agreement in Aceh has been followed by an immediate drop in violence and a reduction in the number of conflict-related casualties. It has also enabled humanitarian improvements to take place in the region. Furthermore, various accounts have emphasized that the entering into ceasefire agreements and visible changes that followed from them created an atmosphere of optimism and a greater sense of security in the region, both of which directly impacted on peoples’ everyday lives. Still, while all the agreements led to a decline in violence, the degree of decline differed. During both the Humanitarian Pause and the CoHA, people were notably cautious in their enthusiasm – many were afraid to express their views, preferring to ‘wait and see’ how the process developed (interview with Michelle Ann Miller, Singapore, 8 April 2011). Indeed, while the 2000 Humanitarian Pause ceasefire agreement continued for several months, violence had already been increasing for some time before the ceasefire eventually faded away and new military offensives were undertaken. The subsequent CoHA agreement was more progressive in the beginning – many people in Aceh even called it a ‘peace agreement’ (interview with Sastrohandoyo Wiryono, Jakarta, 27 April 2011) – but it broke down abruptly after only a few months, and this led to the collapse of the whole peace process. It was only with the third attempt and the MoU of 2005 that the parties continued to take actions as part of a process that proved to be persistent and robust against challenges.

In the theory chapter, it was proposed that recognition, status and legitimacy might lead to changes in the attitudes, behaviours and relationships of conflicting parties. This suggests that this factor might improve our understanding of ceasefire agreements in relation to peace processes in intrastate armed conflicts. To analyse the influence of this factor in peace processes in Aceh, the asymmetrical structure of the conflict – with the main warring parties being the government of a state and a non-state armed group – must be taken into account. The Indonesian government perceived its sovereignty to be threatened by GAM and was reluctant to grant the movement legitimacy and recognition. GAM, in its search for independence, has strived to be recognized as a state actor equal to its adversary. In various ways, the initiation of ceasefire agreements and their provisions can be related to this asymmetrical structure and to efforts by the parties to either shift or sustain the current balance. The Indonesian government deliberately avoided using the word ‘ceasefire’ to describe the agreements, because, in their view, the concept was symbolically loaded and extended legitimacy and recognition to GAM. As the government’s chief
negotiator during the Humanitarian Pause, Hasan Wirajuda, explained: ‘For the government, just sitting at the table with GAM was a sensitive issue, and even more so, concluding an agreement called a ceasefire was a sensitive issue’ (interview with Hasan Wirajuda, Jakarta, 28 April 2011). Similarly, during the 2005 peace process, a government representative described how they tackled with the issue of ‘how to achieve a ceasefire situation without having the word ceasefire stated in an agreement’ (interview with Farid Husein, Jakarta, 3 May 2011).

In addition, the particular individuals involved in the initiation of a ceasefire agreement and setting the agenda for negotiating its provisions might have different levels of authority and degrees of support. This can also impact on the perceived status and legitimacy of an agreement, both among groups within the main warring parties as well as among their constituencies and the international community. Thus, in the beginning, the Indonesian government was careful to ensure that the government delegates negotiating ceasefire agreements with GAM had only a modest level of status within Indonesian political hierarchy. For example, it was important that the government’s chief negotiators in the Humanitarian Pause and CoHA talks were not direct representatives of the foreign ministry. Such officials were responsible for diplomatic exchange with other states; therefore, it was considered inappropriate for them to negotiation with a non-state movement like GAM (interview with Hasan Wirajuda, Jakarta, 28 April 2011). A change in the status of government negotiators came first in the peace process in 2005, when three ministers were part of the government’s delegation. In addition, the military – which had been critical of negotiations with GAM – was also part of the team in 2005. Furthermore, as I discuss more thoroughly below, attempts to influence the status relationship between the parties is also linked to international involvement in initiating and supporting ceasefire agreements. The first Humanitarian Pause in 2000 provides an example of this. The signing of the agreement abroad led to considerable criticism among groups on the side of the government, who saw the international dimension as favouring GAM and giving the movement an international legitimacy that they opposed. Inevitably, the lack of support among influential political fractions in Jakarta and within the military became obstacles for the continuation of the ceasefire. This example thus illustrates how the individuals involved can serve as an indication of how much political will and capacity there is to bring an agreement into force. Moreover, as regards which actors are involved in the process, it can also be noted that while public pressure to end the war in Aceh significantly increased after the fall of the Suharto regime, civil society was largely excluded from peace processes. The government was reluctant to engage with NGOs and considered them to be associated with GAM. GAM, for its
part, showed little interest in including them in the dialogue processes (HD Centre, 2003: 40).

The building of trust and confidence was also identified in the theoretical framework as a factor that might change conflicting parties’ attitudes, behaviours and relationships. Thus, it is important to consider it when analysing ceasefire agreements in relation to peace processes. The historical narratives have shown how various gestures were taken to overcome the mistrust that prevailed after decades of violent conflict in Aceh and to make the parties sufficiently confident to engage in peace processes. Leaders issued statements of good faith and public apologies to signal that they were willing to turn the page and explore new ways of interacting. The importance of these types of public gestures was particularly emphasized in the run-up to the first peace process in 2000, when the parties still lacked experience from non-violent engagement. In this context, the establishment of a ceasefire agreement can be linked to the development of trust and confidence, and much of the discussion in my interviews about the Humanitarian Pause focused on this factor. Given the low levels of trust between the parties and their lack of experience with interactions other than on the battlefield, the Humanitarian Pause has been described as a ‘trust-building process’ aimed at finding out ‘if it would be possible to do [it]’ (interview with Umar Abdul Aziz, Banda Aceh, 12 May 2010). In terms of initiating ceasefire agreements, it has also been stressed that incidents leading up to the CoHA – when the government made efforts to put pressure on GAM in the field in order to make it more willing to sign – suggest that the agreement was entered into in bad faith (interview with Michelle Ann Miller, Singapore, 8 April 2011).

In addition, the implementation of ceasefire agreements may also be closely interlinked to the issue of trust and confidence. Implementation might be a visible sign that changes in behaviour are indeed occurring and a way for the parties to signal their intention to continue along the same path. The process of implementation can also provide opportunities for personal interaction that can be important for building trust and confidence between conflicting parties. In Aceh, it was considered a notable step forward that the parties were able to work through the committees established during the 2002 CoHA agreement in order to cooperate and jointly investigate and determine responsibility for ceasefire violations. Nonetheless, while the trust-building potential of the committees has been emphasized, it has also been stressed that mistrust continued to prevail. This often made it difficult for the participants to engage in discussions, and there was reportedly a lot of political game-playing in the committees. Hence, in many respects the forums established for the Humanitarian Pause and the CoHA did not work properly, and issues related to the monitoring of the agreements seem to have been a common source of dispute. In particular, the controversies that
arose over the implementation of the CoHA and mutual suspicion surrounding the decommissioning of GAM’s weapons became critical for the survival of the ceasefire agreement and the entire peace process. Thus, when these problems came to the fore, the peace process rapidly derailed. Continuing ceasefire violations also put the agreement under stress and became a common issue for mutual accusations. Furthermore, while the importance of building personal relationships has been emphasized, the historical narratives also make it clear that doing so is a time consuming endeavour. Even in the comparatively speedy 2005 peace process, there was a lengthy process of building inter-party trust that began as early as 2003.

The theoretical framework also raises questions about the extent to which the parties’ claims are met, because this might be helpful in an analysis of ceasefire agreements in relation to peace processes. When the government and GAM agreed to engage in peace processes in 2000 and 2002, in many ways it was uncertain which direction a continued process was going to take. Both parties stayed firmly committed to their different positions about what a political settlement should look like. GAM was immovable on its demand for independence, and the government was unwilling to discuss any substantial changes in the authority and power that Jakarta exercised in the Aceh region. In the third peace attempt, however, GAM declared as early as the second meeting that the movement was prepared to settle for something less than independence. This time, the sequencing of initiatives in the peace process differed and a ceasefire was not implemented until a framework agreement dealing with political issues was finalized. In comparison to the military focus that largely characterized the first two processes, the third process had more of a political focus. Thus, a comparison of ceasefire agreements in Aceh points to the difficulties of shifting attention from the battlefield to political dialogue, while at the same time maintaining a military focus during the processes.81 Moreover, in the absence of a political process, the ‘security mechanisms’ established through the Humanitarian Pause and CoHA agreements tended to become ‘politicized’ (HD Centre, 2003: 27).

It can also be noted that in comparison to the Humanitarian Pause, the CoHA agreement was officially abandoned and war resumed more quickly. While the second ceasefire agreement was more comprehensive, the stakes for continuing the process were also higher. While the parties made few commitments in the Humanitarian Pause, the CoHA included measures such as the disarmament of GAM and the relocation of the army. The language of the agreement also indicated that steps were about to be taken towards establishing a new law on the governing of Aceh. The structure and content of the CoHA agreement suggest that the government tried to push the

---

81 In a report from 2003, the ICG also emphasize problems associated with the military focus of the Humanitarian Pause and the CoHA for reaching a political solution to the conflict.
process in a direction which would put GAM’s separatist aspirations out of reach. At the same time, it eventually became clear that GAM saw the CoHA agreement as a gateway to independence. It hoped to take advantage of the large and active referendum movement in Aceh and use elections to establish an independent state. In the meantime, the movement used the ceasefire period to recruit and further develop their influence in the region. Both parties’ actions raised the stakes in directions in which the other was not prepared to accept, and this seems to have contributed to the comparatively short-lived CoHA agreement.

External incentives and resources were also identified in the theoretical framework as important to take into account when analysing ceasefire agreements in relation to peace processes. While the attempts to end the conflict in Aceh through peace processes were largely internally driven by the warring parties themselves, the international dimension has nonetheless been a noteworthy element in the establishment and evolution of ceasefire agreements. A comparison of the processes also indicates that each successive one has been characterized by an increase in the degree of internationalization. This is true for both the authority and mandate of external actors involved in negotiating and monitoring agreements, as well as in funding provided to facilitate implementation. Given the low level of trust that prevailed between the warring parties due to years of prolonged violent conflict, and eventually also because of failed peace attempts, international actors played an important role in reducing some of the uncertainties during the processes.

The international dimension has also been important for the status and the ‘image’ of the processes. Both the government and GAM were well aware that in order for GAM to achieve their objective of independence it was necessary to gain recognition by other states and thus be granted membership in the state system (Aspinall, 2009: 224). This made the degree and nature of international involvement a key issue of debate in the structuring of peace processes and the establishment of ceasefire agreements in Aceh. GAM was keen to increase international involvement in search of recognition as a legitimate actor, while the government (with some factions more hardline than others) tried to avert such a development by decreasing and downplaying international engagement. Consequently, when the first peace process was about to commence in Aceh, the government was only willing to allow a small NGO like the HD Centre to become involved. It was also keen to stress that the HD Centre was a ‘humanitarian’ body and not a ‘conflict resolution’ body, since the former was seen as ‘more neutral’ (interview with Hasan Wirajuda, Jakarta, 28 April 2011).

In order to meet the conflicting parties’ incompatible demands, innovative solutions were necessary. For example, neither the ‘wise men’ team nor the international monitors brought in from Thailand and the Philippines during
the CoHA were to be regarded as formal representatives of their own countries. In addition, they had limited mandates to take action. When the CMI, with Martti Ahtisaari as front person, became involved in the 2005 peace process, Ahtisaari’s experiences as international mediator and former president gave him a sense of prestige and authority that appealed to GAM. At the same time the Indonesian government could feel confident because Ahtisaari was no longer a president but representative of an NGO (Kivimäki and Gorman, 2008: 173). The gradual increase in external involvement can partly be understood in the context of changes within Indonesian politics, with persons who were more willing to accept international facilitation coming to power. Moreover, notwithstanding GAM’s call for sympathy and support, the government could feel comfortable with the fact that international actors continued to support a peaceful solution within a unitary Indonesian state and that there was no international support for separatist claim. An illustrative example is the UN’s response to the signing of the CoHA. The Secretary-General issued a press release and urged that peace should be pursued ‘in a manner consistent with the sovereignty and territorial integrity of Indonesia’ (United Nations, 2003). Furthermore, as a small non-governmental actor mediating ceasefire agreements in an intrastate armed conflict, the HD Centre – which played the primary role – had limited authority and power to exert influence. The limited leverage of external actors made it difficult for them to contribute to upholding a safe environment. Hence, while it seems likely that international attention and the economic incentives pledged in return for the parties’ signing the CoHA contributed to the establishment of the agreement, it did less to sustain the peace process and facilitate changes that could lead the process onto a peaceful path. In comparison, the EU and ASEAN were mandated to guarantee implementation of the 2005 MoU. These actors had more authority, and the level of resources invested in this process was considerably larger.

Contextual changes must also be taken into account to understand ceasefire agreements in relation to peace processes in Aceh. Before the first peace attempts began in Aceh in the early 2000s, there was limited understanding about the war that was raging in the region. The first peace process was initiated in an international context in which norms about the peaceful settlement of intrastate armed conflict were rapidly spreading and gaining ground across the globe. The HD Centre was established in this context, and their first mission was to facilitate the search for a peaceful solution to the Aceh conflict. The ‘humanitarian approach’ of the HD Centre is to a large extent reflected in both the Humanitarian Pause and the CoHA agreement. The peace attempts in Aceh were also influenced by experiences from the East Timor referendum on independence in 1999 and the extensive international involvement that characterized developments in East Timor.
GAM was notably inspired by the events that were taking place on the other side of the archipelago and saw it as an opportunity for them to gain independence by engaging in an internationally acknowledged peace process with the government.

Another noteworthy development that influenced the peace processes in Aceh was the ‘war on terror’. The ‘war on terror’ rose to the top of the international agenda after the events of 9/11. This impacted negatively on the willingness of international actors to get directly involved in any aspect of negotiations between the government and GAM and helps explain why there was limited international interest in facilitating ceasefire agreements in Aceh. It has also been suggested that the imminent risk of being declared a terrorist organization that GAM faced encouraged the movement to engage in peace efforts with the government and to adopt a rhetoric promoting human rights and democracy (cf. Aspinall, 2009).

In terms of contextual changes, the tsunami is the most conspicuous event that influenced the Aceh region during the period in which the three processes took place. In considering how and to what extent the 2005 peace process in Aceh was influenced by the tsunami, it should be taken into account that efforts to initiate a peace process had begun before the natural catastrophe. As the historical narrative has shown, both parties had confirmed their intention to resume peace talks and a mediator had already been engaged. Nevertheless, the tsunami attracted significant international attention to Aceh and led to a huge increase in donors working with relief and rehabilitation. This meant that external knowledge about what was going on in the region and how the parties were behaving increased significantly. Moreover, the degree of international pressure exerted on the parties increased, with external actors stressing that it was necessary to end the violent conflict in order to make it possible to focus on development in the region in the aftermath of the disaster. The humanitarian impact of the tsunami also created a sense of urgency in the 2005 peace process that had not been present during the previous attempts, which were of a more explorative nature. It can be suggested that this sense of urgency combined with the large presence of international actors in the region was conducive for the procedure of ‘indirect ceasefire’ to work – i.e. proceeding with peace talks in the absence of a formal ceasefire agreement, while at the same time urging the parties to stop engaging in violence.

The final factor that is mentioned in the theoretical framework as potentially important for understanding ceasefire agreements in relation to peace processes is *intra-party dynamics*. During the period in which the three Aceh peace processes examined in this thesis were conducted, the Indonesian state underwent notable changes. The first ceasefire was initiated in the immediate aftermath of the breakdown of the Suharto regime, at a time when Indonesia began a democratic transition after decades of
authoritarian rule. The new leadership was important for the government’s initial decision to engage in dialogue and enter into an agreement with GAM. Nevertheless, the Indonesian polity was notably divided between two fractions with different views about how the ‘Aceh problem’ should be handled. Furthermore, the Indonesian state retained many traces of the authoritarian regime. President Habibie came directly from the Suharto regime and ruled with an administration that had served the former ruler. Even when Wahid took over as president, people formerly close to Suharto in the Golkar party managed to retain their positions as powerful political players. Hence, despite the commitment of the president, the government was weak and divided, which became a hinder for the continuation of the process. Notably, the inability to regain momentum as the Humanitarian Pause faltered coincided with extensive disturbances within the government that ultimately led to Wahid’s impeachment. During the second ceasefire, the government was more united, but it had also moved closer to the hardline position in favour of a military solution to the conflict. Indeed, Miller (2006a) has referred to the period of Megawati’s presidency as ‘an authoritarian past revisited’. When the third peace process was eventually initiated, notable changes had once again taken place in the political environment in Indonesia. The new president and prime minister supported greater decentralization of power in Indonesia and had a different approach and attitude to regions far from Jakarta. They proved more willing to compromise and to handle disputes through non-military means.

The democratic transition in Indonesia has also been closely intertwined with the transformation of the military. The TNI had always had a safe and privileged position within Indonesian politics, and it defined its duty as safeguarding the unitary state. After 1998 it struggled to retain its position and demonstrate its importance. Indeed, many of the intra-party power struggles that took place during the years examined in this thesis were between (fractions of) the civilian government and the military. The leadership that gained power in 2004 managed to convince people within the army that continuous violent conflict would only make the state weaker.

For GAM, the first period of peaceful engagement with the government took place at a time when the movement was feeling confident that their goal of an independent state of Aceh was possible to achieve. There was a large referendum movement in Aceh, and GAM used the ceasefire periods to consolidate its support. The period of martial law that followed after the CoHA notably weakened GAM, and it led to increased war-weariness among people in Aceh and weakened support for a continuation of the conflict (Barron, Clark and Daud, 2005: 40). However, it should also be emphasized that intra-party changes also occurred within GAM during the trajectory of the different peace processes. This made it possible for more moderate leaders to emerge and enabled the movement to gradually change its
perspective towards an understanding of the conflict as a question of democracy. These developments have been seen by some observers as important for the 'maturing idea of negotiating a solution' (Kivimäki and Gorman, 2008: 167, see also Aspinall, 2009). In addition, in interviews it has also been emphasized that experience from years of negotiations with the government and the international facilitation of talks helped improve the capacity and skills of the armed movement to negotiate a peace.

Finally, a comparison of ceasefire agreements and peace processes in Aceh over time indicates that experiences from interacting in ceasefire agreements have implications for subsequent processes, and that these implications are worth emphasizing. Drawing on principles and structures from previous arrangements, each subsequent agreement was more comprehensive and detailed, and changes were made in terms of both content and procedure. From each attempt to negotiate peace, the parties gained experience about what worked and what didn’t, the other party’s behaviour during ceasefires and negotiations and the reactions of the international community and domestic public. Hence, while there are a number of factors that enabled the third peace process to unfold as it did – as described previously in this chapter – it is reasonable to suggest that the Humanitarian Pause and the CoHA helped lay the groundwork for the last peace attempt, when the parties were able to finally agree to lay down their arms and accept a political settlement.82 During the Humanitarian Pause, the idea of peace started to take root. While GAM did not drop its claim for a separate state during the CoHA, it nonetheless publicly agreed for the first time to discuss things other than independence. In some interviews, those with insight into the processes have emphasized that personal interaction during the negotiations and the implementation of ceasefires established a foundation for further efforts to forge a peace.

At the same time, experiences from the first ceasefire agreements, in particular in the CoHA, were also said to have been important for the decision to pursue a different approach in the 2005 peace process, including the decision not to establish a formal ceasefire agreement during talks. The government’s (and in particular the TNI’s) persistent refusal to enter into a ceasefire was largely due to its experience from the CoHA agreement and a suspicion that GAM would use a ceasefire to strengthen and remobilize. This illustrates how, in different ways, experiences influenced not only the unfolding of a particular process in Aceh, but also future processes.

Insights from this analysis of ceasefire agreements in relation to peace processes in the Aceh conflict will be used in the comparative analysis

82 In a book chapter co-written by David Gorman, who participated in the peace processes mediated by the HD Centre, and Timo Kivimäki, who was an external advisor to the CMI mediators in 2005, the two authors state that the latter attempt mediated by the CMI ‘heavily built on the principles agreed upon by the former’ (Kivimäki and Gorman, 2008: 164).
presented in Chapter 6. First, however, I turn to the conflict in Sri Lanka and explore and analyse ceasefire agreements in relation to peace processes in that conflict setting.
Chapter 5

Sri Lanka

The armed conflict between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) has been one of the most severe contemporary civil wars, both in terms of casualties and duration. In this chapter I analyse ceasefire agreements in relation to peace processes in this conflict. I begin by discussing the background of the conflict, the main actors, the commencement of the armed conflict, and experiences from earlier peace attempts. Following this I present the historical narratives. They are structured into two main sections: one for the peace process that began in 1994 and one for the process that started in 2002. These sections have the same structure as the historical narratives in the chapter on Aceh, and they are guided by the analytical framework. Each one begins with an exploration of the situation prior to the peace process and conflict dynamics. Thereafter, I focus on the initiation of a ceasefire, its form and content and the implementation and unfolding of the process. Each section ends with a concluding discussion. In the final section of the chapter, comparative insights are drawn from the two ceasefire agreements and peace processes in Sri Lanka. These insights will be used in the final comparative analysis.

5.1 Background to the armed conflict

The government of Sri Lanka and the LTTE have been the main parties in the protracted armed conflict that raged on the island for more than two and a half decades. When the war finally ended with the government’s military defeat over the LTTE in 2009, an estimated 84,000 people had lost their lives and hundreds of thousands more had been displaced (Uppsala Conflict Data Program, 2012). The war in Sri Lanka has been described as rooted in ‘two competing forms of nationalism’ (Höglund, 2004: 153) and the struggle was manifested as a fight over the establishment of a separate Tamil state in the northern and eastern parts of the island.
The background to the armed conflict in Sri Lanka is often traced back to independence from British colonial rule in 1948. By this time, the island had experienced centuries of European colonialism, first under the Portuguese in the 16th century, then under the Dutch in the 17th century, and finally as a British colony from 1796. Under British rule, a unified island-wide
administration was established and English was used as the language of
government (Nissan, 1998: 10). The British also introduced national
registration of the population based on a systematic ethnic categorization.
Ethnic identity thus gained importance in Sri Lanka and became the basis
for political representation (Lindberg and Orjuela, 2011: 18). When it gained
independence, Sri Lanka (known as Ceylon during the British rule and until
1972) adopted a political system influenced by the model established by the
British. This entailed a unitary system of government with a strong central
administration in the capital city of Colombo and limited power for the
provinces (Loganathan, 1996: 1). With ethnic identity as the basis for
political competition, this system came to be characterized by an
‘overcentralized’ state that ruled with the support of the Sinhalese majority
(de Silva, 1998: 18) and the marginalization of the Tamil minority (Nissan,
1998: 10).

Hence, the nation-building project that had been encouraged by the
European colonizers did not generate an island-wide national identity.
Instead, a Sinhala nationalist movement developed and mobilized support
on the basis of reclaiming the culture, language and religion that was
perceived as having been suppressed by colonial influences (Orjuela, 2004:
90). Furthermore, the linguistic and religious restrictions introduced by the
Sinhala-dominated government that won support from the electorate in 1956
resulted in the ‘identification of the state and the interest of the Sinhala
people becoming increasingly close’, and this had severe consequences for
the Tamil minority (Nissan, 1998: 11). First, in 1956, the ‘Sinhala Only’ Act was
adopted. This made Sinhala – the language spoken by the Sinhalese
majority – the sole official language. The special status of the Sinhalese was
then extended in the new republican constitution of 1972, which
consolidated the linguistic nationalism claims and declared that Buddhism –
the main religion among Sinhalese – had ‘a foremost place’ in the
constitution at expense of other religions, notably Hinduism – which was
more common among the Tamil population (Orjuela, 2004: 90). In addition,
Indian Tamils living in the hill country were deprived of citizenship, and the
government launched programs for the resettlement of Sinhalese people in
areas traditionally inhibited by Tamils. Changes introduced in the
educational system made it more difficult for youths from overrepresented
urban areas to gain admission to universities (Orjuela, 2004: 90-91). This
had consequences for Tamil students in Jaffna, and they perceived the
reform as discrimination against them. The ‘Sinhalesation’ of the Sri Lankan
state has been described as a reaction from the Sinhalese majority against
the former privileged position of Tamils in administration and education
during the British colonial period, and as an effort to protect and give

---

83 Formally the Official Language Act No. 33 of 1956.
prominence to the previously disadvantaged Sinhala culture (Höglund, 2004: 155).

In response, Tamils began to make demands for regional autonomy for the northern and eastern provinces, where most of the Tamil population lived, as well as for Sinhala and Tamil to be granted equal status as official languages (de Silva, 1998: 52). In the context of continuing Sinhala domination and Tamil marginalization, demands for autonomy eventually developed into a claim of the right to self-determination for Tamils and the demand for a separate state in the north and east. In the beginning, this claim was pursued using non-violent methods, but later on it evolved into an armed struggle led by the LTTE (Rupesinghe, 2006b).  

5.1.1 The main actors

The government of Sri Lanka and the LTTE were the main belligerent parties in the war that raged on the island for 26 years. The conflict that led to the violence has an ethnic dimension, with the main parties identifying themselves with ethnic groups. Since independence, the government of Sri Lanka has been dominated by the Sinhalese majority that makes up approximately 74 percent of the country’s 18 million inhabitants. The Tamil minority, many of whom live in the north and east, accounts for about 18 percent of the population.  

The Muslim minority is also an important actor in Sri Lanka. It makes up seven percent of the population and mainly lives in the eastern parts of the island that were claimed by the LTTE (Höglund, 2004: 154).  

It should be noted that conflicts in Sri Lanka have not exclusively followed ethnic differences, but have also involved divisions of class, caste, religion and political affiliation (Lindberg and Orjuela, 2011: 18-19). Violence has also erupted along these other divisions, notably the rebellion of Marxist People’s Liberation Front (Janatha Vimukthi Peramuna; JVP), which engaged in violent attempts to gain state power in the early 1970s and late 1980s. It was violently repressed by the state, which resulted in the deaths of thousands of people (DeVotta, 2007: 24-25). It is important to take these other complexities into account when considering the war between the government and the LTTE.  

The Sinhalese majority dominates Sri Lanka’s two major political parties, which have alternated control of the government since the 1930s. The United

---

84 For an in-depth account of the historical background of the armed conflict see, for example, de Silva, 1998; Rotberg 1999.  
85 The Tamil minority has often been divided into two groups: the Sri Lankan Tamils who mainly live in the northern and eastern parts of the country, and the Indian Tamils, or Plantation Tamils, who were brought to the island by the British to work on tea plantations in the central hill country regions (de Silva, 1998: 8-9).  
86 While most Sinhalese are Buddhists and most Tamils are Hindu, about six percent of the population, including both Sinhalese and Tamils, are Christian. Among the Christians, language has nevertheless been important for political identity. For the predominantly Tamil speaking Muslim population, religion has been the main source of political identification (Bastian, 1999: 4).
National Party (UNP) won the first general elections that were held during British colonial rule in 1931. The party can be described as a party of the right (Höglund, 2004: 154), with an emphasis on economic development through the private sector and links to the West for trade and investment (Wilson, 1974: 130-131). The second major party, the Sri Lanka Freedom Party, SLFP, is more centre-left oriented (Höglund, 2004: 154). While the political leadership within the UNP has shifted between different elections, its rival SLFP was long considered to be a ‘family party’ led by the Bandaranaike family. This trend was not broken until 2005, when Mahinda Rajapaska was nominated as SLFP leader and presidential candidate. The republican constitution adopted in Sri Lanka in 1972 created a political system that opens up the possibility of ‘co-habitation’ – that is, the president, who is head of state and head of the army, and the prime minister, who leads the government, might come from different parties. While competition between UNP and SLFP has dominated Sri Lankan politics, frequent ‘party hopping’ indicates that power considerations have nevertheless often been prioritized over ideology or party programs (Orjuela, 2004: 107). The post-colonial administration managed to establish a large dominance in social and economic life in Sri Lanka, which meant that access to political power became a central means not only to exert influence but also to gain wealth and employment (de Silva, 1998: 30-31). In general elections, ethnic differences have been used as central points of contention and as the basis for nationalist aspirations. While the UNP and SLFP have dominated Sri Lankan politics, they have usually been required to find support among smaller parties and to create coalitions in order to secure a majority in parliament (de Silva, 1998: 32-34). This has implied cooperation both with Muslim parties and with ultra-nationalist parties. Accordingly, while the ultra-nationalist Sinhalese parties have won only a limited share of electoral votes, they have nevertheless enjoyed considerable influence in Sri Lankan politics. Among these, the Marxist party JVP and more recently the Buddhist National Sinhalese Heritage party (Jathika Hela Urumaya; JHU) have played noteworthy roles. The JVP, which attempted to start an insurgency in early 1970s and late 1980s, entered mainstream politics in the late 1970s and again in mid-1990s. After initially striving to over-throw the regime, the JVP gradually transformed into a leading nationalistic party, especially after the first Sri Lankan peace attempt in the 1980s. Over the years, the JVP developed a strong relationship with and support among the armed forces and campaigned in favour of the war (DeVotta, 2007: 25). Among Buddhist nationalist groups, the JHU – initially organized in 2000 as Sinhala Urumaya – entered parliament in 2004 (DeVotta, 2007: 26). Notably, both the JVP and the JHU have opposed all efforts by the government to negotiate with the LTTE, seeing such action as a severe threat towards the
unitary state of Sri Lanka. In addition, the JHU saw it as endangering Buddhism and Buddhists in Sri Lanka (Frydenlund, 2005: 14).

While there are groups in Sri Lankan politics that can be described as Sinhala nationalist parties, nationalist ideology is not identified with one of the major parties in particular, but rather operates across party lines through associated nationalist pressure groups (Frydenlund, 2005: 10). In Sinhalese nationalism, religion, language and historical heritage are considered important (Orjuela, 2004: 93-94), and references are made to the legacies of the island as constituting a unique place for the Sinhalese and the Buddhist religion. These must be protected from external threats in order to assure that the island is kept united (Rainford and Satkunanathan, 2009: 9). The Sinhalese-Buddhists have also emphasized their status as a ‘minority in the broader region’, with reference to the large Tamil population in Southern India, which is seen as constituting a threat towards the Sri Lankan state (de Silva, 1998: 19). As violence escalated in the north and east in the 1980s, the Sri Lankan government continuously increased its budget in order to expand and equip the military.

The LTTE was founded in 1976 by Velupillai Prabhakaran and became the main actor in the struggle for a separate Tamil state (see Swamy, 2008). The territory claimed by the LTTE covers approximately 30 percent of the island, including the northern and eastern Provinces, and about 15 percent of its population (Peiris, 2009: 23). The claim for an independent state was grounded in Tamil nationalist aspirations, with reference to the group’s right to self-determination as a ‘nation’ and to the historical legacies of the traditional Tamil ‘homeland’, where the Tamils had lived for centuries (Orjuela, 2004: 95). Accordingly, the LTTE was keen to stress that the Tamils were not an ethnic minority but a nation. For them, the conflict was not about a minority group, but a national question concerning the two nations of Sinhalese and Tamils (Uyangoda, 2003: 3-4). Reference has also been made to the marginalization and discrimination of the Tamil people by the Sinhalese-dominated government (de Silva, 1998: 19). In the early 1980s, different Tamil militant groups struggled over the position of spokesperson for the Tamil people. Influential groups involved in this were the People’s Liberation Organization of Tamil Eelam (PLOTE), the Tamil Eelam Organization (TELO) and Eelam People’s Revolutionary Liberation Front (EPRLF). During this period, the LTTE successfully expanded its base in the important northern city of Jaffna and emerged from this rivalry – which was often violent – as the strongest actor. Over the years, this struggle for power has implied the violent suppression of other Tamil groups who competed with the LTTE for domination (Lindberg and Orjuela, 2011: 20). While the LTTE claimed to be the sole representatives of the Tamil people, it has

---

87 This is stated in the so-called Thimpu principles formulated by Tamil groups in 1985.
always been difficult to estimate how extensive support for the organization actually is. Since the movement was founded in the 1970s, Prabhakaran has retained his role as leader, and he has been described as holding ‘an almost godly status’ among the group’s supporters (Orjuela, 2009: 256). The LTTE was a strictly disciplined organization and is known for its use of advanced guerrilla warfare and frequent suicide bombings. Over the years, the military wing became more sophisticated and developed a sea wing (‘Sea Tigers’) and an air wing (‘Air Tigers’). Initially, funding came primarily from India, while later on the Tamil diaspora became an important source of funds for the organization.

From the early 1990s, the LTTE controlled significant parts of northern Sri Lanka. With headquarters in Kilinochchi in the northern jungle area known as the Vanni, it gradually set up a ‘pseudo-state’. Among other things, the LTTE collected taxes and had its own police force, judicial system and visa system. The institutions of the Sri Lankan government had parallel operations in the area, but they were forced to follow instructions from the LTTE (Orjuela, 2009: 259). However, while the LTTE developed various state-like institutions, they largely failed to deliver services to the people and many lived in fear of the organization (interview, anonymous, Colombo 10 November 2010). In addition, while the LTTE was characterized as a disciplined and solid organization, it suffered an internal split in 2004, when one of its leading figures, Karuna, broke with the LTTE and created a separate faction in the east.

Among Tamil parties involved in mainstream politics, the Federal Party (FP) was the first to make demands for a federal constitution in the 1950s. Thereafter, an alliance called the Tamil United Liberation Front (TULF) became the leading Tamil party (Höglund, 2004: 154) and was the first to call for the establishment of a separate state (Nissan, 1998: 14). In 2001, TULF came together with other Tamil parties and created the Tamil National Alliance (TNA). These have been the leading parties in the Tamil-dominated Northern Province, where national parties have rarely won seats. During the 2002 peace process, the TNA announced their support for the LTTE.

Muslims are the third largest group in Sri Lanka, and they are seen as having both an ethnic and religious identity. Sri Lankan Muslims have historically tried to stay out of the government-LTTE conflict, but because many of them live in the disputed territory in the east, they have nonetheless been significantly affected by it. Although Muslims identify as a distinct group, in the beginning they were included in the LTTE’s rhetoric about separatist aspirations as members of ‘the Tamil-speaking people’ (Orjuela, 2004: 108). Close connections and cooperation between Muslims and the

---

88 TULF, originally the Tamil United Front (TUF), was established in 1972 by several Tamil parties – among others the All Ceylon Tamil Congress – that came together in opposition to the new constitution. In 1976, the FP also joined this party formation.
government led the LTTE to violently force Muslims out of the north in the 1990s. In politics the Muslims have therefore generally been associated with various national parties. Only in the late 1980s was a Muslim party established – the Sri Lanka Muslim Congress (SLMC). In particular, during the peace efforts in the 2000s, Muslims have sought to be recognized as a group with its own claims. Nevertheless, there have been disagreements within the Muslim community about how to best approach the conflict and attempts to reach peace (McGilvray and Raheem, 2007: ix).

5.1.2 Commencement of armed conflict and conflict dynamics

The background to the armed conflict in Sri Lanka can be understood in the context of identity politics, with ethnicity becoming basis for political competition and resulting in majority dominance and minority marginalization. In the beginning, Tamil politicians responded to the exclusionist nature of state policies by raising Tamil claims within the political system and through non-violent protests. This resulted in two notable pacts – one between Tamil leader Chelvanayagam and Prime Minister Solomon Bandaranaike (SLFP) in 1957, and one between Chelvanayagam and Prime Minister Dudley Senanayake of the UNP in 1965. These pacts offered devolution of powers and the recognition of Tamil as a national minority language (Nissan, 1998: 12). However, both pacts were abandoned soon after they had been reached due to major protests from the opposition and Buddhist clergy (Orjuela, 2004: 91). In addition, the non-violent protests were often violently suppressed by the state. In this context, aspirations for self-determination among Tamils grew stronger, and in 1976 TULF expanded its earlier demands for regional autonomy and declared that its goal was a separate Tamil state (Nissan, 1998: 14). Several militant Tamil youth groups also formed in the north during the 1970s, among them the LTTE. In 1978, the parliament passed a bill to prohibit the LTTE and other similar organizations, and the following year the Prevention of Terrorism Bill was passed by parliament and a state of emergency was declared in the north (de Silva, 1998: 184-185).

Outbreaks of violence against Tamils in July 1983 are usually seen as marking the official start of the armed conflict between the government and the LTTE. Triggered by the LTTE’s assassination of 13 Sinhalese soldiers, massive violence against the Tamils and destruction of Tamil property took place across the island, with modest response from the police (Lindberg and Orjuela, 2011: 19). At the same time, the parliament passed the sixth amendment to the constitution, which banned political parties advocating separatist policies and established penalties for individuals who advocated them (de Silva, 1998: 192). In this context, support for Tamil separatism grew stronger in the north, as did the LTTE, which began to emerge as the dominant militant Tamil group. Both the LTTE and other armed groups
were provided with military training in India, and during the first years of conflict, Prabhakaran and the people closest to him operated from the Indian state of Tamil Nadu (de Silva, 1998: 222-229).

The war between the government and the LTTE has been waged using several different kinds of violence. In the north, where the LTTE exercised substantial territorial control from the 1990s, the parties engaged in conventional warfare over the territory, with military offensives and fighting between the LTTE cadres and the Sri Lankan army. In other areas, where territorial control was unclear or unstable – predominantly the eastern parts of the country claimed by the LTTE – violence was characterized by guerrilla warfare. These areas have largely witnessed fighting between the LTTE and paramilitary groups as well as violent attacks directed against military and civilian targets (Lindberg and Orjuela, 2011: 26). In other parts of the island, including the south and the capital Colombo, suicide bombings and other bomb attacks have been common. These have been directed against political and military leaders, public gatherings and transports, as well as towards buildings of symbolic importance for the state. In addition, killings, abduction, torture and different forms of human rights violations have been common features throughout the long war.

5.1.3 Earlier peace attempts

The first efforts to negotiate an end to the armed conflict were initiated in 1985, only a few years after the war commenced, and involved Sri Lanka’s powerful neighbour India in the role of mediator. The distance between India and Sri Lanka is short, with only the Palk Strait separating the two countries, and they have had a close and sometimes ambiguous relationship. Since India also has a large Tamil population, the majority of which lives in the southern Indian state of Tamil Nadu across the water from Sri Lanka, Tamil groups initially found support from many Indian politicians. Indian intelligence forces also provided Tamil militants with arms and training facilities (Manoharan, 2006: 16).89 Furthermore, the regional instability that followed from the Sri Lankan conflict – due to the flow of refugees to India and the fear that Tamil separatism in Sri Lanka would inspire similar measures in Tamil Nadu and elsewhere in India – also led India to get involved in various ways. Due to the linguistic, cultural and religious ties between the Sri Lankan Tamil minority and the Tamils in India, the Indian government saw the conflict in Sri Lanka as a regional concern and hence demanded to have a say in settling it (de Silva, 1998: 200-201).

In 1985, a summit meeting was arranged by Sri Lankan President Jayewardene and Indian Prime Minister Rajiv Gandhi in order to work out an arrangement for negotiations to be held with Tamil militant groups. This

89 This was nonetheless rejected by the Indian government (de Silva, 1998: 214-215).
resulted in India exerting pressure on the groups to agree to a ceasefire and engage in direct talks (Loganathan, 1996: 99). Following from this, the Indian government initiated the so-called Thimpu talks between the government of Sri Lanka and a number of different Tamil groups in Thimpu, Bhutan. The talks failed after two rounds, and the LTTE withdrew from the discussions. Two years later, in July 1987, President Jayewardene and Prime Minister Rajiv Gandhi signed the Indo-Sri Lanka Accord (Uyangoda, 2005: 5). While Tamil groups were not a party to the agreement, the accord influenced subsequent debates over the devolution of power because it consolidated the system of provincial councils as a central feature of the Sri Lankan administrative system at the expense of the previous district system. This concession was made on the condition that India would use all its resources to compel the LTTE to accept the settlement (de Silva, 1998: 232; see also Indo-Sri Lanka Accord, 1987: articles 2.14, 2.16 and annexure 6). The provisions for establishing such a system were later debated as the 13th amendment to the constitution.

Besides an agreement on the devolution of power through a system of provincial councils, the agreement included a complete cessation of hostilities to be imposed within 48 hours of the signing of the agreement. Within 72 hours of the cessation coming into effect, militant groups were to have completed the process of surrendering their arms and army and security personnel were to have returned to their barracks (Indo-Sri Lanka Accord, 1987: article 2.9). Furthermore, in order to oversee the implementation of the accord, Indian Peace Keeping Forces (IPKF) were stationed in the northern and northeastern parts of the island. It has been estimated that between 75,000 and 100,000 soldiers were sent to Sri Lanka from India (de Silva, 1998: 244). While the presence of Indian military personnel in Sri Lanka was largely opposed both by elements within the government and the opposition as a threat to Sri Lanka’s sovereignty and security, President Jayewardene considered it necessary for the speedy implementation of the limited time-frame contained in the Accord. Furthermore, he thought that Tamil militants would have more confidence in and be more willing to hand over arms to the Indian army than to the Sri Lankan army, which was the party they were in conflict with. Some initial progress was made in accordance with the agreement, including the relocation of the Sri Lankan army back to their camps, disarmament of paramilitary groups, and some handing over of arms by the LTTE. However, the effort turned out to be a failure, because the peacekeeping troops themselves got involved in fighting with the LTTE (Höglund, 2004: 156). As the IPKF began trying to disarm the LTTE by force, the LTTE, which had been isolated on the Jaffna peninsula, started moving to other parts of the Northern Province and into the eastern areas of Trincomalee (de Silva, 1998: 237). The hostilities proved to be militarily costly both for the LTTE and the
Indian army, with casualties on both sides and among civilians. Protests against India’s intervention and its challenge to the territorial integrity of Sri Lanka also increased in the southern parts of the island (Nissan, 1998: 19). As result of the increasingly problematic situation in the north and challenges from the south, in 1989 Sri Lankan President Premadasa invited the LTTE to participate in negotiations focused mainly on the issue of how to get Indian peacekeeping troops out of the country. As a result, the IPKF was forced to leave Sri Lanka in 1990, but the negotiations between the government and the LTTE broke down once they had achieved this commonly held goal (Uyangoda, 2007: 33). Another phase of intense violence followed, with the government forces introducing aerial bombing in the northern areas as well as an economic blockade of Jaffna (Manoharan, 2006: 16).

The peace processes that began in Sri Lanka in the 1990s and the 2000s must be understood in the historical context of the creation of the contemporary Sri Lankan state, the emergence of ethno-nationalism in the context of electoral politics in a centralized state and the mobilization of militant secessionist groups and the government’s response to it. In addition, the peace processes must be seen in the light of experiences from the Indo-Sri Lanka accord and the Premadasa talks, as well as the parallel negotiations on constitutional reforms for the devolution of power. Throughout the conflict, both the government and the LTTE expressed strong confidence in their own military capacity, while the civilian population was severely affected by the military activities. In May 2009, the war was officially ended after the government took control of former LTTE-controlled areas and with the death of LTTE leader Prabhakaran (ICG, 2009). Before that, the warring parties engaged in two significant peace processes that will be mapped out and analysed in the remaining sections of this chapter.

5.2 The 1994 peace process

After a period of intensive warfare between the government and the LTTE following the breakdown of the Indo-Sri Lanka accord and the failed negotiations initiated by Sri Lankan President Premadasa, opportunities for new peace initiatives emerged in the mid-1990s. After 17 years in power, the position of the ruling UNP in the political arena had weakened. Allegations of corruption and human rights abuses had been made against the party, and it had lost a number of important leaders, including President Premadasa who was killed by the LTTE in 1993 (Höglund, 2004: 156). The People’s Alliance (PA), a coalition of parties in opposition to the UNP, won the election of 1994. The PA’s front figure was Chandrika Bandaranaike Kumaratunga from the SLFP – daughter of former SLFP leaders Solomon
and Sirimavo Bandaranaike. Within the coalition, the SLFP was supported by both leftist and minority parties. The latter included, for example, the Muslim party (SLMC) and the Ceylon Workers Congress (CWC) that represented Indian Tamil plantation workers (de Silva, 1998: 37-38). A central part of the PA’s electoral campaign was a call for a peaceful solution to the civil war. Importantly, in contrast to the UNP government’s claim that there was no ethnic conflict and that the war was a problem of terrorism, Kumaratunga acknowledged Tamil grievances as legitimate and held the position that a political solution was needed (Perera, 2006: 226-227). Nonetheless, the LTTE called on Tamils in the northern and eastern areas to boycott the elections (Rajanayagam, 2006: 167). During the same period, the LTTE made significant military advances and gained territorial control in northern areas, thereby increasing their military, political and administrative influence. Despite this, the movement also faced difficulties in gaining international support and recognition, in particular after India decided to ban the LTTE as a terrorist organization in 1992 in response to the assassination of Indian Prime Minister Rajiv Gandhi (Höglund, 2004: 156).

When the new PA government took office, one of its first undertakings was to send a message to the LTTE that it was ready to negotiate. Kumaratunga also put together a team of people from the government, academia and civil society to work out strategies for a peace process and to develop proposals for constitutional reforms on power-sharing in order to settle the conflict (interview with Jayadeva Uyangoda, Colombo 27 January 2012). A public campaign called the White Lotus Movement was also launched to gain support for a peace process by educating the ‘masses of people’ about the peace process and the concept of power-sharing (interview with Ravi Jayawardana, Colombo 9 November 2010). In September 1994, it was announced that the government and the LTTE had scheduled a first round of talks to be held 13-14 October. At the same time, military operations continued in the northeast, and on 19 September the LTTE attacked one of the largest patrol vessels in the Sri Lankan navy off the coast of Mannar. This was followed by an attack against a cargo ship just days before the start of the planned talks (Rajanayagam, 2006: 170-171). The navy attack was the most severe of its kind since the start of the war, and it was seen as strengthening the arguments of those who were critical of the upcoming peace talks. In spite of these violent incidents and growing criticism from opponents of the peace initiative, Kumaratunga remained committed to opening negotiations. Importantly, the initiative was also supported by central figures within the UNP. This party still held the post of president (Weerakoon, 2006a: 307) and thus retained control of the Sri Lankan armed forces and the ministry of defence. President Premadasa’s successor, Dingiri Banda Wijetunga, was known as an opponent of negotiations with the LTTE and many expected him to be a hinder to a future
peace process (Höglund, 2004: 159). Nevertheless, presidential elections were scheduled for November and another UNP member – Gamini Dissanayake – was set to run against Kumaratunga. Dissanayake had expressed support for the peace efforts (Rajanayagam, 2006: 170-171). Negotiations were also opposed by many critics in the military, and in order to consolidate support Deputy Minister of Defence Anuruddha Ratwatte visited to a number of army camps in the north (Höglund, 2004: 161).

5.2.1 The Cessation of Hostilities Agreement

5.2.1.1 Initiation and by whom

Starting with the initiation of dialogue in September 1994, the government and the LTTE exchanged over 40 letters and held four rounds of bilateral talks (Samuel, 1998: 20-21). Most letters were sent between Sri Lankan Prime Minister Kumaratunga, who became president in November of that year, and LTTE leader Phrabakaran. Some letters concerning security issues went from Sri Lankan Deputy Minister of Defence Colonel Ratwatte to Phrabakaran. In addition, the chairs of each negotiating delegation engaged in the correspondence – i.e. the Sri Lankan Secretary to Prime Minister (later President) Kumaratunga, K. Balapatabendi, and S.P. Tamilselvan, leader of LTTE political section (Balasingham, 2004: 197).\(^9^0\) All letter correspondence was facilitated by the International Committee of the Red Cross (ICRC), which functioned solely as a messenger and was not involved in the negotiation process. In its very first letter to the government, the LTTE declared that it wanted ceasefire (LTTE letter, 2 September 1994). While the government made no immediate response, the issue was addressed in the government’s proposal for the agenda for the first session of direct talks (Government letter, 11 October 1994).

After a number of letters had been exchanged between the parties, the first round of talks were held on 13-14 October 1994 in the northern city of Jaffna, a historically and culturally important city for Tamils. Throughout the conflict, control of Jaffna was one of the main objectives of battles over territory. Crowds of people filled the streets of Jaffna to welcome the delegations, which indicates the level of popular support the peace initiative had among the war-weary people. The first session of talks focused solely on the immediate reconstruction of war-torn areas, and the atmosphere of the talks was constructive and positive. Nevertheless, it soon became evident that the parties had different opinions about how the negotiation process should be structured. The LTTE demanded a permanent ceasefire and the

\(^{90}\text{The letters have been published in Balasingham (2004). They can also be found at the Conciliation Resources website: www.c-r.org/our-work/accord/sri-lanka/key-texts.php. While there are a number of persons who were involved in the letter correspondence, they are here simply referred to as ‘LTTE letters’ and ‘Government letters’.}
implementation of humanitarian improvements before substantial talks about a political settlement. As LTTE negotiator Balasingham put it: ‘We wanted a stable condition of peace affected by a permanent ceasefire and normalisation of civilian life before embarking on a political dialogue to resolve the ethnic conflict’ (2004: 198). The government, on the other hand, wanted to negotiate these issues in parallel fashion (Höglund, 2004: 156–157).

The second session of direct peace talks was postponed by the government in response to a bombing that killed the UNP candidate for the upcoming presidential election, Gamini Dissanayake, as well as 50 other people the day before talks were scheduled to begin (Perera, 2006: 228). While it was widely believed that the LTTE was responsible for the attack and the UNP directly accused them of carrying it out, the Kumaratunga government avoided placing blame on the guerrillas and initiated an investigation (Höglund, 2004: 162-167). In the meantime, Kumaratunga continued to campaign on a platform of finding a negotiated settlement to the violent conflict. The LTTE neither denied involvement nor took responsibility for the attack (Balasingham, 2004: 224).

Kumaratunga won the presidential election and the day that she assumed the post of president – 12 November – the LTTE declared a unilateral, one-week cessation of hostilities as a good will gesture to the new president (Höglund, 2004: 168-169). The government responded by proposing a two-week cessation of hostilities a few days later (Government letter, 19 November 1994), but the LTTE expressed mistrust about the government’s intentions and pointed to a number of violent incidents carried out during the LTTE’s one week cessation (LTTE letter, 20 November 1994). In particular, the LTTE referred to the killing of senior commander Lieutenant Colonel Amudan (Malli) in an ambush by Sri Lankan armed forces (LTTE letter, 20 November 1994). The LTTE argued that a cessation of hostilities would serve little purpose ‘unless modalities are worked out to ensure strict observation of cessation of hostilities’ and, moreover, that this ‘should be given detailed discussion at the negotiating table’ (LTTE Letter, 25 November 1994). Accordingly, when negotiations eventually resumed in January 1995, discussions were centred on provisions for a mutually agreed ceasefire.

5.2.1.2 Form and content

Despite differences of opinion about the procedures and provisions of a ceasefire, the government of Sri Lanka and the LTTE succeeded in signing a Declaration on Cessation of Hostilities (CoH) agreement on 7 and 8 January

---

91 These talks were scheduled for 24 October.
92 Srima Dissanayake, widow of Gamini Dissanayake, ran as the presidential candidate for the UNP.
1995 (Declaration of Cessation of Hostilities, 1995). By the time the ceasefire agreement was reached, the parties had exchanged some 20 letters. The ceasefire agreement was signed separately – Kumaratunga, as president and chief of the armed forces, signed it in Colombo, while LTTE leader Prabhakaran signed it in Jaffna. The document exchange was carried out by the ICRC. The provisions of the Cessation of Hostilities agreement were negotiated and formulated by the parties during the second round of talks in Jaffna on 2 January 1995. Although Kumaratunga and Prabhakaran signed the agreement, they did not personally participate in the face-to-face negotiations. The central players in the negotiations were senior army officer Brigadier A.S. Pieris and naval officer Captain Prasanna Rajaratne for the government and the head of LTTE’s political wing, Tamilselvan, for the LTTE (Balasingham, 2004: 253-254).

The Cessation of Hostilities agreement is comparatively limited in scope and content. It is comprised of seven concise points that focus on the cessation of offensive operations and the freezing of existing military positions. The parties agreed to refrain from engaging in hostile operations and to prohibit a number of specific actions, including sabotage, abduction, assassination and intimidation. In addition, the Sri Lankan armed forces and the LTTE cadres were urged to maintain their ground positions and to respect a physical distance of a minimum 600 meters, as proscribed by the accord. The agreement also recognized the right of each party to move up to 100 meters from its own bunker lines, keeping at least 400 meters in between the parties, and stated that any movement into restricted areas would be considered an offensive operation (Declaration of Cessation of Hostilities, 1995: Points 1, 2, 4). The agreement confirmed the special role of the Sri Lankan navy and air force to protect the country’s sovereignty and territorial integrity from external aggression, but also stated that these forces would neither engage in military activities against the LTTE nor disturb fishing activities while carrying out their duties (Declaration of Cessation of Hostilities, 1995: Point 3). Thus, the agreement in essence froze the military positions of government forces and the guerrillas without demanding any measures of de-militarization, such as laying down arms or dismantling army camps.

Besides agreement on prohibited acts, the parties also managed to agree on an outline for an organizational structure based on the establishment of local committees. As envisioned, they would be able to take immediate action, conduct inquiries in response to complaints about violations of the

---

93 The version of the CoH document that can be found on most websites containing collections of peace accords (and which is also included in the appendix of this thesis) comes from the Presidential Secretariat of Sri Lanka. This copy of the document holds that the agreement was signed on 7 and 8 January. In an interview by the author it was claimed that the agreement was signed by the LTTE on 7 January and by the government on the 8th. Balasingham’s account of the peace efforts states that the agreement was signed on 5 January. It is not clear whether this refers to the date it was signed by the LTTE, the government or both.
ceasefire and settle potential disputes. These committees were to be established in the northern and eastern areas of Jaffna, Mannar, Vavuniya, Mullaitivu and Batticaloa-Ampara, as well as other areas that might be considered necessary in the future. The committees were to be comprised of five representatives: two from each party and one international representative who would also act as chair. International representatives from Canada, the Netherlands, Norway and the ICRC were invited to join the committees and work together with prominent domestic leaders such as religious leaders and officials. To enable the committee members to fulfil their tasks, they were to enjoy freedom of movement and sufficient facilities to enable them to work quickly and impartially (Declaration of Cessation of Hostilities, 1995: Points 5a-f). In the interest of solving potential problems locally, the importance of establishing communication between government and LTTE armed forces was also explicitly emphasized (Declaration of Cessation of Hostilities, 1995: Point 6). However, the outline of an organizational structure and monitoring mechanism was presented as a suggestion in the document, one that was to be further developed at a later date. The vagueness of the agreement on this point indicates that there was no common understanding about how this should be carried out prior to the signing of the CoH, something that became clear when the agreement was put in practice.

The parties agreed that the cessation of hostilities was to continue until one of the parties gave notice of termination, which was to be done at least 72 hour in advance of termination (Declaration of Cessation of Hostilities, 1995: Point 7). The agreement includes no statements of aims or declaration outlining how the agreement relates to the broader peace process and the negotiations. Nevertheless, before the details of the agreement were formulated, the government had been keen to explain their conceptual understanding of what a cessation of hostilities agreement would mean. Fundamentally, the government emphasized what it perceived as a vital distinction between ‘cessation of hostilities’ and ‘ceasefire’. As the government explained it, cessations of hostilities ‘should not be confused’ with a ceasefire, but at the same time the former ‘could be a prelude’ to the latter (Government letter, 7 December 1994). During a cessation of hostilities, both parties would ‘remain frozen in their present positions, while remaining fully armed and alert’. Accordingly, from the government’s point of view, the provisions of a cessation of hostilities were less formal and binding than a ceasefire. In sum, a cessation of hostilities would be ‘a direct prelude to commencing negotiations between the Government and the LTTE in order to end the conflict and to arrive at political solutions to the problems which caused the war’ (Government letter, 7 December 1994). While these conceptual differences did not seem as clear-cut to the LTTE, which had previously referred to ‘a cease-fire to mean total cessation of hostilities’, the
movement agreed to proceed with the government’s distinction (LTTE letter, 8 December 1994). Nevertheless, the LTTE insisted on addressing immediate issues caused by armed conflict before ‘analysing root causes’ (LTTE letter, 21 December 1994). Hence, even though the parties were able to reach an agreement, the letter correspondence leading up to the CoH agreement and the absence of a declaration about how the agreement was linked to the overall negotiation process reveals the different ideas held by the two parties.

5.2.1.3 Implementation and unfolding of the process
Violence decreased in the period immediately following the signing of the Cessation of Hostilities agreement, although incidents still occurred. Contact between military leaders in the field from each party was established rather quickly, and interim arrangements were set up to handle immediate problems, particularly in the east. In addition, according to reports, violent incidents that did occurred were sorted out (Rajanayagam, 2006: 187). R.A. Ariyaratne, who was liaison officer for the northern division during this period, recalls settling mainly minor disputes, many of which were between different Tamil groups (interview with Ariyaratne, Colombo, 24 January 2012). Nevertheless, as the process unfolded, the parties increasingly accused each other of violating the ceasefire, and dialogue between them became more and more hostile. However, there was no mechanism to inquire into these accusations. Monitoring committees had been established in February 1995, in accordance with the agreement, and four foreign experts had arrived on the island to participate (Bandarage, 2009: 156): Major General Clive Milner from Canada, Lieutenant Colonel Paul Henry Horsting from the Netherlands and Audun Holm and Johan Gabrielsen from Norway (Rajanayagam, 2006: 188). The government and the LTTE had also proposed that the ICRC assume the role of chair of one monitoring committee. The ICRC decided that they lacked the competence and expertise required for such an assignment and therefore turned it down (Balasingham, 2004: 256). In a letter dated 13 February, the LTTE suggested that two additional foreign expert be brought in from Canada and the Netherlands. This would ensure that each of the six committees would have an external chair when they began operating (LTTE letter, 13 February 1995). However, the LTTE contested the functioning of the monitoring committees and, consequently, the monitors were never given a chance to begin their work. First the LTTE expressed concern that the government had sent two of the monitors to chair committees in the eastern regions of Trincomalee and Batticaloa-Amparai without first consulting with them. The LTTE argued that this raised questions about the ability of the monitors to behave neutrally towards the parties (LTTE letter, 13 January 1995). In addition, the LTTE also began calling for detailed clarification of the modalities of the
CoH in light of conditions on the ground. Otherwise, they argued, it would be difficult for the monitoring committees to function and for the agreement to be implemented properly. The LTTE proposed that a separate document be worked out and attached as an annex to the original agreement (LTTE letter, 15 January 1995). The government responded with an offer to arrange a meeting, which eventually took place in Jaffna on 5 February. At the same time, however, it claimed that the LTTE was deliberately trying to prevent the monitors from carrying out their assignments (Government letter, 26 January). Furthermore, the government teams sent into the field to settle disputes were often forced to return without having completed their tasks – the LTTE ‘did not trust the Sinhalese and wanted the foreign generals to come in’ (interview with R.A. Ariyaratne, Colombo 24 January 2012). Because there was no body responsible for monitoring and inquiring into claims of violations, the parties exchanged lists of alleged violations to the ceasefire (Balasingham, 2004: 276), but nothing was done to rule on the violations or punish those guilty of them. While some international actors called on the parties to stop violating the ceasefire, external pressure was modest and international attention was directed towards other parts of the world (Perera, 2006). India also maintained a comparatively low profile, because Indian peacekeeping troops had been forced off the island only a few years earlier and their involvement remained a sensitive issue.

Despite the fact that violations of the ceasefire agreement were increasing, the government and the LTTE managed to hold a third and fourth round of talks after the signing of the Cessation of Hostilities agreement. Communication and negotiations through letter correspondence also continued. Nevertheless, the parties’ different views about how to structure the peace process, which were manifested as early as their initial communications in September 1994, continued to be a source of dispute even after the Cessation of Hostilities Agreement had been signed. This became particularly evident during the third round of talks held in Jaffna on 14 January 1995, only a week after the parties had entered into the agreement. The government pressed for a process in which negotiations on substantial political issues would be undertaken simultaneously with other measures, while the LTTE demanded improvements in the living conditions in war-torn areas and a more comprehensive, stable and formalized ceasefire before such discussions could commence. On 16 March, the LTTE presented the government with a list of demands: a total lift of the government’s economic embargo, the dismantling of an army camp (the Pooneryn army camp), the removal of all fishing restrictions and freedom of movement for LTTE cadres in the east (LTTE letter, 16 March 1995). The LTTE was also concerned about and opposed to the government’s proposal to involve a foreign mediator – a retired French diplomat – in the peace process (Uyangoda, 2007: 34).
As a condition for supporting a continuation of the peace talks, LTTE also issued a deadline by which their demands were to be met, initially 29 March, but later pushed back to 19 April. The government saw this demand as the setting an ultimatum. It had begun meeting some of the demands, and by the end of January it had reduced the number of items banned under the terms of the economic embargo (Rajanayagam, 2006: 188). On 12 April the government announced that only eight items remained on the list (Government letter, 12 April 1995). In addition, fishing restrictions were eased – with some exceptions – and the size of the army camp was reduced, although it was not closed as demanded by the LTTE. However, some observers pointed out that a number of measures promised by the government were not being rapidly implemented, for example the easing of the economic embargo. One factor that was blamed for contributing to slow implementation was the armed forces’ unwillingness to cooperate and support a smooth implementation (Perera, 2006: 228). Furthermore, some of the LTTE’s demands would have strengthened the military capacity of the guerrillas, while weakening the Sri Lankan armed forces (Bandarage, 2009: 162). The government responded with the argument that since the Cessation of Hostilities agreement established a military status quo, it should be maintained and neither party should be forced to reduce its military capacity (Government letter, 12 April 1995). While the government most strongly opposed the removal of the army camp and freedom of movement for LTTE cadres in the east, the lifting of fishing restrictions was also considered a sensitive issue because the government suspected that it would be used by the Sea Tigers – the guerrillas’ naval unit – to smuggle arms and carry out operations unhindered.

Despite some initial signs of progress, the increasingly unstable ceasefire proved to be a comparatively short-lived accomplishment. The negotiations reached a deadlock and both parties suspected the other of having hidden agendas. The government thought that the LTTE sought to weaken the government’s military presence in Jaffna, while the LTTE believed that the government’s hidden agenda was to ‘prepare for war while talking peace’ (interview with Jayadeva Uyangoda, Colombo, 27 January 2012). The fourth round of talks was held without further progress being made,94 and on 18 April 1995 the LTTE sent a letter to the government stating that they were withdrawing from the Cessation of Hostilities agreement. A few hours later, the LTTE attacked two boats from the Sri Lankan navy in the Trincomalee harbour, killing 12 men and injuring another 21 on board (Höglund, 2004: 169). This incident came to symbolize the breakdown of the ceasefire agreement, and eventually also the breakdown of the entire peace process.

---

94 During this session, three of the original government delegates remained and three new additional representatives were sent (Balasingham, 2004: 322).
The following month, the Sri Lankan government declared that the peace process was over. Although the ceasefire had been instable, many had not foreseen its unilateral termination by the LTTE. The government also strongly criticized the LTTE for not giving 72-hour notice as required by the agreement. In response, the LTTE referred to the first deadline it had announced, which the government had not taken seriously enough (Balasingham, 2004: 196). The explanation given by the LTTE for their withdrawal from the ceasefire was that the government was ‘not acting in good faith’ and that it ‘failed to fulfil its pledges and promises’ (Balasingham, 2004: 195). Importantly, the LTTE claimed that the people in the north never gained access to things that the government said it had removed from the list of items included in the economic blockade. The movement also placed particular blame on the ‘ineffectual, loosely worked out truce that led to various incidents of cease-fire violations, particularly in the east’ (Balasingham, 2004: 199). As LTTE negotiator Balasingham put it:

*The LTTE wanted a permanent, stable cease-fire with international supervision. But the government was not favourable to that proposition. Instead, it proposed a temporary unbinding cessation of hostilities without proper modalities and monitoring mechanism. It also adopted dilatory tactics in the formation of monitoring committees chaired by international experts. This disinclination to establish a stable ceasefire indicated to us that the government was not genuine in the pursuit of peace. (Balasingham, 2004: 199)*

In addition, the LTTE accused the government of taking the opportunity provided by the negotiation process to build up its military capacity. The LTTE also accused the government of having sent delegates who lacked the authority to make decisions to the negotiations about the agreement and its implementation. In fact, only two of the government’s representatives were government officials, while the LTTE had only sent high-level leaders (Balasingham, 2004: 200).

A number of international actors, including the US, Canada, and the EU, criticized the decision to withdrawal from the ceasefire. In June 1995, the government announced that the whole peace process had come to an end, and Kumaratunga explicitly declared war on the LTTE. At the same time, she initiated a new approach for handling the violent conflict, the so-called ‘War for Peace’ strategy:

*At the time, the government did not think that a military solution was possible. They thought a political solution was necessary, and that a political solution was to be reached in negotiations with the LTTE. But the government also thought that it should use a military offensive to compel the LTTE to return to negotiations – i.e. that a military weakened LTTE would return to the table (interview with Jayadeva Uyangoda, 27 January 2012).*
Parallel to the military offensive, Kumaratunga presented a ‘devolution package’ in early August 1995. This was a proposed solution to the conflict based on giving the Tamil majority in the north and east increased autonomy. The devolution proposal built on earlier initiatives such as the pacts from the 1950s and 1960s and the Indo-Sri Lanka Accord. Compared to the Indo-Sri Lanka Accord, however, it raised the possibility of changing the unitary character of the Sri Lankan state in order to make fruitful devolution possible (Bandarage, 2009: 156-157). By transferring power from the centre to the regions, Sri Lanka could become a ‘united and sovereign republic with a Union of Regions’ (Samuel, 1998: 25). The devolution proposal was criticised in the south, most notably among Sinhala nationalists who saw it as a first step towards the breakup of the state. Furthermore, Kumaratunga never gained support for the ‘devolution package’ from the opposition UNP (Bandarage, 2009: 156-161). Moreover, since the proposal still rejected the separatist claims of the LTTE, they did not welcome the proposal either. As a result, negotiations were not resumed and the country witnessed a significant escalation of violence. According to Bandarage (2009: 162-163), within the first 39 days of the termination of the ceasefire the LTTE carried out 27 attacks in the northeast, killing more than 300 people. The government responded with a major military offensive. By the end of 1995, an estimated 120,000-140,000 displaced persons were living in refugee camps in the Northern Province. In early 1996, the southern parts of the country also experienced significant violence in the form of suicide bombings and political assassinations. As the war intensified, a negotiated solution to the conflict in Sri Lanka appeared all the more distant.

5.2.2 Derailed process – return to armed conflict

After more than a decade of violent conflict in Sri Lanka, the 1995 Cessation of Hostilities agreement was the most comprehensive mutual undertaking between the government and the LTTE. A new political leadership that framed the conflict differently, made gestures of good faith and manifested a willingness to meet some of the claims of the LTTE proved important for creating favourable conditions for the parties to engage in a peace process. Because the years leading up to the agreement were characterized by continuously intensified warfare, the reaching of a mutual ceasefire that improved the security situation in the war-affected areas (at least initially) turned the ceasefire into a symbolically important first step in the search for an end to the violent conflict. Nevertheless, the ceasefire proved to be only a first step that froze the military status quo, rather than an instrument that created an arena for constructive changes.

Records and accounts of the communication between the two parties – through letter correspondence and a number of rounds of direct talks – indicate that a ceasefire agreement was a central issue in the discussions.
However, it soon became evident that the parties had different views about the meaning of a ceasefire and what role such an arrangement should have in relation to the peace process. On the one hand, the government was cautious about entering into a ceasefire and wanted an agreement on the cessation of violence in order to enable political negotiations to commence. The LTTE, on the other hand, was keen to establish a ceasefire and once the Cessation of Hostilities agreement was signed they pushed for it to be strengthened. In contrast to the government, the LTTE called for visible improvements on ground as a precondition for engaging in political talks. Because of these different views about the role of the ceasefire and how the process should proceed, the ceasefire itself became a source of new disputes and mistrust about the intentions of the other side, and this was further fuelled by ceasefire violations and a lack of implementation. Rather than engaging in discussions about substantive issues, the parties used the established dialogue to debate the ceasefire. Furthermore, while the government pushed for talks about substantial political issues in order to find a solution to the conflict, they failed to present a vision of what such a political solution could be. This also illustrates the uncertainty that pervaded the peace process. While international monitors were supposed to oversee compliance and facilitate implementation of the agreement, the work of the monitoring committees became yet another source of disagreement. After only a few months, the ceasefire was terminated by the LTTE. This derailed the whole peace process and the parties returned to armed conflict.

5.3 The 2002 peace process

The period following the failed 1994–95 peace process was the most intense period of fighting since the war had begun. President Chandrika Kumaratunga changed approach and adopted a ‘War for Peace’ strategy (Höglund and Svensson, 2003: 108). In 1995 and 1996, government forces made significant military advancements in the north and, importantly, they took control over the northern city of Jaffna in late 1995. However, military operations initiated by the LTTE in the summer of 1996 resulted in the capture of Mullaitivu and, later the following year, Kilinochchi (Rainford and Satkunanathan, 2009: 19), and this raised questions about the government’s advantage (Manoharan, 2006: 17). Neither party seemed militarily strong enough to conquer the other on the battlefield. The intensified warfare led to widespread war-weariness throughout the country and demands for a peaceful solution. In the period leading up to the 1999 presidential election, the government saw itself in a position of military advantage, and with the ‘devolution package’ already available to present in negotiations, Kumaratunga made a new attempt to approach the LTTE. In this context, the government initiated a ‘check-point arrangement’, facilitated by the ICRC,
aimed at enabling the delivery of humanitarian aid to LTTE control areas (Goodhand, Klem and Sørbo, 2011: 31-32). Nevertheless, both conflicting parties continued their military operations, and during the presidential campaign, in December 1999, Kumaratunga was nearly killed in a bomb attack by the LTTE.

In 2000 the LTTE took control over the Elephant Pass linking the Jaffna peninsula with the main island. However, they did not capture Jaffna and were forced to continue operating from the Vanni south of the Jaffna peninsula (Manoharan, 2006: 17). Besides numerous casualties and displacements, the continuous violence also had severe economic consequences for Sri Lanka as tourism and foreign investment significantly decreased. This, in turn, led to criticism of President Kumaratunga (Höglund and Svensson, 2003: 108). The LTTE also faced difficulties when several states decided to classify it as a terrorist organization, which led to the reduction of vital financial support from the diaspora. Furthermore, the group faced harsh international criticism after reports that it engaged in recruitment of child soldiers. Thus, in addition to financial constraints and an overall increase in the costs of war, being classified as a terrorist group and a human rights violator made it more difficult for the LTTE to gain international recognition as a legitimate actor (Nadarajah, 2003: 25-27).

In this context, conditions seemed conducive for exploring the possibility of initiating a new peace process. Vividly aware of the problems they had encountered in their earlier attempts to end the conflict, the parties agreed to use Norway as a facilitator. There are four main reasons why Norway was approached: (1) Because it is a small state located far away from Sri Lanka, the conflicting parties did not perceive Norway as a threat, with power to impose a given solution upon them, nor was it seen as having an interest of its own in the region. (2) Furthermore, since both parties had agreed to enter into negotiations as equals, it was important that both of them, as well as India, accepted Norway as facilitator. (3) Engaging as a third party in peace processes has also become a widely recognized feature of Norway’s foreign policy, and from these previous involvements they had become a known practitioner of the facilitative method, which was seen as an appropriate tool given the problems linked to India’s intervention. (4) As a result of Norway’s long history of engagement in different development projects in Sri Lanka, many personal networks had been established and these proved favourable for an involvement in the peace process.95 Thus, small, geographically distant and with a long history of engagement in Sri Lanka, Norway was a state that both parties could agree upon. The idea of engaging Norway in peace efforts in Sri Lanka was not new, and had first been explored in the

---

95 These reasons were expressed in interviews conducted by the author in Sri Lanka in 2006. For more on the Norwegian facilitation, see, for example, Goodhand, Klem and Sørbo, 2011; Höglund and Svensson, 2009; Moolakkattu, 2005; Noyahr, 2006.
early 1990s. In May 1999, Kumaratunga gave Norway a mandate to initiate dialogue with the LTTE, and in December of that year she publicly announced the commencement of the peace process and Norway’s involvement (Goodhand, Klem and Sørbø, 2011: 29-32). The initial focus of the renewed contact between the parties with the help of Norway was on immediate humanitarian needs, and the two succeeded in negotiating a document on Agreement Following an Understanding on Humanitarian Measures (Goodhand, Klem and Sørbø, 2011: 33; Gooneratne, 2007: 10). Once again, the LTTE stressed the importance of a ceasefire, removal of the economic embargo in the north, and the lifting of the government’s ban against the LTTE as a terrorist organization – which had been issued in 1998 – as pre-requisites for resuming talks (Balasingham, 2004: 353). With reference to the failed 1994-1995 peace talks and the Cessation of Hostilities agreement, Kumaratunga insisted that such measures could be implemented only after there was evident progress in negotiations (Goodhand, Klem and Sørbø, 2011: 33). On 24 December 2000 the LTTE declared a unilateral ceasefire. The government did not respond to the gesture, and instead made new efforts to push the guerrillas back militarily.

5.3.1 The Ceasefire Agreement

5.3.1.1 Initiation and by whom
In December 2001, there was another shift in government in Sri Lanka, and this opened up new opportunities for peace initiatives. The United National Front (UNF) – a coalition formed by the UNP, the Muslim Congress (SLMC), the Ceylon Workers Congress, and others – won the general elections that were held after President Kumaratunga dissolved the parliament in October. Ranil Wickremesinghe from the UNP assumed the post of prime minister in his capacity as leader of the UNF coalition. Kumaratunga, from the rival SLFP party, maintained her position as president (Weerakoon, 2006b: 2). Wickremesinghe, previously openly sceptical to the peace efforts initiated by Kumaratunga, now declared himself in favour of a compromising approach. He announced his support for talks with the LTTE and the abandonment of the ‘War for Peace’ strategy. On the very day he won the election, Wickremesinghe contacted the Norwegian facilitators in order to resume the dialogue with the LTTE (Goodhand, Klem and Sørbø, 2011: 35).

In contrast to President Kumaratunga, Wickremesinghe’s government agreed to unconditionally meet LTTE’s demands for an incremental, step-by-

---

96 The agreement has been published in Gooneratne (2007).
97 While the PA government had been able to retain office in the 2000 elections, it had long been an unstable coalition. When the SLMC decided to leave the coalition, together with some government ministers who also crossed over to the opposition, a critical point was reached and the parliament was ultimately dissolved (Bastian, 2006: 249).
step procedure starting with a ceasefire and followed by humanitarian improvements and reconstruction in order to pave the way for a political solution (Gooneratne, 2007: 10-11). Despite resistance from some opposition parties in the south, Wickremesinghe also agreed to lift the embargo on goods imposed on LTTE-controlled areas and to accept the group as the sole representative of the Tamil people in the peace process (Ganguly, 2004: 905). He also gave a mandate to Sri Lankan diplomat Bernard Goonetilleke to prepare a blueprint for the establishment of a peace secretariat to assist in a forthcoming peace process (interview with Bernard Goonetilleke, Colombo, 31 January 2012). As Secretary to Prime Minister Bradman Weerakoon put it, Wickremesinghe set out to manage the peace process ‘like a chief executive officer of a corporate entity’, with strategic plans, road maps, action plans and mileposts to be negotiated (Weerakoon, 2006b: 9). On 19 December 2001, only a couple of weeks after Wickremesinghe assumed office, LTTE leader Phrabakaran announced a one-month unilateral ceasefire starting 24 December 2001. Two days later Wickremesinghe responded in kind, convinced that the LTTE – under both domestic and international pressure – was serious in its intention to find a solution to the conflict (Weerakoon, 2006b: 10). In the meantime, the modalities of a joint agreement were negotiated and the unilateral ceasefires were extended for another month (Gooneratne, 2007: 2-5, 10). Gestures to illustrate good faith were also taken; in particular the government lifted economic sanctions and opened the A9 road from Kandy to Jaffna and the LTTE eased travel restrictions to the north (Rupesinghe, 2006b).

Based on ‘position papers’ from both parties, the Norwegian facilitators formulated draft texts that were circulated between the two parties, who commented, amended and revised them (Goodhand, Klem and Sørbø, 2011: 35-36; Balasingham, 2004: 360; Gooneratne, 2007: 10-11). During this process, the Norwegians were in close contact with Balasingham from the LTTE, who was in London. Balasingham himself consulted with Phrabakaran in the Vanni in northern Sri Lanka (Balasingham, 2004: 360). On behalf of the Wickremesinghe government, two ministers had been appointed to manage the process – Professor G.L. Peiris and Milinda Moragoda. They were assisted by the newly established government peace secretariat (Secretariat for Coordination of the Peace Process; SCOPP) (Gooneratne, 2007: 12). Accounts from the process indicate that compromises were made in order to reach a final agreement. According to Eric Solheim, Special Envoy of the Norwegian government, the drafting of the CFA took approximately two months (interview in Rupesinghe 2006c: 346). While Wickremesinghe had requested that the Norwegians keep both President Kumaratunga and India briefed on the progress of the process, the president was not party to the substantial negotiations (Gooneratne, 2007: 3; Goodhand, Klem and Sørbø, 2007: 36). There have been debates in Sri
Lanka about the drafting procedure, with people involved in the process expressing different accounts about how the process was conducted (see also Goodhand, Klem and Sørbo, 2011: 35-36). While there seems to be a common understanding that the text drafts were shown to and discussed by both sides through the use of Norwegian shuttle diplomacy, some have suggested that one side was favoured in the process. For example, according to Gooneratne, former member of the government’s peace secretariat, ‘the drafts shown to GOSL [Government of Sri Lanka] seemed to have been first shown to the LTTE’ [...] ‘in effect it was a case of GOSL often having to react to texts that already had LTTE approval’ (2007: 11). That there was controversy over the drafting procedure is also indicated by the account of the peace process offered by former Sri Lankan Secretary of Defence Austin Fernando. He claims to have heard about Indian involvement in the drafting of the CFA in February 2008, although he also states that he is ‘unaware whether this revelation is true or not’ (2008: 30).

President Kumaratunga was openly critical about entering into a ceasefire agreement with the LTTE on the conditions agreed to by Wickremesinghe. Difficulties stemming from the fact that the president and the prime minister were from rival parties and held different opinions have been emphasized in both interviews and scholarly accounts of the process. Some have argued that it was necessary to keep the president out of the arrangement in order to get a ceasefire agreement and to get the peace process started. Conversely, others have criticized the process and the government’s rush to reach an agreement in a way that marginalized the president. The latter argument has stressed that such an arrangement had no prospect of success in the context of internal fragmentation. With a president who was head of state and had the power to declare war and peace, and a prime minister who had the support of the electorate to pursue a ceasefire and negotiated settlement, the situation has been described as one of ‘caught between two mandates’ (interview with Austin Fernando, Colombo, 10 November 2010). Moreover, beside criticism from the president, Wickremesinghe also met resistance from the JVP, which was again gaining ground in the political arena (Wearakoon, 2006b: 6). The agreement was also unpopular among elements in the army, notably the commander in Jaffna, Sarath Fonseka, who later became commander of the army (interview with Sanjana Hattotuwa, Colombo, 15 November 2010).

5.3.1.2 Form and content

On 22 February 2002, a Ceasefire Agreement (CFA) was signed by the leader of the LTTE, Phrabakaran, and Sri Lankan Prime Minister Wickremesinghe. According to the text of the agreement, the overall objective was to ‘find a negotiated solution to the on-going ethnic conflict in Sri Lanka’ (Ceasefire Agreement, 2002: Preamble). The importance of reaching an end to the
hostilities is justified with reference to humanitarian concerns. Hence, in comparison to the 1995 Cessation of Hostilities Agreement, this one indicates a more long-term commitment. In addition, the agreement reflects an incremental approach based on the idea of building confidence step-by-step in order to pave the way for a subsequent peace process. As stated in the agreement, bringing an end to hostilities is considered to be ‘a means of establishing a positive atmosphere in which further steps towards a lasting solution can be taken’ (Ceasefire Agreement, 2002: Preamble). The CFA contains elements from both the 1995 Cessations of Hostilities agreement and the Agreement Following an Understanding on Humanitarian Measures produced in the early 2000s in the initial explorative dialogue between Kumaratunga and the LTTE through Norwegian facilitation. The latter also has many similarities with the Cessation of Hostilities agreement from 1995.

The CFA is more comprehensive and detailed that the ceasefire agreement reached in 1995. It is comprised of four main articles, each with several sub-clauses. The first article focuses on the cessation of military operations, and it includes a list of prohibited acts, including actions on land, air and sea. As in the 1995 agreement, the agreement acknowledges the responsibility of the Sri Lankan army to safeguard the sovereignty and territorial integrity of Sri Lanka, and states that the army should carry out this task without engaging in offensive operations against the LTTE (Ceasefire Agreement, 2002: Article 1.1-1.3). It also stresses the separation of forces by demanding the parties to maintain a certain distance from areas under the control of the other party in cases where territorial lines are commonly recognized. The prescribed distances are the same as those found in the previous agreement. In cases where forward defence locations were less clear, the positions held on the day that the CFA came into effect were to serve as lines demarcating areas under control until further agreements were reached (Ceasefire Agreement, 2002: Article 1.4, 1.5). As noted by Goodhand, Klem and Sørbo (2011: 36), there is no map or other attachment to the CFA that geographically defines these boundaries. Instead, the agreement states that the parties are to provide information about defence locations to the proposed monitoring mission, and that it would assist the parties in drawing demarcation lines within 30 days of the agreement coming into force (Ceasefire Agreement, 2002: Article 1.6).

While the parties were not allowed to bring arms into the other’s areas, the agreement allowed LTTE cadres to enter government controlled areas on an incremental basis if they were unarmed, in civilian clothes and in possession of their identity papers and to carry out political activities in these areas (Ceasefire Agreement, 2002: Article 1.7, 1.13). The sensitivity about issues regarding the sea is evident by the agreement’s silence about it. The agreement does not mention the existence of the Sea Tigers, and in contrast to the part of the agreement that addresses land control and
restrictions of movement, it is also silent about the positions of the parties’ vessels. The government wanted sea regulations to be specified in the CFA, but the LTTE refused to accept any such regulations in writing (Gooneratne, 2007: 13). As stressed by former Secretary Minister of Defence Austin Fernando, the sea was a critical issue for several reasons. Importantly, since the LTTE used the sea to import weapons, their ‘strength on land depended on the sea’ (interview with Austin Fernando, Colombo 10 November 2010). In order to reach an agreement, the issue was deliberately kept vague (Goodhand, Klem and Sørbø, 2011: 36).

Besides prohibiting offensive operations and stipulating a separation of the armed forces, the parties also agreed to undertake ‘confidence-building measures’ aimed at restoring normalcy in war-affected areas. This included the cessation of hostile acts against civilians (such as torture, intimidation and harassment) and an agreement to ‘refrain from engaging in activities or propagating ideas that could offend cultural or religious sensitivities’ (Ceasefire Agreement, 2002: Article 2.1, 2.2). Furthermore, to create conditions that would enable people in the conflict-affected areas to return to a situation of normalcy, armed forces were to vacate places of worship within 30 days and school buildings occupied by armed elements were to revert to their intended use within 160 days. To reduce the harassment of the civilian population, it was also agreed that the security measures at checkpoints were to be reviewed and a system to prevent such harassment introduced. The agreement also included the opening of the A9 road linking the Jaffna peninsula with the mainland for non-military goods and passage traffic, as well as a commitment to facilitate the use of other important transportation routes in the northeast. The kinds and amounts of goods covered by the agreement as well as the particular check-points were specified in annexes attached to the agreement (Ceasefire Agreement, 2002: Annex A and B). Restrictions on fishing were also eased (Ceasefire Agreement, 2002: Article 2.11).

To oversee compliance with the ceasefire agreement, a monitoring group referred to as the Sri Lanka Monitoring Mission (SLMM) was established in accordance with the CFA (Ceasefire Agreement 2002: Article 3). The mission’s aim and mandate was described in greater detail in the Status of Mission Agreement of the SLMM (SOMA SLMM, 2002). The mission differed significantly from that of the former Indian peacekeepers in that it had no peacekeeping mandate or means to enforce compliance (Goodhand and Klem 2005: 70). Both parties and India had agreed that the mission should be a ‘small, unarmed mission with a weak mandate’, which therefore ruled out a regional major power mission as well as an EU or NATO mission (Goodhand, Klem and Sørbø, 2011: 37). The main objective of the SLMM was to be a presence in the war-affected northern and eastern regions and to conduct inquiries into violations, determine responsibility and report back to
the parties to the agreement and the wider public (Swedish Embassy in Sri Lanka, 2008). The emphasis in the CFA is the advisory role of the monitors and their role in facilitating implementation by promoting common understanding and resolving disputes at the lowest level possible (Ceasefire Agreement, 2002: Article 3). While both the government and the LTTE initially requested a solely Norwegian mission, the Norwegians thought it was inappropriate for them to be both sole facilitator and monitor. The solution agreed upon was that the SLMM would be funded and deployed by the Nordic states, with monitors from Denmark, Finland, Iceland, Norway and Sweden. The Norwegians would appoint the Head of Mission. Despite these efforts to avoid potential accusations of bias, criticism was nonetheless directed towards Norway’s dual role. While the Norwegians stressed the clear distinction between the peace talks and the monitoring assignment, the difference was not as clear to the public and was used as an argument against the peace process by critics in the south (Goodhand and Klem, 2005: 70).

Finally, it was agreed that if a party wanted to amend or modify the CFA, it required mutual agreement from both parties. In addition, Norway had to be notified of the change in writing. If one of the parties decided to terminate the ceasefire, it was required to notify Norway at least 14 days in advance of the termination (Ceasefire Agreement, 2002: Article 4).

5.3.1.3 Implementation and unfolding of the process
In the immediate period after the signing of the Ceasefire Agreement violence declined significantly and the parties undertook a number of measures that led to improvements in security and human rights. There were no large military confrontations between the parties during the first couple of years, although some clashes occurred. Acts such as disappearances, which had been a significant source of insecurity in the north and east in particular, became less frequent. Another visible improvement in security conditions was the removal of many checkpoints, which had been an important tool of harassment mainly used against Tamils in the north and east (Manoharan, 2006: 34-35). Furthermore, the parties also undertook a number of non-military measures that led to humanitarian improvements and some movement towards normalcy. The reconstruction of war-torn areas increased, and with the opening of the A9 road to Jaffna there was greater access to food and medicine. More than 200,000 IDPs were able to return to their homes (UNHCR, 2003). The opening of roads has also been credited with enabling greater freedom of movement between different parts of the country (interview with Sanjana Hattotuwa, Colombo, 15 November 2010).

Within a few weeks the SLMM monitoring mission established a presence in the war-affected areas and began carrying out their assigned tasks. The SOMA agreement – which specified the provisions for the establishment and
management of the SLMM – had been worked out by the Norwegian and Sri Lankan governments and signed by their representatives on 18 March 2002. The LTTE had confirmed in writing that it would fully implement all parts of the SOMA (SOMA SLMM, 2002). The first SLMM monitors arrived at the beginning of March 2002, and what was initially a small troop of 23 monitors had grown to 46 within three months. In 2003, 60 monitors were stationed in Sri Lanka (Haukland, 2006: 151-152), among them approximately 45 people in the field (Goodhand, Klem and Sørbo, 2011: 97). The SLMM established its headquarters in Colombo. In addition it opened a liaison office in Kilinochchi in the Vanni, and six district offices in the north and the east – in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai. In the six districts, local monitoring committees composed of five members were to be established. Two members were to be appointed by each of the conflicting parties and one international monitor was to be appointed by the Head of Mission and serve as chair. Although not explicitly mentioned in the agreement, naval monitoring teams were also eventually introduced. One naval monitoring team was created in Jaffna and one in Trincomalee. In addition, meetings were also arranged between Sri Lankan Secretary to the Ministry of Defence Austin Fernando and Colonel Karuna from the LTTE. The purpose of these meetings was to create a forum in which the two could discuss and develop joint understandings about various issues in order to avoid clashes between armed elements (interview Austin Fernando, Colombo, 10 November 2010).

In May 2003, three months after the February signing of the CFA, the parties met in Kilinochchi to discuss the implementation of the agreement (Goodhand, Klem and Sørbo, 2011: 39). Both the government and the LTTE had made public statements affirming their commitment to the peace process. Many observers have emphasized the symbolic gesture made by LTTE leader Prabhakaran, who left his military uniform behind and stepped out of the jungle to hold a press conference in April 2002 (Höglund and Svensson, 2003: 111). Nonetheless, the LTTE refused to hold peace talks until the government stopped referring to it as a terrorist organization, arguing that the LTTE ‘did not wish to participate in talks as a banned, illegal entity’ (Balasingham, 2004: 372). While President Kumaratunga expressed opposition to lifting the ban on the LTTE, the Prime Minister announced the renunciation of the classification of the LTTE as a terrorist organization on 4 September. This extended recognition to the LTTE and allowed it to enter into negotiations with the government as an equal partner. Six rounds of formal peace talks were subsequently held in 2002-03, with Norway acting

98 This number takes into account office personnel, sick leave and the like.
99 The CFA’s list of districts in which monitors should be present, states that monitors will be present ‘within an area of 1 nautical mile on either side along the coast and 2 nautical miles seaward from all security forces camps on the coast’ (Ceasefire Agreement, 2002: Article 3.6).
as facilitator. They took place at foreign venues in Thailand, Norway, Germany and Japan. At the first round of talks, the parties agreed to adopt a step-by-step approach, and during the second round they agreed to establish three joint committees. The Sub-Committee for Immediate Humanitarian and Rehabilitation Needs (SIHRN) was jointly headed by the Secretary-General of the government’s peace secretariat, Bernard Goonetilleke, and head of the LTTE’s political wing, S.P. Tamilchelvan. The Sub-Committee on De-escalation and Normalisation (SDN) was headed by Sri Lankan Secretary of Defence Austin Fernando and LTTE commander Colonel Karuna. The chief negotiators on each side, G.L. Peiris and Anton Balasingham, were appointed to head the Sub-Committee on Political Matters (SPM) (Rainford and Sakunanathan, 2009: 23). By the time of the fourth session of talks, a Gender Sub-Committee had been established. It included ten members – five appointed by the government and the LTTE respectively. The sub-committees were to report back to the sessions of peace talks about what progress was being made. Furthermore, in order to support the peace process, many donors increased their investment in and support of civil society. A lot of money was given to finance negotiations, various peacebuilding projects and media workshops designed to encourage reporting that would strengthen the peace process (interview with Sanjana Hattotuwa, Colombo, 15 November 2010). Some progress was also made in the political process. Most notably, during the third session in Oslo the parties briefly began to discuss a political solution to the conflict. In what has been referred to as the ‘Oslo consensus’, they agreed to explore a solution based on a ‘principle of internal self-determination’ and resting on a ‘federal structure within a united Sri Lanka’.100

Thus, in the first months after the signing the ceasefire, visible changes occurred, and in this early period of the process, it was widely described as a ‘textbook example’ of conflict resolution (interview Jehan Perera, Colombo, 27 October 2010). However, despite these notable changes in the first months of the ceasefire and a general air of great optimism among the people, the security situation became increasingly unstable as the process proceeded. The number of CFA-violations increased and SLMM’s limited mandate to respond to them affected the credibility of the agreement negatively (interview Nishan de Mel, Colombo, 16 November 2010). It also had implications for the public sentiment about the CFA:

_The fact that the war had stopped and the destruction had stopped was a great blessing. So there was very little opposition from the general population to the compromises the government was making, in terms of giving the LTTE access, in terms of giving the LTTE_

---

100 The agreement, signed by Anton Balasingham as representative of the LTTE, G.L. Peiris as representative of the Sri Lankan government and Vidar Helgesen representing the Norwegian mediators, can be found in Mohideen (2007: 171).
status and also in terms of giving the LTTE resources for development. [...] This situation continued for a while, for about six months, until the LTTE started to kill government intelligence officers. And also to kill Tamil political leaders from opposition parties. When the LTTE started to do that, then a sense of unease began to develop. Even though the majority of people were still happy with the ceasefire and the peace process because they didn’t want the country to go back to war. But uneasiness had entered, within six months of the ceasefire being signed (interview with Jehan Perera, Colombo, 27 October 2010).

The declining satisfaction on the LTTE’s side ultimately became evident when the movement decided to abandon the negotiation process in April 2003, after the sixth round of talks. The justification for doing so was that the decisions made during the negotiations were not being implemented to the satisfaction of the LTTE. The group also expressed discontent at being excluded from a donor conference in Washington, a decision they believed undermined the perceived parity of the parties (Balasingham, 2004: 430). The LTTE still maintained their commitment to the CFA, but in fact there were many violations of it. Data from the SLMM indicates a notable increase in killings in 2003; a four-doubling compared to the previous year (Seneviratne and Endaragalle, 2006: 135). Meanwhile, as the peace talks stalled, the establishment of joint committees was also put on hold.101 Kumudini Samuel, a member of the Sub-Committee on Gender issues, stresses that the two delegations managed to make some progress before the committee was put on hold – they established a common understanding and finalized joint terms of references. However, they were only able to meet on two occasions (interview Colombo, 8 November, 2011).

After the peace talks stalled, the Norwegian facilitators tried to get the parties to return to the negotiation table. However, the attempts were hindered both by changes in the political environment in Colombo as well as by disturbances within the LTTE. In November 2003, President Kumaratunga suddenly took over three ministries, including the ministry of defence, in reaction to the deteriorating situation. In addition, she dissolved the parliament. A coalition of her People’s Alliance (PA) and the nationalist JVP won a majority in the subsequent election, and they formed a new government in April 2004. The UNP government that had entered into the CFA with the LTTE had thus lost government power. Kumaratunga had been openly critical of the ‘design of the peace process’ (Höglund and Svensson, 2006: 373) and of entering into the CFA on the conditions agreed to by the UNP government. Nonetheless, she announced her support for the process and the continuation of the ceasefire agreement (Goodhand, Klem and Sorbø, 2011: 51). In the same period, the LTTE experienced an internal split when its eastern leader Colonel Karuna Amman decided to break away from the movement and form the Tamil People’s Liberation Tigers (Tamil Makkal

101 However, as Gooneratne (2007: 109) notes, the Sub-Committee on Political Matters only existed in name – they never met. For an in-depth analysis of the sub-committees, see Rainford and Satkunanathan (2009).
Viduthalai Pulikal; TMVP), commonly referred to as the Karuna group. This not only meant a significant loss of LTTE cadres, but also that information about the guerrillas and their tactics leaked out for the first time (Goodhand, Klem and Sørbø, 2011: 49-50). In a meeting with Norwegian facilitators, Karuna also made a request to be regarded as a separate third party and signatory to the CFA. This request was rejected (Goodhand, Klem and Sørbø, 2011: 51). In addition to intra-party disputes, the parties also had difficulties agreeing on an agenda for possible resumed talks. By the end of October 2003, the LTTE had issued its own Interim Self-Governing Authority proposal (ISGA)\(^\text{102}\) (Rainford and Satkunanathan, 2009: 14-17). The LTTE wanted to discuss this proposal, a demand that the government rejected (Social Scientists’ Association, 2004). While an increase in travel between the north and south had been made possible by the CFA, it remained obvious that the LTTE retained territorial control, because people were forced to register to entering the area ‘almost as if entering another country’ (interview with Sanjana Hattotuwa, Colombo, 15 November 2010).

As the process evolved, critical voices became increasingly louder, most notably among southern nationalists and Buddhist monks (Frydenlund, 2005: 20–25). A Buddhist monk party – Sinhala Urumaya – had been organized in 2000, and it sought a mandate to defeat the LTTE militantly. Before the parliamentary elections of 2004, the Sinhala Urumaya launched the political party JHU. The JHU strongly criticised the CFA and peace talks with the LTTE, and they were also critical of Norway’s involvement and questioned the Norwegian’s motives (interview with Udaya Gammanpila, Colombo, 26 January 2012). In this context, Norway suggested a review of the Ceasefire Agreement, but the parties could not agree on how it should be revised. There was particularly significant disagreement about the situation on the seas (Goodhand, Klem and Sørbø, 2011: 51-52). In addition, there was further escalation of violence in the east and the first suicide attack since the signing of the CFA was carried out. Furthermore, while the number returning IDPs had gradually decreased after the initial improvements in 2002, reports emphasized a growing frustration among those unable to return to properties located in the High Security Zones occupied by the government’s security forces (UN Inter-Agency IDP Working Group, 2004).

A new opportunity to reopen dialogue emerged in the wake of the catastrophic tsunami that severely affected Sri Lanka in 2004. It has been estimated that some 36,000 people died when the tsunami reached the Sri Lankan coastline (de Alwis and Hedman, 2009: 9). In the immediate aftermath of the disaster, the parties managed to create a joint mechanism to

\(^{102}\) Goodhand, Klem and Sørbø (2011: 47) describe the ISGA proposal as including far-reaching autonomy for the northeast, something close to secession. Under the terms of the proposal, the area would in practice be run and controlled by the LTTE, at least for an interim period. The proposal was deemed unacceptable by many groups, including the Muslim and Sinhala minorities living in the areas, the government and India.
handle post-tsunami reconstruction (Post-Tsunami Operational Management Structure; P-TOMS). Initially, there were high hopes that the disaster would force the parties together and, despite all the misery it caused, create an environment favourable to peace. Communication between the parties also intensified on other issues, not just around the P-TOMS agreement, and after a drawn-out process the P-TOMS was signed (Goodhand, Klem and Sørbo, 2011: 53-54). However, the joint agreement was not implemented, partly due to a Supreme Court ruling about the agreement’s legacy, which was prompted by a case filed by the JHU (Goodhand and Klem, 2005: 21-22). Internal splits in the government also became public in June 2005, when the JVP left the government alliance in protest against Kumaratunga’s acceptance of the P-TOMS agreement with the LTTE. In addition, JVP warned that if concessions were made to the LTTE on the basis of the ISGA proposal, it would lead to an uprising like those experienced in the 1970s and 1980s (DeVotta, 2007: 25). Furthermore, in many respects, the large amount of tsunami aid that came into the country actually worsened the conflict because new disputes erupted over aid distribution (Orjuela, 2007: 127-132). Soon after the tsunami, violence began to escalate again, and it was revealed that the LTTE had developed an air wing. The Kumaratunga government filed a complaint with the SLMM, but the LTTE refused to allow the SLMM to enter the area to conduct an inquiry (Goodhand, Klem and Sørbo, 2011: 54). The control of territorial areas also led to other difficulties, for example for the Muslims who were caught in the middle of the conflict:

The CFA referred to one area as government controlled and another as LTTE controlled. And it spoke about drawing demarcation lines on a particular day. Then came a problem for us – not knowing which area we belong to when the demarcation line is drawn. [...] Then after the signing of the CFA, the LTTE had the freedom to go all over, and they were not going to be arrested. So the Muslim villages became their targets. Because all the Sinhala villages were government controlled areas, they were okay, but we became part of the LTTE controlled areas. So they started walking in to our villages, and they started doing everything we did not want them to do: extortion, kidnapping, killing. Everything took place in those Muslim areas (interview with Ferial Ashraff, 16 November 2010).

In 2005, Mahinda Rajapaksa from the United People’s Freedom Alliance (UPFA) won the presidential election over the UNP’s Wickremesinghe and became the new president of Sri Lanka. The LTTE had ordered a boycott of the elections in the north. Rajapaksa had no earlier involvement in the peace process, but indicated in the campaign that he was willing to resume negotiations with the LTTE (Goodhand, Klem and Sørbo, 2011: 55-56). The following year, the Rajapaksa government and the LTTE once again agreed
to commence talks, this time in Geneva in late February 2006.\textsuperscript{103} The talks centred on reviewing the Ceasefire Agreement. However, the parties mainly used the talks as a forum to accuse each other of committing CFA violations, and although they supported a number of measures and requested the SLMM to monitor compliance, the measures were never implemented (Goodhand, Klem and Sørbø, 2011: 58). A second round of talks was scheduled for the end of April in Geneva, but it was never held (Lanka Academic, 2006). Hostilities between the parties increased further, and in June President Rajapaksa offered a two-week ceasefire. The initiative was not seen as honest by the LTTE, and in July territorial offensives resumed for the first time. A second Geneva meeting was eventually arranged in October, but nothing substantial came out of it (Goodhand, Klem and Sørbø, 2011: 61).

From February 2002 to the February 2006, the SLMM recorded 3704 CFA violations, predominantly human rights violations (SLMM, 2006).\textsuperscript{104} Most of the complaints were directed against the LTTE, and the cases that were determined to be violations were mainly committed by them and involved the abduction of adults and recruitment of child soldiers (SLMM 2006). However, it is difficult to get a reliable count of the number and types of ceasefire violations committed by the parties. Moreover, as the violence intensified, monitoring the ceasefire agreement became an even more challenging task for the Nordic monitoring group. One difficulty was the increase in paramilitary proxy groups committing violent acts, which was beyond the scope of the bilateral CFA commitment and accordingly beyond the mandate of the SLMM (Swedish Embassy in Sri Lanka, 2008). As one analyst explained the complexity on ground:

\begin{quote}
The ceasefire was supposed to stop hostilities, but people were still being killed because there was no mechanism to stop the proxy war that was going on. [...] The LTTE and the government were not fighting, but there was a proxy war, so both parties said it was someone else. Proxies were fighting the war between the parties, and these groups were not part of the ceasefire (interview with Indika Perera, Colombo, 3 November 2010).
\end{quote}

In addition, in the spring of 2006, the SLMM withdrew its naval monitoring when a government navy convoy was attacked by the LTTE. The monitoring mission was further constrained when the LTTE, in response to the EU decision on 30 May to classify the LTTE as a terrorist organization, announced that it would no longer guarantee the safety of monitors from

\textsuperscript{103} Parallel with the Norwegians’ efforts, national NGOs, e.g. Impact (Initiative for Political and Conflict Transformation), also made efforts to get the peace process back on track by engaging with the high-level leaders from both sides. A number of informal joint meetings were arranged abroad with representatives from the LTTE’s political wing and representatives from UNP, SLFP, JHU and JVP (interview with Indika Perera, Colombo, 3 November 2010).

\textsuperscript{104} The SLMM could investigate 37 different types of violations, both of military and civilian origin.
EU-countries. Monitors from these states therefore withdrew, and what remained of the SLMM was a group cut by 50 percent and composed of monitors from only Norway and Iceland (Swedish Embassy in Sri Lanka, 2008). In the context of full-scale warfare, both parties nonetheless asked Norway and the SLMM to maintain their support (Goodhand, Klem and Sørbø, 2011: 61-62). It was clear, however, that the monitors had more or less played out their role. Despite an increase in violence, only 548 additional cases were ruled on from the end of 2005 until April 2007, when the SLMM finally stopped issuing rulings. By that time, most of the monitors were located near Colombo for safety reasons (Swedish Embassy in Sri Lanka, 2008). In 2007, the government made a number of significant military advances and started preparing for a ‘final offensive’. A report released by the International Crisis Group in June 2007, emphasizes that the resumption of war led to widespread human rights abuses committed by both the government and the LTTE. Civilians were caught in the fighting and fell victim to artillery and aerial bombing. Both sides were also accused of shelling schools and hospitals and firing from within civilian areas (ICG, 2007: 7). The LTTE repeatedly launched attacks on the military and against Sinhalese civilians, violently repressed Tamil dissenters and forcibly recruited adults and children. The LTTE also exploited the terms of the CFA by ‘tightening its grip’ on areas under their control and sending cadres to government controlled areas to ‘impose their rule on the local population’ (ICG, 2007: 6). As for government violations, extra-judicial killings and enforced disappearances have been highlighted. In addition, the Karuna group – allied with the government – also reportedly engaged in child recruitment, extortion and political assassination (ICG, 2007: 8).

On 2 January 2008, the government of Sri Lanka officially announced the end of the Ceasefire Agreement. Consequently, the SLMM withdrew from the island (Goodhand, Klem and Sørbø, 2011: 64). Six months later the government declared victory over the Eastern Province, which was conquered with the support of the Karuna group (de Alwis and Hedman, 2009: 16). In April 2009 – during an intensive military offensive – the Norwegian facilitation was also terminated (BBC, 2009). Cornered on a small land strip together with tens of thousands civilians, the LTTE unilaterally called for a ceasefire. Government forces rejected it (CNN, 2009), and in May the government declared victory in the war through the military defeat of the LTTE. The last months of the offensive had severe humanitarian consequences, and it has been estimated that 7000 or more civilians lost their lives. While the LTTE was destroyed and the war brought to an end, the underlying problems of the conflict remained to be addressed (Höglund and Orjuela, 2011: 20-21).
5.3.2 Stalled process – ‘no war, no peace’

The Ceasefire Agreement signed by the government of Sri Lanka and the LTTE in 2002 lasted for six years. In interviews it has been described as the ‘central piece’ and the ‘corner stone’ of the peace process; the ‘main pillar’ on which the peace process was built. Compared to earlier attempts to find a negotiated settlement to the armed conflict, the efforts centred around the 2002 CFA can be described as the most progressive and far-reaching. In many ways, the ceasefire created a structure for the process and an arena for undertaking measures that resulted in visible changes and improvements. As such, it was an important initiative for improving the security situation and meeting the humanitarian needs of people suffering severely as a result of the protracted conflict, as well as for building confidence and changing the modes of interaction between the warring parties. There was an evident decrease in violence and a monitoring mechanism was established to conduct inquiries and rule on complaints of violations. Furthermore, the agreement on the CFA started a process that made it possible for the parties to conduct six rounds of direct talks, during which some progress was made on finding a political solution to the conflict. In this respect, the ceasefire agreement reached in 2002 can initially be described as a comprehensive and action-oriented initiative. With the basic preparations already made and a foundation to build on, it was possible to capture the momentum that was created in the context of a changed political environment in Sri Lanka, when a new government came to power prepared to meet the LTTE’s call for the establishment of a peace process with a third party playing the role of facilitator.

Nevertheless, while the immediate effects were evident, the constructive momentum proved to be difficult to maintain and cultivate in the long-term. In a context of broken promises, CFA violations and changing internal political dynamics, the ceasefire did not transform the protracted conflict. Eventually, it became a source of new conflicts. Hence, as the process proceeded, criticism against the CFA continuously increased. Much of it focused on the large number of reported CFA-violations ruled to have been committed by the LTTE and the absence of any sanctions for the violations. Furthermore, the LTTE was seen as having been given the opportunity to expand their state-building project through the creation of a bureaucracy and the transformation of their guerrilla forces into a conventional army (Perera, 2011; Goodhand, Klem and Sørbo, 2011: 37). By 2006, the LTTE was collecting taxes, maintaining law and order and demanding customs from persons entering LTTE-controlled territories (Manoharan, 2006: 20). A lot of these parallel administrative structures came about and were solidified during the years of the ceasefire agreement (interview with Sanjana Hattotuwa, Colombo, 15 November 2010). This development also had effects on the larger political landscape in Colombo, where nationalist groups
started to gain more influence and used the Ceasefire Agreement to spur nationalist sentiments. Due to the lack of progress, the CFA eventually lost a lot of its credibility among many people in the country. It is difficult to assess how serious the parties’ intentions were in the pursuit of a negotiated settlement to the conflict, i.e. their commitment to using political rather than military means to reach their goals. Rainford and Satkunanathan (2009: 5) argue that although both parties probably left open the possibility of returning to armed conflict, the peace process was entered into with ‘a positive mindset’. Noteworthy measures and actions were also taken at the beginning of the process. Nevertheless, during the six years it was in effect, the role and impact of the CFA significantly changed over time. In the end, the agreement existed only on paper. Meanwhile, the peace process had been derailed and a full-fledged war was being carried out.

5.4 Within-case comparisons and concluding remarks

The government of Sri Lanka and the LTTE engaged in two peace processes in the 1990s and 2000s that included peace talks and the signing of agreements as a means to reach a peaceful solution. Two ceasefires were formalized in signed agreements, but they differed in terms of scope, actors involved and degree of implementation and duration. In this last section, I will compare the ceasefire agreements, focusing particularly on similarities and differences between them, changes in the processes and the changing context in which the ceasefires played out. The six factors of influence that were identified in the theory chapter will also be discussed – that is, (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) whether claims are being met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics. Some central features of the ceasefires are summarized in Table 12.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiated January 1995 after four months of bilateral negotiations through letter correspondence and two rounds of direct formal peace talks</td>
<td>Initiated February 2002 after indirect communication, mediated by Norway seven months prior to direct formal peace talks</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Form and content of ceasefire agreement?</th>
<th>Signed ‘Declaration of Cessation of Hostilities’ (CoH), (no time limitation for cessation of violence)</th>
<th>Signed ‘Ceasefire Agreement’ (CFA), (no time limitation for cessation of violence)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Focus on security aspects and freezing military status quo</td>
<td>More comprehensive and detailed. Political aim and links to peace process declared. Measures to restore normalcy and build confidence in additions to security aspects</td>
<td></td>
</tr>
</tbody>
</table>

| Implementation of ceasefire agreement? | Monitoring committees with international monitors established to oversee complaints and settle disputes, but they never became functional | International unarmed monitoring team (SLMM). Monitors from the Nordic countries and local monitoring committees with party representatives. Mandate to inquire and rule on complaints of violation but not to impose sanctions |

The entering into of the Cessation of Hostilities agreement in Sri Lanka in 1995 can be seen as a significant step in the protracted conflict because it was the first formalized agreement about ending the violence that was directly reached by the government and the LTTE. As such, it symbolized the possibility of changing the means of interaction between the parties through negotiated understandings. However, the CoH agreement only froze current positions held by the parties, remaining silent about the future direction of the process. It proved to be a short-term commitment. The subsequent 2002 Ceasefire Agreement was more comprehensive and addressed some of the issues and uncertainty that were left out of the former agreement. While building on the more modest and explorative 1995 CoH, the CFA was more explicitly linked to the overall peace process and framed as a means to pursue that objective. Besides restrictions on the use of violence, it also included non-military measures intended to build confidence between the parties and pave the way for a final peaceful solution. It also had a
substantially more developed and robust monitoring mission that involved international presence in war-torn areas. Some of the issues of contention surrounding the 1995 agreement were also addressed in the CFA. Importantly, the government met the LTTE’s procedural demands that the parties address the issues of a return to normalcy and reconstruction of war-torn areas before moving on to substantial talks on a political solution. Hence, the 2002 CFA was part of a pronounced incremental approach, with the intention being to start with a ceasefire agreement and then move on to reconstruction of war-torn areas and peace talks. In contrast, the question of procedure remained an issue of debate throughout the 1994-95 peace process. However, both the CoH and the CFA were separate interim agreements that left a settlement on substantive political issues to be dealt with in the future.

As previous sections have shown, the signing of both ceasefire agreements resulted in a decrease in violence. After the CFA was signed in 2002 there were also more persistent improvements in the security situation, and the country experienced a notable period of relative ‘normalcy’. In several interviews it was emphasized that the CFA was an important achievement because it practically ended large-scale violence for a notable period of time. These improvements in the security situation were also accompanied by humanitarian improvements that improved the day-to-day lives of people, for example increased freedom of mobility, better opportunities to earn a living, improved access to food and other supplies in the most war-torn areas and, in general, a feeling of increased safety among people throughout the island. Nevertheless, in the end both cases failed to constructively cultivate this early momentum. The ceasefire agreement of 1995 derailed within a few months, and as it broke down so did the peace talks and ultimately the whole peace process. While the 2002 CFA lasted for six years, after some time it did so in the context of a stalled peace process and an increasingly deteriorating security situation. Although the parties continued to declare themselves committed to the ceasefire, violations of it became increasingly common. In practice, war broke out again after the failure of efforts to resume peace talks in mid-2006. The last fragile years of the ceasefire have thus been described as an ‘intensification of an undeclared war’ (Uyangoda, 2008: 3).

The theoretical framework suggests that recognition, status and legitimacy are a factor that might lead to changes in the attitudes, behaviours and relationships of the conflicting parties. The accounts of the two ceasefire agreements and peace processes analysed in this chapter have illustrated the influence of this factor in Sri Lanka in various ways. Taking the asymmetrical structure of intrastate conflict into account, this can be seen in terms of the recognition derived from entering into a formal agreement, continuous negotiations about the status of the agreement and the implications of the agreement for subsequent processes. In 1994, the
LTTE repeatedly pushed for a ceasefire, both in written correspondence and during the first rounds of peace talks. The conversation between the parties also reveals how the labelling of the agreement – i.e. whether it should be called a ‘ceasefire’ or ‘cessation of hostilities’ – was seen as important for the perceived status of the agreement. While the LTTE made efforts to strengthen its status, the government persistently tried to avoid an increased formalization. Strengthening the status and formalization of the ceasefire agreement would be perceived as altering power-relations by sending signals that the LTTE was a legitimate partner for the government of a state to engage in mutual arrangements with on equal terms. The government’s hesitancy to do so can be seen as an effort to maintain the asymmetrical status structure. In 2002, the LTTE demanded a ceasefire as a prerequisite for engaging in a dialogue, and the agreement was seemingly important for the perceived ‘parity status’ that the process came to be based upon. This idea of parity was reflected in the CFA, which was described in some interviews as ‘resembling that of an interstate agreement’ rather than an agreement between a state and a non-state group. The CFA implicitly recognized the LTTE as being in control of territories in the north and east by freezing and accepting current military positions. The agreement also allowed LTTE cadres to engage in political activities in both LTTE-controlled and government-controlled areas. Furthermore, in many ways the ceasefire agreement was seen as the ‘starting point’ for the peace process that would subsequently come to include formal peace talks, the creation of joint committees on various issues and additional agreements (in particularly the P-TOMS). Given this, the consolidation of a bilateral arrangement of two ‘equal’ parties had implications for future structures. Hence, while the recognition of the LTTE as a party in parity with the government made it possible to negotiate the CFA and to undertake a number of other measures, it also had consequences in terms of exclusion of other key actors. It has been emphasized how the Muslim minority in Sri Lanka felt marginalized and excluded in the process, as well as ‘caught in-between two rigid positions’ (interview with M.I.M. Mohideen in Colombo, 15 November 2010). For example, a Muslim politician stressed that when Muslims are mentioned in the preamble of the CFA, ‘they are referred to as a group of people and not even given the identity of a community’ (interview with Ferial Ashraff, Colombo, 16 November 2010). While the Muslims sought to be included in talks as a party with sufficient standing to influence the process, the parity structure proved difficult to change as the process proceeded, and this reinforced their sense of frustration. This feeling was manifest in various ways, for example by their opposition to the government-LTTE agreement.
on post-tsunami cooperation (P-TOMS) in 2005 because they were excluded from the negotiations (Rainford and Satkunanathan, 2009: 144).

The theoretical framework also suggests that trust and confidence can change conflicting parties’ attitudes, behaviours and relationships and thus improve our understanding of ceasefire agreements in relation to peace processes. Trust can have an important impact on whether or not conflicting parties agree to a ceasefire, and agreeing can per se also be seen as a signal of good faith. Trust can also be an important factor in the implementation of a ceasefire agreement, and adhering to the ceasefire can be a means of showing trustworthiness. After decades of armed conflict and a history of failed peace attempts, the relationship between the government of Sri Lanka and the LTTE was characterized by deep mistrust. In this context, statements and gestures of good faith played an important role in persuading the parties to (briefly) lay down their weapons and engage non-violently. One noteworthy example of this is how Kumaratunga, in the 1994 election, framed the conflict differently and recognized Tamil grievances. Furthermore, both in the mid-1990s and in the early 2000s, the LTTE initiated unilateral ceasefires – calling them gestures of good faith – before the mutual arrangements were entered into. The LTTE, in turn, announced that a ceasefire agreement was a prerequisite to starting a political dialogue – a condition that the new government met, thus paving the way to opening the peace process in 2002.

However, while these measures were important in order to initiate a process and achieve some initial progress, both peace processes were largely pervaded by continuous mistrust and uncertainty about the intentions of the other side, and this was aggravated further by accusations of unmet promises. The LTTE stressed its dissatisfaction over implementation in order to justify abandonment of the ceasefire agreement in 1995 and its withdrawal from peace talks in 2003. Although they maintained their commitment to the ceasefire despite abandoning the peace talks, it was during this period that violence escalated significantly and the stability of the ceasefire started coming under threat. The cooperative elements introduced to support the implementation of various undertakings – which are also emphasized in the theoretical framework as important for building confidence – suffered as well when the peace talks and the joint committees stalled. Austin Fernando, former Secretary of Defence, notes that the meetings initiated between him and the LTTE Colonel Karuna ‘set a base for creating an understanding’, but also that ‘such processes are inevitably slow’ (interview Austin Fernando, Colombo, 10 November 2010). As this suggests, the initial momentum proved difficult to uphold in the context of a stalled

---

105 In their study of interim arrangement in Sri Lanka 2002-2005, Rainford and Satkunanathan (2009) also emphasize the consequences of the bilateral arrangement in terms of exclusion.
political process and an increasingly unstable ceasefire characterized by lack of progress and ceasefire violations.

Another factor identified in the theoretical framework is that an understanding of ceasefire agreements in relation to peace processes must take into account the extent to which claims are met. The peace process in Sri Lanka in 2002 was based on a logic of building confidence and making incremental progress before addressing core political issues. This procedure can be interpreted, to some extent, as meeting some of the claims and interests held by both parties. The LTTE favoured rapid reconstruction of the war-torn areas (to rebuild and gain legitimacy for its state-project), while one of the UNP-government’s priorities was to get the country’s economy back on track (see Bastian, 2006; Goodhand, Klem and Sørbo, 2011). The Oslo declaration made some progress on the issue of exploring a federal solution, but the talks eventually stalled, and in the absence of a joint political process, progress towards a political solution was difficult to achieve. Furthermore, with the stalling of the peace talks there was no joint forum to negotiate and mutually formulate a vision for the future. In this context, the LTTE formulated its own proposal, the ISGA, which the government immediately dismissed (Rainford and Satkunanathan, 2009: 14-17). While some efforts were made to restore the momentum of the peace process, a negative cycle had already developed, and it proved difficult to stop. In the meantime, both the government and the LTTE began recruiting and preparing to return to military means, and the LTTE increasingly began acting like a state. These actions were provocative for the government and, in the end, deemed unacceptable. Thus, the last peace process in Sri Lanka highlights the difficulties of maintaining momentum and the risk of a stall in the process in a period marked by uncertainty about the direction in which the process is going. This led the parties to focus on the issue of avoiding an escalation of violence and to discussions about how and what to negotiate. It also made the peace process sensitive to things that were happening around it. Furthermore, it has been noted in some interviews that this sidetracked the ‘devolution debate’ from 1987 that aimed to transfer power to the provinces.

External incentives and resources are another factor that the theoretical framework highlights as potentially important for influencing the attitudes, behaviours and relationships of conflicting parties. With experience from the Indian intervention in the mid-1980s, the Cessation of Hostilities agreement reached between the Sri Lankan government and the LTTE in 1995 was negotiated bilaterally without external involvement. While efforts were made to engage international monitors in facilitating the implementation of the agreement, the monitoring committees never began functioning and became an additional source of disagreement between the two parties. While the historical narrative in the previous section showed that the process in 2002
was also largely driven internally by the main conflicting parties, there was a notable increase in international involvement, both in generating and supporting the ceasefire agreement. The 2002 CFA was both negotiated and implemented through external facilitation, with Norway acting as mediator in the negotiations and the Nordic countries as monitors of the ceasefire agreement. The outside involvement proved important for facilitating communication between the parties, generating the CFA and providing a mechanism for overseeing compliance of the ceasefire agreement. The SLMM in particular played an important role in the early phases by preventing local violence and disorder, helping to create public and political confidence in the process and providing independent information about the situation on the ground (Goodhand, Klem and Sørbo, 2011: 106). In addition, numerous donors provided economic support for the reconstruction of war-torn areas, and resources were offered to enable both parties to participate in the process. With this in mind, it can be suggested that the high level of international involvement contributed to the long duration of the CFA. The parties reaped obvious benefits from remaining committed to the agreement, and because the attention of the international community was directed towards the process, neither one wanted to be blamed for backing out. It is worth noting, however, that while there was a higher degree of internationalization in the second peace process, the international actors had a comparatively limited mandate and were dependent on the consent of the conflicting parties. Neither of the parties nor India wanted involvement in the region by an external actor with the power to force a solution upon the parties.

While the modest mandate of the international actors made it possible for the process to commence, it also created difficulties as the process proceeded, and these problems affected the credibility of the CFA. While the importance of the presence of the SLMM has been emphasized in interviews, so has the fact that the monitors had no authority to sanction behaviour. Hence, although the many ceasefire violations – predominantly by the LTTE – did not lead directly to the breakdown of the CFA, they had implications for the support of the peace process. As one interviewee described the frustration of the Muslim population: ‘people complained to the SLMM, but they could only take notes’ (interview Ferial Ashraff, Colombo, 16 November 2010). Goodhand, Klem and Sørbo (2011: 105) have also stressed that the Head of Mission of the SLMM did not report to any high-level decision-makers or political leadership, which created ambiguity about ‘who really ‘owned’ the mission’. Furthermore, while the ideal impact of counting and reporting of ceasefire violations was deterrence – i.e. to persuade the parties to refrain from committing violations and thus enable confidence to be built – in the context of heavy ceasefire violations, counting and reporting also produced tangible evidence that could be used by critics to mobilize support
against the agreement. International involvement, most notably the Norwegian facilitation, also got caught up in the political struggles, with Norway being accused of being biased towards the LTTE. Moreover, in the context of the deteriorating ceasefire, international actors became very concerned with ‘salvaging the ceasefire’ rather than persuading the parties to return to the negotiating table (interview with Jayadeva Uyangoda, Colombo, 28 October 2010).

With approximately six years separating the two ceasefire agreements in Sri Lanka, it is important to also consider changes in the context in which the ceasefires were initiated and played out. The 1994 peace process and the Cessation of Hostilities agreement began in the aftermath of the Indian intervention, which was a failure and cost the lives of numerous Indian peacekeeping soldiers. When a new peace attempt began to develop, the regional superpower maintained a low-key role. In general the international attention directed towards the Sri Lankan conflict during this period seems to have been modest. In the early 2000s, this context had changed, with more attention directed towards the country and the devastating consequences of the war that followed the failure of CoH. The government was also economically strained due to the intense warfare of the preceding years, and the LTTE faced difficulties getting international support and had been stamped as a terrorist organization by several states. This became even more salient in the context of the global ‘war on terrorism’, and it had an impact on the movement’s international support, credibility and perceived legitimacy.106 While it has been suggested that this context pushed the LTTE to engage in a peace process and ceasefire with the government, it also had direct implications on the CFA, because the LTTE demanded the exclusion of SLMM monitors from countries that had banned the organization. However, this limitation was basically imposed on the monitoring of an already defect ceasefire. In addition, because the international community was focused on the conflict at this time, LTTE’s action meant that the group suffered an additional loss of international legitimacy. Indeed, Goodhand, Klem and Sørbo (2011: 130) suggest that for many states, the decision to ban the LTTE was in part related to the movement’s ‘hardline position’ in the peace negotiations and the fact that it was deemed responsible for a large portion of the ceasefire violations.

In addition to taking into account contextual changes between the two periods of peace processes in Sri Lanka, it is also necessary to keep in mind that the CFA of 2002 lasted for several years. Various events and developments that took place during these years changed the context in which it unfolded. For example, the tsunami catastrophe impacted on the

---

106 The LTTE was however banned by a number of states before 9/11, including India in 1992, the US government in 1998, and the UK in early 2001.
conflict dynamics in various ways, initially by encouraging non-violent interaction between the conflicting parties, but eventually by hardening attitudes between them. Moreover, Sri Lanka experienced changes in government during the CFA-period, and these were accompanied by changes in its external relations. When the ceasefire agreement was first initiated, the UNP-led government had close links with Western donor states and large amounts of money were promised to the parties if they made progress towards a political solution. By the end of the CFA-period, these relationships had shifted and Sri Lanka had begun developing closer links to various Asian powers, including China, which strengthened its economic and military relations with Sri Lanka. New relationships were thus developed with states that seldom questioned Sri Lankan politics or demanded particular behaviour vis-à-vis the conflict with the LTTE as a condition for donor support (Höglund and Orjuela, 2011: 32).

In many ways, the empirical analysis has also pointed to the importance of intra-party dynamics for understanding ceasefire agreements in relation to peace processes in Sri Lanka. First, a comparison of the two peace processes shows how changes in domestic politics and shifts in leadership in Colombo have created opportunities to negotiate ceasefire agreements. In the first process, the SLFP’s Kumaratunga gained majority support from the electorate after several years of UNP dominance in politics based on a campaign to take a new approach towards the protracted conflict. In the second process, the ceasefire was one of the first initiatives taken by Wickremesinghe when his UNP re-gained its majority position in parliament in 2002 and he became prime minister. These examples illustrate how new leaders actively reframed the conflict and managed to adopt a new approach in order to change the patterns of interaction. At the same time, a historical look at the processes also reveals continuities in the characteristics of intra-party politics in Sri Lanka and the relationship between the countries two dominant political parties (i.e. UNP and SLFP) which have had implications for the ceasefire agreements. As has been emphasized in many interviews and in scholarly accounts, whenever one of the political parties sought to find a solution to the conflict, the other tried to undermine it. The way in which internal fractions and conflicts posed challenges in Sri Lanka is most evident in 2002. The ceasefire agreement was initiated by the prime minister, while the president – who was head of state and commander in chief of the Armed Forces – was not a party to the process. From the beginning, President Kumaratunga was an outspoken critic of Wickremesinghe’s decision to enter into the CFA with the LTTE, and although her government maintained support for it when her party regained a majority in parliament in 2004, the historical narrative has shown how this rivalry, in various ways, impacted on the process. This illustrates how the actors included in and excluded from a ceasefire agreement can impact on
the subsequent process and indicates what kind of conflicts might arise as the process proceeds. Throughout the lengthy trajectory of the CFA, Sri Lanka experienced no less than three different government constellations in Colombo, each of which became a new negotiation partner with the LTTE and each of which had its own specific dynamics. The nationalist JVP and JHU parties that supported the later government constellations were among the most prominent opponents of the ceasefire agreement. Indeed, the gradually increasing criticism against the CFA which peaked after the government shift of 2005 and the failed peace talks in 2006, has been described as a ‘nationalist backlash’ that was fuelled by the increasing number of ceasefire violations and lack of progress in the peace negotiations (Goodhand, Klem and Sørbo, 2011).

In addition to the intra-party dynamics within the Sinhala government, the dynamics of the LTTE must also be considered. The LTTE was an organization with a strong military focus, and this was also reflected in their approach towards the peace process. As one interviewee noted, the LTTE never invested their resources into building a political front and they rejected having a ‘semi-autonomous’ front to take on that mission (interview with Shanti Sachitanandandan, Colombo, 16 November 2010). By doing so the LTTE ensured that the movement would maintain its supremacy. At the same time, opportunities to exert influence seem to have emerged as a result of the non-violent process. Besides interaction with government negotiators and the Norwegian facilitators, the leader of the largest mainstream Tamil political party, TNA, recalls that they made efforts during the CFA-period to convince both the government and the LTTE to negotiate, and they stressed that the opportunity must not be missed (interview with R. Sampanthan, Colombo, 1 February 2012). After the ceasefire agreement had been entered into, the TNA also worked with the LTTE to try and persuade them to come into the political mainstream (interview with M.A. Sumanthiran, Colombo, 31 January 2012). Nevertheless, a concern that many interviewees highlighted was that the ceasefire failed to bring about a meaningful reduction in the number of assassinations committed by the LTTE or to significantly soften the LTTE’s intimidation tactics aimed at Tamil opposition politicians. Indeed, continuing violence on both sides and the inability to stop it using the mechanisms of the CFA helped to undermine the legitimacy of the peace process.

Finally, placing the ceasefire agreements in Sri Lanka into a longer historical trajectory also brings to light a pattern of broken agreements. Historical accounts of the conflict often emphasize the abrogation of and failure to implement pacts reached between the Tamils and the Sri Lankan government in the 1950s and 1960s. In a number of interviews, explanations of the failure of the 2002 CFA and arguments against the agreement have also referred to the experiences of 1987, when the LTTE broke its promise to
lay down its arms. This underlines the importance of seeing the Sri Lankan ceasefire agreements examined here as part of a longer historical trajectory in the context of the protracted intrastate conflict. Nevertheless, throughout this historical process, a negotiated solution to the conflict was long considered feasible in the general discourse. By the time the CFA was officially terminated in 2008, however, the idea of a negotiated settlement to the conflict had been ‘de-legitimized’ and discarded in favour of a military solution (Goodhand, Klem and Sørbø, 2011: 135).

This analysis of ceasefire agreements and peace processes in Sri Lanka has essentially illustrated many of the challenges common to war-to-peace transitions in intrastate conflicts. It has highlighted the difficulties of maintaining the momentum created by a ceasefire and the risk of ending up in a stalled peace process. Nevertheless, there were also important achievements, not least the impact of the second CFA on the security and humanitarian situation. This achievement should not be overshadowed by the termination of the ceasefire and the violent end of the war. Moreover, the necessity of reaching a ceasefire in order to get the process started should not be forgotten. For this reason, I end the chapter with the following quotation:

*One way to see it is that the [2002] ceasefire agreement was the necessary instrument to bring about the peace process. There would have been no peace process without the ceasefire agreement (interview with Nishan de Mel, Colombo, 16 November 2010).*

Now that the empirical case studies of ceasefire agreements and peace processes in Aceh and Sri Lanka have been presented, I turn to the final chapter of the thesis, which focuses on a comparative analysis of the cases.
Chapter 6

Comparative analysis and conclusions

This thesis began with the following overarching question: How do we go from war to peace? Experience shows that the road from war to peace is seldom straight. More often, the journey is better characterized as a lengthy and winding trip down a crooked path. Improving our understanding of the processes operating in war-to-peace transitions is one of the most fundamental and crucial questions of peace and conflict. To make a contribution to this important issue, in this thesis I have explored and analysed ceasefire agreements in relation to peace processes in intrastate armed conflicts. The scholarly literature often emphasizes ceasefire agreements as central components of peace processes, but it also suggests that ceasefires can influence these processes in fundamentally different ways. They might help facilitate peaceful change, but they can also have negative implications for the dynamics of peace processes. Various scholarly accounts have stressed that there are many unanswered questions about ceasefire agreements in contemporary peace processes. Despite this, ceasefire agreements have seldom been the focus of scholarly research, and there are few empirical studies devoted to the systematic analysis of such agreements. This is particularly true for studies that use a comparative framework to examine protracted intrastate conflicts in the Asian region, which is characterized by modest outside intervention. The ambition of this thesis has thus been to contribute to filling this research and knowledge gap by developing comparative insights about how ceasefire agreements can be characterized and analysed in relation to peace processes.

In contrast to Fortna’s study of ceasefires in interstate conflicts, my focus is on intrastate conflicts, which is motivated by the specific characteristics of these conflicts. They are identity-based conflicts in which competing claims have been made for the same territory, and numerous failed peace attempts clearly demonstrate the difficulty of reaching sustainable solutions to such conflicts. By exploring and analysing ceasefire agreements in relation to peace processes in this context, I elaborate on what it means when such initiatives are used in contemporary intrastate conflicts rather than to manage armed conflicts between two states. I have conceptualized peace processes as overarching approaches aimed at finding a negotiated
settlement to armed conflicts. Ceasefire agreements have been conceptualized as peace initiatives that, together with other initiatives, constitute peace processes. Rather than merely exploring ceasefires as patterns of action and response, I have considered them in relational terms, as agreements that need to be contextually understood in relation to the broader peace processes of which they are a part.

To repeat some of the premises and outcomes of previous chapters: As stated in chapter 2, the point of departure in the thesis is the view that war-to-peace transitions can essentially be understood as processes of change that require changes in the conflicting parties’ attitudes, behaviours and relationships. By using a process-oriented conflict dynamics approach it has been possible to analyse ceasefire agreements in relation to peace processes in different conflict settings, thus recognizing that the nature of ceasefires, how they operate and how they unfold will vary in different contexts. Based on this approach, I developed an analytical framework to guide and structure the empirical inquiry. I identified six key factors in the literature on war-to-peace transitions that can be expected to influence changes in conflicting parties’ attitudes, behaviours and relationships: (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) whether claims are being met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics. As discussed in Chapter 3, I decided that writing historical narratives guided by theory was the most suitable way to conduct the empirical investigation. This allowed me to take into account the particularities of the conflicts and conflict dynamics in each case. In chapters 4 and 5, I focused my attention on analysing ceasefire agreements in relation to peace processes in the two conflict settings of Aceh and Sri Lanka. The primary aim of these chapters was to answer the first two research questions posed in Chapter 1. To do so I focused on two issues: (1) the nature of ceasefire agreements in the conflicts in Aceh and Sri Lanka, in particular in terms of the initiation, form and content, and implementation of the agreements, and (2) how ceasefire agreements can be characterized and analysed in relation to peace processes in the context of these two protracted intrastate armed conflicts.

Based on insights from the case studies, in this last chapter I address and discuss the third research question posed in Chapter 1: What similarities and differences that can be identified between the empirical cases can increase our understanding of ceasefire agreements in relation to peace processes and of war-to-peace transitions in intrastate protracted conflicts? To answer this question, I have divided the chapter into four main sections. The first starts by highlighting some similarities and differences between ceasefire agreements and peace process in Aceh and Sri Lanka. In the second section, to support the argument made throughout this thesis of the advantage and necessity of recognizing context, I further explore how ceasefire agreements
can be contextually understood in relation to peace processes. I do this by
discussing the six factors that have been identified as potentially influential
for changing the conflicting parties’ attitudes, behaviours and relationships.
In the third section, I offer eight propositions derived from the empirical
analyses. These propositions highlight patterns and characteristics that are
important for our understanding of ceasefire agreements in relation to peace
processes. In the fourth and final section of the chapter, I summarize my
conclusions and make suggestions for future research.

6.1 Across-case comparisons – recognizing context

6.1.1 The two conflict settings: Aceh and Sri Lanka
While the conflicts in Aceh and Sri Lanka are rooted in their own
specificities, they share common characteristics and experiences because
they are both protracted identity-based violent conflicts. In both cases,
claims were made for self-determination within a given territory based on
the ethnic origin and identity of a group related to that territory. The
underlying causes of conflict can often be traced back to post-colonial state-
formation and nation-building projects. Local nationalism emerged as a
result of a centralization of state power by governments representing the
interests of majority ethnic groups and failing to recognize the basic needs
and interests of minorities. In both Aceh and Sri Lanka, efforts to bring
about change by peaceful means were commonly repressed – many times
violently. In the 1970s, these efforts ultimately transformed into armed
struggles led by the separatist movements GAM and the LTTE, respectively.
What followed in both cases was years of violent conflict that in many ways
aggravated grievances and created vicious cycles of hostility and mistrust.

However, while these conflicts share some characteristics of structure and
process, there are also notable differences. The Sri Lankan conflict and peace
efforts have played out within a national political context of electoral
competition. Indonesia, on the other hand, was undergoing political
transformation after decades of authoritarian military rule, during which the
military had a central role as political player. Furthermore, compared to Sri
Lanka, Indonesia is both geographically large and populous, and it has
experienced a number of local uprisings besides the one in Aceh. In contrast,
the conflict in Sri Lanka influenced virtually all aspects of society. Another
central difference is the military capacity of the LTTE compared to GAM in
terms of size and military advancement. While GAM primarily engaged in
low-intensity guerrilla fighting, the LTTE went beyond that and developed
military units on land, sea and air. It was also fearfully known for its use of
suicide bombers.

A shared feature of the conflicts in Aceh and Sri Lanka is that in both
there were efforts to engage the main warring parties in processes to reverse
the vicious cycles and violent conflict trajectories. This engagement in processes aimed at proceeding along a path from war to peace has been the central focus of attention in the previous two chapters. As we saw, the timing of these processes – i.e. when the parties engaged in them – was very similar in both protracted conflicts. The peace initiatives that I have studied mainly occurred during the first part of the 2000s. And as the empirical analyses have shown, ceasefire agreements were central components of the peace processes in both Aceh and Sri Lanka, engaging representatives of governments and non-state armed groups as the main warring parties.

6.1.2 Exploring similarities and differences

The analytical framework developed in the thesis to guide the empirical analysis has been useful for understanding the nature of ceasefire agreements and for characterizing and analysing them in relation to the broader peace processes. However, while the six factors in the framework were useful in both conflict settings, an understanding of how and why they were useful is only possible if the context of the conflict is taken into account. In other words, while the common factors have mattered, important variations over time and across space have been identified as to exactly how and why they mattered. Accordingly, as expected, the comparative case study analysis revealed both similarities and variation as regards the initiation, form and content, and implementation of ceasefires, as well as how the processes unfolded.

Some of the similarities in the ceasefire agreements can be related to the asymmetrical characteristics of these conflicts, which involve a state and a non-state group, as well as to the regional and international context in which they are embedded. As elaborated in the theory chapter, this context can be described as one of ‘strong’ and centralized states situated in a region where the notion of sovereignty and territorial integrity is commonly emphasized. In addition, the frequency of intervention in matters that are perceived as internal affairs is relatively low. In terms of ceasefire agreements and peace processes in Aceh and Sri Lanka, this has implied that engaging in ceasefires and complying with ceasefires agreements was largely driven by the conflicting parties themselves. While there was international involvement in more or less all instances, this engagement can generally be characterized as comparatively modest and clearly based on the parties’ consent. This resulted in mediation and ceasefire monitoring by ‘small’ actors with limited mandates and leverage to exert influence on the parties.

Of the peace processes in Aceh and Sri Lanka that are analysed in the thesis, in most cases the parties explored ceasefires as structured separate arrangements in anticipation of possible future agreements with more substance. In this regard, only the 2005 peace process in Aceh stands out. In this case, an ‘indirect’ ceasefire was followed by formalized security
arrangements as part of the comprehensive MoU. The duration of ceasefire agreements was commonly framed as indefinite. Only the 2000 Humanitarian Pause in Aceh was specified as operating for a particular and limited period of time. Still, even in this case it was declared at the outset that the specified duration of the ceasefire should be seen as merely a first phase, one to be later evaluated and renewed. It should also be noted, however, that despite the indefinite terms of duration of most of the agreements, the details for withdrawal inevitably revealed their temporary nature.

As we have seen in the case study chapters, the processes analysed in Aceh and Sri Lanka evolved along different paths. The initial two processes in Aceh and the first one in Sri Lanka derailed within a short period of time and led to renewed fighting. The 2000 Humanitarian Pause in Aceh lasted some seven months and was re-negotiated and extended for about four months before the peace process derailed. Both the 1995 CoH in Sri Lanka and the 2002 CoHA in Aceh were even more short-lived (four and five months respectively), and the peace processes themselves broke down with the breakdown of the ceasefires. The third and last process analysed in Aceh was described as proceeding along a peaceful path. In contrast, the last process analysed in Sri Lanka was described as stalled, because the ceasefire continued for several years in a ‘no war, no peace’ state before ultimately derailing into full-fledged war.

As already noted above, the six factors identified in the analytic framework have been important for understanding these processes, but context has mattered for understanding how. To develop this discussion further and illuminate the ways in which the six factors were influential and can thus contribute to our understanding of ceasefire agreements in relation to peace processes, I will now address each of them in turn.

6.2 Understanding ceasefire agreements in relation to peace processes – elaborating on the six factors

Based on the discussion above and informed by insights from the case study analyses of Aceh and Sri Lanka, this section discusses the importance of the six factors of influence and demonstrates how they contribute to our understanding of ceasefire agreements in relation to peace processes. The six factors include (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) whether or not claims are being met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics. Rather than trying to find general explanations, I will explore the ways in which the factors have influenced developments in different contextual settings and why they have done so. Along the way, I review both similarities and differences.
6.2.1 A new arena for the battle of recognition, status and legitimacy?

Theoretical insights suggest that in cases of intrastate conflict, recognition and legitimacy can significantly influence change with regard to the perceived status of conflicting parties. In theory, this can be conducive to altering power-relations in asymmetrical conflicts and serve as an incentive for the ‘weaker’ party to lay down arms and engage in a process of peaceful negotiations. Accordingly, in conflicts in which the main conflicting parties are an internationally recognized government and a locally based non-state group, entering into an agreement can, per se, be perceived as extending recognition to the non-state actor. The *symbolic politics of ceasefires* is illustrated in the empirical analyses through the meaning built into the word ‘ceasefire’. In Aceh, the Indonesian government deliberately avoided the word ceasefire in the agreements reached in 2000 and 2002, because this concept was seen as giving GAM the status of a recognized party equal to the government. Hence, they stressed framing an agreement in a different way in order to make it possible to enter into one.

The issue of earning recognition by entering into a ceasefire can also be seen as important in Sri Lanka, with the LTTE repeatedly pushing for a ceasefire in the pre-negotiations of the 1994 peace process, while the government sought to tone it down. Likewise, for the LTTE, a formal ceasefire was seen as confirmation of their status as an equal partner with the government. It was therefore a prerequisite for engaging in dialogue as an equal. While extending recognition to a non-state group appears to have been important both in Aceh and Sri Lanka, Aggestam and Björkdahl (2009: 26) warn that if the parties use a ceasefire agreement primarily to gain recognition, then reaching a solution might be of secondary importance. In other words, rather than creating a venue for conflict transformation, the venue risks becoming an arena for altering power-relations, in which there is little interest in assuring compliance with and implementation of various undertakings, and even less in striving for a mutual understanding.

Furthermore, the case study analyses of Aceh and Sri Lanka also show how ceasefire agreements can be understood as *accepting a particular on-the-ground reality*. By establishing certain premises at the start, this can have implications for how the peace process plays out. In general, the two main warring parties that entered into bilateral ceasefires in Aceh and Sri Lanka were also parties in the organizational structures incorporated into the agreements, and many times also of subsequent initiatives in the peace processes. This meant an exclusion of other stakeholders and interest groups, including opposition groups and civil society. While the actors ultimately responsible for violence must be the ones who stop it, this bilateral structure became a source of dispute and tended to ignore conflict complexities. This became particularly evident in Sri Lanka in the period
following the 2002 agreement. The exclusion of the political opposition, including the president, and of the Muslim population, has particularly been emphasized.

In intrastate conflicts with a territorial dimension, the effects of accepting this particular on-the-ground reality can also become evident if the agreement freezes military positions on the ground. In a ceasefire in an intrastate identity-based conflict, this territorial dimension will notably have a prominent symbolic meaning for questions regarding state formation and identity. This is because it symbolizes control over territory, recognition of leadership and authority to decide over the use of violence – i.e. matters associated with statehood. In the Sri Lankan conflict, the ceasefire not only separated the parties, but also defined areas under their control; hence, the agreement more or less consolidated the border. Furthermore, the territorial dimension can also have notable consequences for people living inside or on the border of these areas. While an important part of the fighting between the Sri Lankan government and the LTTE can be characterized as conventional warfare based on winning or losing control over geographical areas, the situation in Aceh was different. GAM and the Indonesian army and police were basically operating in the same areas, with GAM doing hit-and-run operations from the jungle. Hence, while it was plausible that the LTTE could win territories using military means, GAM was aware that it did not have this capacity. As long as they were not losing, they considered themselves to be winning.

Hence, the issue of recognition has been important for understanding the initiation of peace processes and has, in some cases, been a prerequisite for the initiation or continuation of dialogue. However, it has also contributed to the establishment of a particular structure for subsequent interaction and arrangements. In such cases, by consolidating relationships rather than changing them, a ceasefire agreement entails a risk that it becomes a continuation of war by other means.

6.2.2 Strengthening or weakening trust and confidence?
In protracted violent conflicts, deep-rooted mistrust and suspicion often prevails. In the theoretical literature, the importance of trust has been highlighted as a way to overcome or deal with elements of risk involved in engaging in peace processes and to influence changes in the parties’ attitudes, behaviours and relationships. Statements of good faith, observable changes in behaviour and cooperative measures have been suggested as important measures to build trust and confidence. From a path dependency perspective, decisions and actions taken in the beginning of the process are critical for how it unfolds. Returning to the historical narratives from Aceh and Sri Lanka, various gestures of good faith were made by the parties in the run-up to a ceasefire agreement, and they seem important for understanding
how it was possible for them to come to an agreement. For example, in Sri Lanka in 1994, Kumaratunga notably made efforts to reframe the conflict by acknowledging the grievances of the Tamil people instead of framing it simply as a terrorist problem, which previous leaders had done. In Aceh, similar efforts to make gestures of good faith were particularly noticeable in 2000, when the government apologized for grievances and past atrocities committed against the Acehnese.

Nevertheless, these gestures of good faith have primarily aimed at creating sufficient confidence to enable the sides to engage in a process; the broader question is how can trust be characterized during a ceasefire? Mac Ginty (2008: 183) has stated that ‘trust is very much a long-term process, requiring organic development based on experience and observed evidence’. Following from this, trust during a ceasefire should be closely connected to whether or not the parties comply with the ceasefire agreement and implement the measures agreed upon. Nevertheless, while the confidence-building potential of complying with a ceasefire is evident, non-compliance can be a very visible sign of breaking a commitment. This was notable in Sri Lanka in the 2002 peace process, when the LTTE engaged in many ceasefire violations. In a context of stalled peace talks and a lack of progress in dealing with political issues, this not only made the government lose faith in the LTTE’s intentions, but also meant that the CFA largely lost credibility in the eyes of the public. This gave critics to the agreement stronger arguments and, as noted in the case study, some observers claimed that it promoted nationalist sentiments in the South.

This illustrates the risks of ceasefires that freeze conflicts in cases of internal armed conflicts characterized by parties with non-negotiable positions and deep-seated mistrust due to long-held antagonism. Such a ‘freezing’ ceasefire without visible signs of progress – and with observable breaking of commitments – can lead to a loss of faith in the process, both among the parties and the public, and create doubt as to whether the process can bring about real change. The risk that new disputes can arise over elements of the ceasefire arrangement and that mistrust can increase as result of violations of the agreement is illustrated in the Sri Lankan case. The ceasefire agreement continued to exist on paper for several years, yet the conflict re-escalated and continuing efforts to mediate were ensnared in the conflict dynamics, e.g. with accusations of possible biases from both sides. Hence, the 2002 CFA in Sri Lanka highlights the difficulties of maintaining trust in the process.

In Aceh, the importance of building personal relationships to promote trust and confidence was emphasized in several interviews. The effort to build personal relationships through interaction and ultimately cooperation was an evident component of the ceasefire agreements mediated by the HD Centre in 2000 and 2002. The intensive work in the joint committees
became an opportunity for interaction and for people to begin to know each other. While different forums for interaction were also established in Sri Lanka, they never worked properly and regularly. Hence, while the efforts were not enough to transform relationships in Aceh, they nevertheless demonstrated the possibility of cooperative measures, and it has been suggested that the efforts made in the first two processes were important for the development of the third one. Still, the examples from Aceh also reveal that building trust is a time-consuming endeavour and, with reference to the discussion above, that it is difficult to uphold in the light of a badly functioning ceasefire.

6.2.3 Meeting claims or muddling through uncertainty?

The importance of meeting the parties’ claims can be linked to the previous discussion of trust in the process. Here, as Höglund (2004: 191-192) proposes, it can be useful to make a distinction between ‘momentum’ and ‘certainty’. The former refers to a sense of positive progress in the process. The latter, Höglund suggests, refers to the establishment of a formula for a solution that is at least based on a shared vision of what a future solution could look like, even if the details remain to be worked out. While examples from Aceh and Sri Lanka shows that the initiation of a ceasefire in the beginning of a peace process can help reduce tension and demonstrate that the parties’ have noble intentions, the empirical analyses also indicate that maintaining momentum through interim arrangements will be difficult in the absence of certainty, i.e. when there is no common vision of a future solution. A telling example of this is from the 2002 CoHA agreement in Aceh. In the beginning, it seemed like a formula for a solution had been found, and this was important for creating momentum in the process. However, when it became obvious that the parties had different interpretations and views of the elements of the formula, it led to a crisis for the ceasefire. Implementation through disarmament was about to begin, just at the time that the ambiguity pervading the formula came to the fore.

This dilemma can also be related to the risks of ‘constructive ambiguity’ in intrastate conflicts, something that has been highlighted by Aggestam and Björkdahl (2009: 30). It refers to a strategy of overcoming deadlocks for the sake of reaching an agreement by avoiding and delaying detailed interpretations. In intrastate armed conflicts, where there are no established rules of negotiations and where the conflict issues often are framed as zero-sum, there is a risk that constructive ambiguity can be counter-productive (ibid). With reference to the example from Aceh mentioned above, while ambiguity made it possible for the parties to enter into the CoHA agreement, it subsequently had detrimental effects. As long as there was uncertainty about where the process was going, the parties could continue to try to win on their own terms. Similar challenges could be seen in the Sri Lankan case,
where the contentious issue of the sea was reportedly kept vague in the 2002 CFA in order to get an agreement signed, yet it remained a source of dispute throughout the ceasefire period.

Accordingly, the case study analyses demonstrate the challenges of interim ceasefire agreements when there is no certainty of where the process is going and whether or not claims held by the parties will be met. In contrast to conflicts between states – where, as Fortna (2004) has highlighted, a ceasefire can continue without solving the core political issues – this is particularly critical in intrastate conflicts, where an outcome is often perceived as an existential matter for the parties. The analyses of both Aceh and Sri Lanka raise questions about whether interim arrangements can be fruitful in intrastate armed conflicts, where the future status of the state is still fundamentally contested. While a peace process necessarily requires a long-term commitment, there is nevertheless a risk associated with a long, drawn-out process involving interim arrangements. As long as there is uncertainty about a future arrangement, there is a risk for continued and potentially increasing suspicion both between the main parties and among the public. Jayadeva Uyangoda tellingly notes that the consequence of the ‘no war, no peace’ situation in Sri Lanka was that the ‘legitimacy of peace became weakened and undermined’. In the end, ‘a failed ceasefire created an argument for and legitimized a return to war’ (interview with Jayadeva Uyangoda, Colombo, 28 October 2010). Furthermore, as the ceasefire continued despite the absence of a parallel political dialogue, the LTTE eventually presented its own proposal for a solution. It was met by much criticism, and in the absence of a proper process for dialogue in which it could be negotiated, it was immediately resisted. With the peace talks stalled and in the absence of a formula from which to start talking, efforts taken to shape visions of a final solution were all done unilaterally.

6.2.4 External incentives and resources – on whose conditions, and with what effects?

In the theory chapter it was proposed that changes in the conflict parties’ attitudes, behaviours and relationships can be influenced by external involvement. As the case study chapters show, the peace attempts in both Aceh and Sri Lanka have largely been driven internally in the context of strong states reluctant to allow outside involvement. For example, when the Humanitarian Pause was settled in Aceh in 2000, the signing of the agreement abroad caused considerable criticism among groups in Jakarta, who interpreted international involvement as extending recognition to GAM. Consequently, while GAM wanted to increase the level of internationalization, the government would only allow the involvement of a small NGO like the HD Centre. When Ahtisaari became involved later on in the 2005 peace processes, it was important that he was no longer a president but
attached to an NGO (i.e. the CMI). Likewise, in Sri Lanka, given the negative experience of Indian intervention in the mid-1980s, the peace talks and ceasefire that began in 1994 were initiated without external involvement. In the second attempt, the ‘small’ state of Norway was involved due to its' geographic distance and modest approach. Furthermore, the gradual increase in the internationalization of peace processes that we saw in both conflict settings was nonetheless founded on the consent of the parties.

While it has been restricted in many ways, international involvement has nonetheless been important for enabling the initiation of ceasefires. For non-state actors, it has seemingly been a way to increase the status of the ceasefires and the peace processes. From the point of view of governments, it is plausible that international involvement was acceptable because neither GAM nor the LTTE had international support among states for their cause. Furthermore, the case studies also include examples of innovative initiatives introduced by external actors that facilitated the processes, for example framing the ceasefire as a ‘humanitarian’ concern in Aceh in 2000, when it was not possible to talk politics. In addition, it is possible that the increased international involvement in the final processes studied in both Aceh (2005) and Sri Lanka (2002) enabled these ceasefire agreements to survive for such long periods of time. However, while the ceasefires in both countries continued, the process in Aceh proceeded on a peaceful path, while the one in Sri Lanka stalled without further progress being made, and it ultimately derailed into full-fledged war. Based on analyses of both cases, it can be proposed that international involvement created incentives for ceasefires to continue for a long period of time, but not necessarily in a way that influenced progress towards a peaceful solution. The case study analysis also reveals the challenges of international involvement in managing intrastate ceasefire agreements and the risk of external actors becoming part of the power struggle between and within the conflict parties. The complexities of international involvement have been emphasized in the case of Sri Lanka – from the troublesome Indian intervention, to bilateral attempts in 1994-95, and Nordic involvement in 2002. Also in Aceh, the Indonesian government argued that the HD Centre favoured GAM. By the end, the mediators were even occasionally accused of acting as ‘spies’ for the separatist movement (HD Centre, 2003: 28).

6.2.5 An interplay between internal actions and contextual changes?

Changes taking place external to the conflict parties and peace processes are also included in the theoretical framework as factors that might prompt changes in the conflicting parties’ attitudes, behaviours and relationships. The empirical analyses of both Aceh and Sri Lanka indicate the importance of contextual changes for influencing the way in which conflict parties
reason. This factor can be linked to the discussion above and the difference between the cases as regards the context in which international involvement was accepted. GAM had a clear policy of internationalization as a way of pursing their claims, recognizing that this was the only way to achieve their goal of independence. Furthermore, although GAM did not have international support for its goal of independence – something which it increasingly understood as time passed – it was not labelled a terrorist organization by international actors, and it reportedly undertook many efforts to convince external actors that it was not one. By contrast, in Sri Lanka the LTTE had more trouble with how international actors perceived it. The ‘war on terror’ and the labelling of the LTTE as a terrorist organization had a direct effect on the ceasefire agreement. It further undermined the LTTE’s goal of achieving status parity, and led the organization to demand that a significant number of the ceasefire monitors withdraw from the process. As a result, this seems to have further harmed the movement’s international credibility.

The tsunami that affected both Aceh and Sri Lanka must also be considered in terms of contextual change that had an impact on the context in which the conflicts and peace attempts played out.¹⁰⁷ As discussed in the case studies, the tsunami apparently impacted on the peace processes in different ways. Here, it is important to take into account the timing of the tsunami. When the tsunami hit the eastern coastlines of Sri Lanka, it was almost three years into the CFA. The situation was seriously deteriorating in the aftermath of an abandoned dialogue; there was internal division on both sides; a proposal by the LTTE had been dismissed, and the security situation was getting worse. While some encouraging efforts were undertaken to seize the moment and re-establish momentum in the process, it had already begun moving along a pathway that was difficult to reverse. In Aceh, on the other hand, the tsunami came at a time when new peace initiatives were emerging. As a result of long-term efforts, both parties had agreed to engage in a search for a peaceful solution. In that context, the large influx of international actors to Aceh as result of the tsunami nurtured the existing momentum. Furthermore, it can be assumed that international presence helped make peace talks possible, despite the absence of a formal interim ceasefire agreement. In comparison to the situation prior to the tsunami when practically no foreigners were allowed access to the region, Aceh saw thousands of relief workers and soldiers from different countries coming in to assist in the emergency situation (Aspinall, 2009: 232). In order to provide a secure environment for humanitarian relief, international actors urged the parties to end violence and to find a settlement to the conflict. It

¹⁰⁷ For a study on effects of the tsunami in Aceh and Sri Lanka, see, for example, de Alwis and Hedman (2009).
has also been suggested that the need to focus on addressing consequences of the natural catastrophe created a sense of urgency to find a settlement in the negotiation process.

In conclusion, this study suggests that contextual changes can influence conflict parties’ attitudes, behaviours and relationships in ways that must be taken into account in order to understand ceasefire agreements in relation to the broader peace processes. Nevertheless, as the discussion above also illustrates, the same contextual change can have different consequences in different conflict settings. This further illustrates the importance of taking context into account and of looking more closely at the political processes at play.

6.2.6 Struggles and challenges between or within the parties?

Violent conflicts and efforts aimed at solving them must be understood largely in relational terms and by taking into account interactions between the warring parties. Nevertheless, as emphasized in the theoretical framework, dynamics within the parties can also be an important factor influencing change. Therefore, it is also necessary to address them. Support for this can be found in various ways in the historical narratives of Aceh and Sri Lanka. In Aceh, there has been resistance within the Indonesian polity to efforts to find a peaceful settlement. Entering into ceasefire agreements with GAM was perceived as a sensitive issue, and this had implications for ceasefire agreements and their development. The role of the military and its struggle to maintain prominence and political power in Indonesia further reinforced this situation. This was in particular true in the first two peace processes and the initiation and unfolding of the Humanitarian Pause and CoHA agreement. Also in Sri Lanka, differences within the parties are important for understanding the emergence and evolution of ceasefire agreements. The rivalry between the largest political parties and their different views on the peace attempts has been emphasized as a complicating factor. As Gooneratne (2007: 108) puts it, ‘the main enemy of the two main Sinhala parties is each other, and the LTTE comes in poor second’. This rivalry within the Sri Lankan polity was evident especially in the 2002 peace process. The Sri Lankan prime minister entered the CFA with the LTTE in the context of power cohabitation between the main Sinhala parties, and the president – representing the opposing party – was excluded from the process. In addition, it has been suggested that the government’s faltering engagement with the LTTE created an opportunity for nationalist voices to gain strength, and they directed criticism towards the ceasefire agreement and the decision by the state leadership to engage with the LTTE. This was particularly visible during the turbulent situation that developed in the trajectory of the 2002 CFA period. This period also revealed disturbances within the LTTE, with the break-up of the movement through the creation of
the Karuna fraction. This internal fragmentation led to violent clashes between LTTE cadres and the Karuna group. The continuation of violence through the use of proxy groups that were not included in the ceasefire agreement further illustrates challenges that can emerge as the process unfolds.

Hence, the empirical analyses of both Aceh and Sri Lanka have shown how divisions within the parties have been a complicating factor in initiating and carrying out ceasefire agreements between the governments and the rebel groups. There is a risk that a ceasefire agreement is being used in ways that aggravate intra-party rivalry, and this might also have impact on the dynamics between the warring parties. Intra-party struggles can create ambiguity in a party’s actions and challenge attempts to solve the conflict through peaceful means.

6.3 Eight propositions

The discussion above illustrates ways in which various factors of influence matter for understanding ceasefire agreements in relation to peace processes in different contextual settings. Based on this discussion, it can be suggested that comparative insights about common patterns can be proposed at one analytical level – i.e. the ‘mid-level’ of abstraction focused on contemporary intrastate Asian conflicts – while at the same time, particularities can be identified at the case-specific level. In the following section, I discuss eight propositions that are important for understanding ceasefire agreements in relation to peace processes. These include patterns found in the empirical analyses and important insights drawn from the analyses as to how ceasefire agreements can be understood in relation to peace processes and why this is so.

The empirical analyses of the two conflict settings of Aceh and Sri Lanka reveal some similar patterns as regards temporal aspects of the peace processes. In both conflicts, the first ceasefires reached were comparatively limited in scope and can be described as explorative in nature. In subsequent efforts, changes were made and the overall tendency indicates that ceasefire agreements became more comprehensive as means of managing the peace processes. This can be seen in four principle respects:

(i) ceasefires tended to become more substantial and included a larger number of undertakings,
(ii) ceasefires included more robust mechanisms for implementation,
(iii) ceasefires were strengthened in terms of international involvement,
(iv) Ceasefires were more explicitly framed as aimed towards a future political solution.

Thus, in both Aceh and Sri Lanka ceasefire agreements have become more substantial over time and their terms have been outlined in greater detail. This implies that the parties have agreed to undertake a larger amount of measures of both military and non-military character. The mechanisms introduced to facilitate implementation have also been developed from one ceasefire agreement to the next. There has been an extended mandate to monitor compliance and to inquire into violations. In addition, the international involvement has been gradually increased, in particular the support to overseeing the parties’ compliance with the agreements. A common tendency is also that ceasefire agreements have included declarations of intent that more explicitly linked the agreement to a presumed progression of the broader peace process. This can be compared to the explorative framing of earlier one(s). This tendency to negotiate more comprehensive ceasefire agreements and to accept increased international involvement in various aspects of them should also be understood in relation to trends and developments in global international peacemaking. These insights thus support findings in research on war-to-peace transitions and peace processes that point to similar trends more generally (e.g. Darby and Mac Ginty, 2003, 2008; Wallensteen, 2007; Human Security Centre, 2006). Moreover, the comparatively modest international involvement in the two conflicts, even in the later peace processes, and the fact that it was based on the consent of the parties, also supports previous research on the characteristics of conflict resolution in the Asian region (e.g. Wallensteen, 2007; Möller et al., 2007; Wallensteen et al., 2009).

While it can be argued that ceasefires became more comprehensive over time, they have nonetheless been built on earlier agreements. This notion highlights how the agreements become a part of the historical legacy and thus shape future agreements and ultimately affect future interactions. Therefore, the nature of ceasefire agreements must be understood in terms of the experiences of earlier efforts, as witnessed by recurring structures and provisions and by the fact that, in some cases, earlier challenges are addressed and give rise to different solutions in subsequent attempts. This indicates a capacity to make changes and suggests that embarking on a peaceful path is feasible. Nevertheless, while this seems encouraging, it should be emphasized that in Aceh and Sri Lanka, this trajectory was based on a rationale of bilateral arrangements that included the two main warring parties. It largely consolidated the notion of the conflicts as bilateral issues between the governments and the non-state armed groups. Consequently, this construction formed the framework within which subsequent initiatives and events played out.
The analyses of ceasefires in Aceh and Sri Lanka showed that, in the immediate aftermath of their coming into effect, they led to changes in behaviour. The most salient pattern regards changes in the security situation, from which it can be proposed that:

(v) ceasefires resulted in an immediate decrease in violence and an improved security situation compared to the situation prior to the ceasefires and to earlier ceasefire periods.

Thus, there was a general decline in the number of casualties and high-profile violent incidents, although the magnitude of the decline varied across the ceasefires. This improved security situation facilitated the delivery of humanitarian aid and relief to people severely affected by the war. While the first ceasefires in both Aceh and Sri Lanka can be characterized as explorative and brought about only limited change, subsequent efforts led to an improved sense of security among people in war-affected areas and a period of return to relative normalcy. In both Aceh and Sri Lanka, this has been emphasized in interviews as an important advantage of the ceasefire agreements. However, although violence declined, it nonetheless continued during the ceasefire periods. Moreover, in each case there was a tendency for broken ceasefire agreements to be followed by periods of intensified violence, commonly described as the most intensive period of violence since the start of the war. Furthermore, while the within-case comparisons suggest that experiences from earlier ceasefires led to changes in subsequent efforts, the analyses in Aceh and Sri Lanka also show that experiences from earlier efforts can have negative impacts on trust due to a history of broken promises.

Moving beyond these common patterns in Aceh and Sri Lanka, the empirical analysis and elaboration of the factors identified in the analytical framework also suggest that an understanding of ceasefire agreements in relation to peace processes requires attention to other factors as well. I have identified three that I discuss more thoroughly below:

(vi) the importance of internal cohesion,
(vii) the importance of leadership,
(viii) the importance of democratic transition.

Based on the analyses in this and previous chapters, internal cohesion should be emphasized as important for understanding ceasefire agreements in relation to peace processes. As highlighted throughout the case study chapters – and repeatedly stressed in interviews – the ‘actors’ are not monolithic entities. Within the non-state groups, the historical narratives pointed to ‘old’ and ‘new’ guards and to geographically bounded divisions.
Within the ‘government sides’ there were different political parties with various interests competing for power; there were civilian and military groups; there were ‘doves’ and ‘hawks’. This makes the question of internal cohesion relevant for understanding ceasefire agreements in relation to the dynamics of the broader peace processes. One aspect of this concerns the extent to which there is discipline within the ranks; that is, whether or not decisions and strategies adopted by the leadership are accepted down through the ranks of military wings and armed forces.

Another important aspect of internal cohesion concerns the ‘policy-level’ and whether or not there is cohesion among the different parties as regards which strategy to adopt in order to handle the conflict. In Aceh, we saw examples of presidents under pressure to refrain from accepting a ceasefire agreement due to so-called hard-liners in government and the military’s involvement in politics. This often obstructed efforts to manage the conflict through peaceful means. As Sukma (2003: 172) has pointed out, the power struggle at the national level in Indonesia has largely determined how the government has responded to separatist challenges. In Sri Lanka, splits within the southern polity have been evident throughout the conflict and this was highlighted in the peace processes studied here. Regarding ceasefires in particular, the effects of this internal split in Sri Lanka were especially evident in 2002, with the president and prime minister representing opposing parties and holding different views about the ceasefire agreement. Thus, the analyses of Aceh and Sri Lanka have repeatedly illustrated the importance of internal politics for understanding ceasefire agreements in relation to the dynamics of the broader peace processes. This is because internal politics clearly influenced decisions and behaviours. In most cases it restricted the possibility of change and the progress of peace processes.

Related to the issue of internal cohesion, the analyses of Aceh and Sri Lanka have pointed to the importance of leadership. While a lack of cohesion within parties often hindered change, the case studies also illustrate how leaders boldly took initiatives despite internal resistance and poor experience from previous efforts. Commonly, changes in leadership on the government side seem to have been important for opening up the possibility of reaching a ceasefire. In the context of protracted conflicts and failed peace attempts, new leaders were not burdened by ‘heavy baggage’ from past failures and were thus able to make a new start. In this context, gestures to show good faith and apologies for past atrocities were important in the process leading up to the initiation of a ceasefire. For example, this was notable in Sri Lanka, when the new Prime Minister Wickremesinghe agreed to meet the LTTE’s preconditions for entering into a ceasefire, while President Kumaratunga still had the memory of the previous, broken ceasefire vividly in mind. In the case of Aceh, this could be seen when Wahid
became president in 1999 and introduced a new policy on Aceh that contributed to making the ceasefire agreement of 2000 possible.

Both non-state actors (i.e. GAM and the LTTE) had the same leadership throughout the armed conflicts, and therefore also in all the peace processes studied in this thesis. However, in the case of Aceh the poor health of Hasan di Tiro increasingly diminished his role and made it possible for other senior leaders to step forward. Aspinall (2009: 225) has proposed that if di Tiro had not been sidelined by more moderate members, he would probably have rejected the compromises reached in 2005. In addition, the influence that President Yudhoyono had on the Aceh peace process needs to be emphasized. In various ways, he was involved in Aceh during the course of all peace processes, which gave him experience of both the conflict and peace efforts. When he became president, he was also able to gain the support of the military for his approach to finding a peaceful solution to the violent conflict. It has also been suggested that Vice-President Yusuf Kalla was an important player in this regard. In addition, he was chairman of the Golkar party, and this made it possible for him to gain widespread support within parliament. Indeed, if, as discussed above, a lack of internal cohesion is one of the main challenges in ceasefires, the question of leadership – of whether it can unite different fractions – is crucial for reconstituting the peace process during a ceasefire. This underlines the importance of a united national political leadership in order to end conflict through peaceful means.

Finally, following from this discussion, it can be proposed that the analysis of ceasefire agreements in relation to peace processes in protracted intrastate armed conflicts can be linked to the broader question of democratic transition. Indeed, while Indonesian President Yudhoyono’s military background was an advantage to him in convincing the military to support the search for a peaceful solution to the conflict, this effort must be understood within the broader tendencies of the democratic transition that was taking place in Indonesia. From this perspective, the on-going transformation of the state created a democratic space within national politics that allowed for changes regarding how to handle the Aceh conflict and the possibility of accepting greater local autonomy. Various accounts have also emphasized that these developments occurred parallel to a process that was evolving within GAM, involving the reframing of the conflict from a nationalist demand to one that was grounded in claims for democracy and human rights (e.g. Aspinall, 2009; Kivimäki and Gorman, 2008). This reframing not only put pressure on the government, but created pressure on the movement itself. It had consequences for views about what means and methods could conceivably be used to deal with conflict issues. It also affected which proposals for a solution that GAM could reasonably accept, and which ones would be difficult to justifiably reject. In Sri Lanka, we saw a
state and a rebel movement that have been seemingly resistant to reform. The LTTE largely maintained its characteristic as a militant organization and limited in its engagement in civilian politics. At the same time, the government side was not able to reach a common ground for devolving power and remained largely centralized. In essence, this discussion illustrates the E.H. Carr quotation mentioned before, which emphasizes that peaceful change requires means by which conflicts can be pursued politically and an arena - characterized by ‘some common rules and standards about acceptable behaviour’ – in which this pursuit can take place (in Miall, 2007: 7).

6.4 Concluding remarks

Efforts to find peaceful solutions to violent conflicts have increased over the last decades, and so has our insight into war-to-peace transitions. Still, there are many unanswered questions about what it is that prompts conflicting parties to change in their attitudes, behaviours and relationships. Addressing this broader question, the aim of this thesis has been to advance our understanding of ceasefire agreements in relation to peace processes in protracted intrastate conflicts. This has been done using a qualitative comparative study of two Asian conflict settings, i.e. Aceh and Sri Lanka. A theoretical framework was developed in order to allow for contextualized understanding and comparison over time and across space. The thesis also includes a cross-case comparative analysis, presented in the previous parts of this chapter, which offers important insights into how ceasefire agreements can be characterized and analysed in relation to peace processes.

The common factors that I identified in the literature on war-to-peace transitions – i.e. (i) recognition, status and legitimacy, (ii) trust and confidence, (iii) whether or not claims are being met, (iv) external incentives and resources, (v) contextual changes and (vi) intra-party dynamics – have proven useful for increasing our understanding of ceasefire agreements in relation to peace processes. The study has demonstrated how these factors have mattered in different contexts and why this is so. It pointed to the prospect that ceasefire agreements can facilitate war-to-peace transitions, while at the same time illuminating challenges and the risk that such efforts can be counter-productive in the context of intrastate conflicts. The study thus speaks to previous research that stresses the significance of ceasefire agreements as potentially influential for the transition from war to peace (e.g. Fortna, 2004; Smith, 1995; Kolås, 2011). It has contributed to filling the gap in research by developing comparative insights about how ceasefire agreements can be characterized and analysed in relation to peace processes in protracted intrastate armed conflicts. It has also provided support for previous research on ceasefire agreements, on trends in contemporary
peacemaking generally and on developments in the Asian region particularly. It has done so using an in-depth and holistic inquiry to analyse conflicting parties’ attitudes, behaviours and relationships and by taking into account relational, external and internal factors in analysing ceasefire agreements in relation to peace processes. A process-oriented approach made it possible to illuminate influences on conflict dynamics that can contribute to facilitating progress in a peace process and ones that can have negative implications. In contrast to Fortna’s (2004) study, my focus has been on conflicts within states that can be described as protracted identity-based conflicts with a territorial dimension and on peace processes in the post-Cold War context. By analysing the conflicting parties’ attitudes, behaviours and relationships in these conflicts, I have been able to explore process dynamics and complexities and to recognize political processes at play.

Furthermore, by comparing ceasefire agreements and peace processes over time in Aceh and Sri Lanka, the study has highlighted the historical legacy of ceasefires, as illustrated by their impact on subsequent interactions and agreements. Indeed, despite the prolonged nature of these conflicts, there were few agreements reached during them. This has given ceasefire agreements a prominent place in the conflict histories and allowed them to leave ‘footprints’ and traces for subsequent processes. This also supports claims made in the literature about the importance of widening the temporal scope of analysis for understanding aspects of war-to-peace transitions and taking into account experiences and events in the historical trajectory (e.g. Diehl, 2006; Bell, 2000). The process-oriented approach has also revealed how the influence of various factors might shift between different phases of a process. For example, while external incentives through international attention and engagement seem to have been important for making it possible to enter into a ceasefire agreement, international involvement has often become more troublesome as the process has unfolded. This suggests that the importance and influence of different factors changes at different times and in different phases.

As this thesis has demonstrated, in many ways the management of war-to-peace transitions can be characterized as a constant balancing act. And while a ceasefire may be a necessary instrument in making a peaceful transition possible, it is not sufficient for embarking on a peaceful path. Based on the insights of this study, it can be proposed that if a ceasefire agreement is to create a momentum that helps lead the process onto a peaceful path, then this momentum must generate a political space. The nature and structure of ceasefires ultimately entails a risk of maintaining a military focus in the process rather than contributing to bringing about a shift towards a political one. Hence, it entails a risk of reconstituting rather than transforming dividing lines. In contrast to this, political space involves the possibility of
generating political alternatives. While changes in behaviour might be made rather easily in the absence of a parallel political process, changes in attitudes and relationships will likely be difficult. This suggests that if a conflict is to move to another arena, it is not enough that the parties refrain from violence, but such a move must also be accompanied by an adoption of non-violent means and interactions. Given this, a ceasefire needs to be action-oriented in order to contribute to the creation of a political space. In addition, in order to create and widen a political space, the parties must give both each other and themselves enough room to change. As this study has demonstrated, in the context of intra-party rivalry, political space is remarkably volatile.

While this study has provided important insights into ceasefire agreements and how they can be characterized and analysed in relation to peace processes in intrastate armed conflict, there are still many questions that need further exploration and analysis. First, the fruitfulness of the theoretical framework created in this thesis should be tested on other empirical cases. The comparative framework has been important for the theory-developing ambition of this thesis. In future studies, concentrating on a single conflict setting would enable even deeper and more contextualized analysis than what has been possible here. In addition, the results of this study indicate that we should conduct additional analyses over time that focus particularly on prolonged ceasefire agreements in stalled peace processes. While the notion of ‘no war, no peace’ has begun to get increased attention in the scholarly literature (e.g. Mac Ginty, 2008), we still do not know very much about the dynamics at play in these processes. A comparative analysis that focuses on ceasefire agreements and explores changes and continuities in particularly long-lived processes might contribute important and interesting insights. In addition, Bell (2000, 2006) has focused on analysing the human rights components of more comprehensive peace agreements from a legal perspective. Considering the characteristics of contemporary intrastate conflicts and the large number of civilian casualties in these wars, an inquiry into ceasefire agreements through the lenses of human security, focusing specifically on the human rights components of ceasefires might also be a fruitful way forward.

In future research it can also be suggested that more attention be given to the characteristics of and changes in national elite politics, particularly in order to understand the initiation and unfolding of ceasefire agreements. Thus, while there is a growing amount of literature on rebel-to-political party transformation (e.g. Dayton and Kriesberg, 2009; Weinstein, 2007), the results of this thesis point to the importance of also paying more attention to national politics, particularly political culture and leadership. Finally, this study has focused on elites. How citizens from various walks of life experience and respond to ceasefire agreements and peace processes was
beyond the scope of the thesis. However, such an investigation would enrich our understanding of ceasefire agreements in relation to peace processes in general, and offer opportunities to analyse whether and, if so, how popular demands, reactions and responses trigger additional changes in conflicting parties’ attitudes, behaviours and relationships.
References


Perera, Jehan (2011) Double edged peace process contributed to ending the war. Article-Norwegian Evaluation 211111. Article received by e-mail. 21 November 2011.


Appendix

LIST OF INTERVIEWS

Interviews on the Aceh conflict

Aziz, Umar Abdul, former HD Centre staff in Aceh, Banda Aceh, 12 May 2010

Bantasyam, Saifuddin, founder of Aceh human rights organization and law lecturer, Banda Aceh, 18 May 2010

Christensen, Juha, Finnish businessman involved in initiating the Helsinki peace process and during the negotiating process, Jakarta, 29 April 2011

Daud, Muslahuddin, analyst at the World Bank in Aceh and former consultant for HD Centre in Aceh, Banda Aceh, 11 May 2010

Dharmono, Major General (ret.) Bambang, deputy force commander in Aceh for TNI during the CoHA, force commander in Aceh during martial law, contact person in the field during Helsinki peace talks, and government representative for the implementation of Helsinki MoU, Jakarta, 29 April 2011

Djuli, Mohammad Nur, former part of GAM negotiation team and former head of Aceh Reintegration Agency, BRA, Banda Aceh, 12 May 2010

Ex-combatant GAM’s armed forces, TNA, [with interpreter] Lamno, 16 May 2010

Ex-commander GAM’s armed forces, TNA, [with interpreter] Lamno, 16 May 2010

Fadli, Hendra, coordinator of human rights organization Kontras Aceh, Banda Aceh, 17 May 2010

Gunawan, Bondan, former Acting State Secretary for President Wahid, Jakarta, 27 April 2011
Head of Village in Lamno, [with interpreter] Lamno, 16 May 2010

Husain, Dr Farid, part of government negotiation team in the Helsinki peace process, [with interpreter] Jakarta, 3 May 2011

Idris, Azhari, former HD Centre staff in Aceh, Jakarta, 22 May 2010

Ishak, Otto Syamsuddin, civil society leader and participant in the monitoring of the Humanitarian Pause, Jakarta, 26 April 2011

Jamal, Juanda, civil society leader Acehnese Civil Society Taskforce (Konsorsium Aceh Baru ), Banda Aceh, 11 May 2010

Anonymous, Jakarta, 25 April 2011

Kamaruzzaman, Teuku, former part of GAM negotiation team, 14 May 2010

Marhaban, Shadia, former part of GAM negotiation team and civil society activist, Banda Aceh, 17 May 2010

Miller, Dr Michelle Ann, researcher at Asia Research Institute National University of Singapore, Singapore, 8 April 2011

Oksanen, Major General (ret.) Jaakko, military adviser to Ahtisaari during the Helsinki peace process, Aceh Monitoring Mission Deputy Head of Mission Operations, Jakarta, 4 May 2011

Saad, Dr Hasballah, former Indonesian Minister of Human Rights, Jakarta, 30 April and 2 May 2011

Sukma, Dr Rizal, executive director of the Centre for Strategic and International Studies, CSIS, Jakarta, 3 May 2011

Wirajuda, Dr Hassan, chief negotiator for government delegation during the Humanitarian Pause, Indonesian Foreign Minister during CoHA and part of the Council of Advisors to the President during the Helsinki peace process, Jakarta, 28 April 2011

Wiratmadinata, journalist and civil society activist in Aceh, Banda Aceh, 18 May 2010

236
Wiryono, Ambassador Sastrohandoyo, chief negotiator for government delegation during the CoHA, Jakarta, 27 April 2011

**Interviews on the Sri Lankan conflict**

Ali, M.T. Hasen, Secretary General SLMC (Sri Lanka Muslim Congress), Member of Parliament, Director Peace Secretariat for Muslims, Colombo, 7 February 2012

Ameen, Al-Haj N.M., editor Muslim Tamil language newspaper Navamani, Colombo, 24 January 2012

Anonymous, Colombo, 10 November 2010

Ariyaratne, R. A., Associate Professor, Director at the Regional Centre for Strategic Studies (RCSS), liaison officer of the ceasefire monitoring team 1994-1995, Colombo, 24 January 2012

Ashraff, Ferial, Muslim politician, former UNA parliamentarian, part of government delegation in Geneva talks, Colombo, 16 November 2010

Bastian, Sunil, researcher and development consultant, Colombo, 9 November 2010

de Mel, Nishan, researcher, director at research institute Verité Research, Colombo, 16 November 2010

Dhanapala, Jayantha, former Secretary General of the government’s Secretariat for Coordinating the Peace Process (SCOPP) 2004-2005, former political advisor to the president, Colombo, 24 January 2012

Fernando, Austin, Former Secretary Minister of Defence during the ceasefire – adviser to government negotiation team, Colombo, 10 November 2010

Gammanpila, Udaya, member of critical Buddhist monk’s party JHU (Minister of Agriculture, Agrarian Development, Minor Irrigation Industries and Environment – Western Province), Colombo, 26 January 2012

Godage, K., former official at the government’s Secretariat for Coordinating the Peace Process (SCOPP), Additional Foreign Secretary, (retired), Former Ambassador of EU, Colombo 8 November 2010
Gooneratne, John, former official and Deputy Secretary General at the government’s Secretariat for Coordinating the Peace Process (SCOPP) since 2002, Colombo, 23 January 2012

Goonetilleke, Bernard, former Secretary General of the government’s Secretariat for Coordinating the Peace Process (SCOPP) 2002-2004, Colombo, 31 January 2012

Hathotuva, Sanjana, analyst, editor Groundviews, Colombo, 15 November 2010

Jayawardana, Ravi, researcher and activist, co-editor of book on the 2002 ceasefire, Colombo, 9 November 2010

Mohideen, M.I.M., representative of the Muslims in the peace process, founder of Muslims Documentation, Colombo, 15 November 2010

Perera, Indika, Programme Director at national NGO Impact (Initiative for Political and Conflict Transformation), Colombo, 3 November 2010

Perera, Jehan, analyst, Director of national NGO National Peace Council of Sri Lanka, Colombo, 27 October 2010

Raheem, Mirak, Senior Researcher Centre for Policy Alternatives (CPA), Colombo, 1 February 2012

Rupesinghe, Kumar, researcher, Director of Foundation for Co-Existence, Colombo, 3 November 2010

Sachitanandan, Shanti, Tamil women activist, head of national NGO Viluthu (Center for Human Resource Development) focusing on governance, Colombo, 16 November 2010

Sampanthan, Rajavarothiam, party leader of political party Tamil National Alliance (TNA), Member of Parliament, Colombo, 1 February 2012

Samuel, Kumudini, delegate from the government in the Sub-Committee on Gender Issues, founder of national NGO Women and Media Collective, Colombo, 9 November 2010

Saravanamuttu, Paikiasothy, analyst, Executive Director CPA (Centre for Policy Alternatives), Colombo, 17 November 2010
Sarvananthan, Muttukrishna, researcher, director of a research institute in Point Pedro, Colombo, 9 November 2010

Sivachandran, Saroja, civil society activist and Director at the Centre for Women and Development (located in Jaffna), Colombo, 17 January 2012

Sumanthiran, M.A., theorist of political party Tamil National Alliance (TNA), Member of Parliament, Colombo, 31 January 2012

Thiagarajah, Jeevan, Executive Director of Consortium of Humanitarian Agencies, Colombo, 27 January 2012

Uyangoda, Jayadeva, researcher, Head of Department Political Science, Director of Social Scientists’ Association, part of government negotiation team 1994-1995, Colombo, 28 October 2010 and 27 January 2012

Weerakoon, Bradman, former Secretary to the Prime Minister (who signed the 2002 CFA), Colombo, 25 January 2012

Yusuf, Javid, former Director of the Peace Secretariat for Muslims, Colombo, 19 January 2012
INTERVIEW GUIDE

Main themes discussed:

INTRODUCTION
  Background and position of the interviewee (perspective on the conflict and peace attempts)

THE INITIATION OF THE CEASEFIRE
  Why and in what context was a ceasefire initiated
  By whom was it initiated (how it came about)
  Support/resistance towards the initiation of a ceasefire
  International influences
  Other factors influencing the initiation

THE FORM AND CONTENT OF THE CEASEFIRE
  View on form and content
  The decision-making process (procedure and actors involved)
  International impact
  Tensions/conflicting dimensions regarding form and content

IMPLEMENTATION OF THE CEASEFIRE AGREEMENT
  What actors were involved in the implementation
  Mechanisms for enforcing the agreement (monitoring etc.)
  International involvement
  Degree of unity within the warring parties
  Extent of implementation
  Problems/challenges encountered

THE SUBSEQUENT PROCESS
  Immediate effects of the ceasefire agreement
  Changes in behaviour by the warring parties
  Changes in status (recognition/legitimacy, controlled areas)
  Interactions between the parties
  Towards a political settlement (changes in positions, atmosphere)
  Changing interpretations of the agreement
  Breakdown of the agreement

PROBLEMS AND POSSIBILITIES
  Perspective of the ceasefire agreement and overall effects on the peace process
  Impact of earlier attempts
AGREEMENTS

JOINT UNDERSTANDING ON HUMANITARIAN PAUSE FOR ACEH

Whereas the Parties to this Joint Understanding believe in the basic tenets of humanitarian principles and values;

Whereas the Parties to this Joint Understanding agree on the imperative to reduce tension and suffering of the population and a Humanitarian Pause can become an effective instrument for that purpose;

Whereas the Parties to this Joint Understanding agree that Humanitarian Pause constitutes a means to promote confidence of the people and parties to this Joint Understanding in their common endeavour towards achieving a peaceful solution to the conflict situation,

We, the undersigned,

Amb. Dr. N. Hassan Wirajuda for the Government of the Republic of Indonesia, and Dr. Zaini Abdullah for the Leadership of the Free Aceh Movement

Hereby agree on the following:

Article 1
Objectives of the Humanitarian Pause

The Objectives of the Humanitarian Pause are:

A. delivery of humanitarian assistance to the population of Aceh affected by the conflict situation;
B. provision of security modalities with a view to supporting the delivery of humanitarian assistance and to reducing tension and violence which may cause further suffering;
C. promotion of confidence-building measures towards a peaceful solution to the conflict situation in Aceh.

Article 2
Components

The Humanitarian Pause comprises two components:

A. humanitarian action;
B. security modalities.

Article 3
Organisational Structure

The organisational structure for the Humanitarian Pause consists of following bodies:

A. Joint Forum

The Joint Forum is the highest organ of the Humanitarian Pause, and as such, it is entrusted with the following tasks:
a. to formulate and oversee basic policy;
b. to review the progress of the Humanitarian Pause; and
c. to generate the necessary support for a successful implementation of the Humanitarian Pause.

The Joint Forum, in Switzerland, will consist of representatives of the Government of Indonesia and of the Free Aceh Movement. The Henry Dunant Centre for Humanitarian Dialogue (HDC) acts as the facilitator.

B. Joint Committee on Humanitarian Action (JCHA)

The Joint Committee on Humanitarian Action is the body which carries out the policy of the Joint Forum and which coordinates humanitarian assistance.

Its tasks include:

a. needs assessment, the setting of priorities, resource mobilisation and planning;
b. the delivery of humanitarian assistance in a way which ensures the full participation of and benefit to the people of Aceh; and
c. ensuring the unhindered access for the delivery of the humanitarian assistance, and in this context, coordinates closely with the Joint Committee on Security Modalities.

Membership of this Committee consists of maximum of ten members comprising of 5 each appointed by the Parties to this Understanding. The members of the Committee will elect a Chairperson from among them. The Committee will be facilitated by the HDC.

The HDC will in addition facilitate the process of fundraising for humanitarian assistance.

A Monitoring Team will be established whose tasks are:

- to assess the implementation of the humanitarian action;
- to report their findings to the Joint Forum.

Its membership will consist of 5 persons of high integrity as agreed by the two Parties.

Both Parties take note of the Humanitarian Plan attached.

C. Joint Committee on Security Modalities (JCSM)

The Joint Committee on Security Modalities is the body which deals with the following tasks:

a. to ensure the reduction of tension and cessation of violence;
b. to prepare ground rules for the conduct of activities pertaining to the Humanitarian Pause;
c. to guarantee the absence of offensive military actions by armed forces of the Government of the Republic of Indonesia, and by the Free Aceh Movement;
d. to facilitate legitimate or non-offensive presence and movements of armed forces;
e. to ensure the continuing of normal police function for the enforcement of law and
the maintenance of public order, including riot control, prohibition of the movement of civilian with arms; and
f. to assist in the elimination of offensive actions by armed elements which do not belong to the Parties to this Joint Understanding.

Membership of this Committee will consist of 10 members, 5 each appointed by the Parties to this Joint Understanding.

A Monitoring Team will be established whose tasks are:

- to assess the implementation of the security modalities of the Humanitarian Pause;
- to investigate infringements and report their findings to the Joint Forum.

Its membership will consist of 5 members of high integrity as agreed by the two Parties.

The site of the Committees and the Monitoring Teams are in Banda Aceh.

Article 4
Time Frame

A. The first phase of the Humanitarian Pause covers a period of 3 months commencing 3 weeks from the signing of this Joint Understanding. It will be reviewed 15 days prior to the end of first phase for its renewal.
B. Prior to any unilateral withdrawal from the joint Understanding, the Parties agree to hold consultations in the Joint Forum in Switzerland.

Article 5
Transition

During the period between the signing of the Joint Understanding and its entry into force, both parties will exercise utmost restraint not to do anything contrary to the purpose and intention of this Joint Understanding.

Article 6
Public Communication

Both Parties agree to launch this initiative through the media and through any other means in order to encourage support for the Humanitarian Pause.

Done at Bavois, on 12 May 2000

For the Government of the Republic of Indonesia
Amb. Dr. N. Hassan Wirajuda

For the Leadership of The Free Aceh Movement
Dr. Zaini Abdullah
CESSATION OF HOSTILITIES FRAMEWORK AGREEMENT BETWEEN GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE FREE ACHEH MOVEMENT

Preamble
The Government of the Republic of Indonesia (GOI) and the Free Acheh Movement (GAM) have been engaged in a process of dialogue since January 2000 and concur that the priority in Acheh is the security and welfare of the people and therefore agree on the need for finding an immediate peaceful solution to the conflict in Acheh. On 10 May 2002, the GOI and GAM issued a Joint Statement set out below:

1. On the basis of the acceptance of the NAD Law as a starting point, as discussed on 2-3 February 2002, to a democratic all-inclusive dialogue involving all elements of Achehnese society that will be facilitated by HDC in Acheh. This process will seek to review elements of the NAD Law through the expression of the views of the Achehnese people in a free and safe manner. This will lead to the election of a democratic government in Acheh, Indonesia.

2. To enable this process to take place both parties agree to work with all speed on an agreement on cessation of hostilities with an adequate mechanism for accountability of the parties to such an agreement. This will also provide the opportunity and environment for much needed socio-economic and humanitarian assistance to the people of Acheh.

The GOI and GAM share the common objective to meet the aspirations of the people of Acheh to live in security with dignity, peace, prosperity, and justice. In order to meet the aspirations of the people of Acheh and permit them to administer themselves freely and democratically, the GOI and GAM agree to a process which leads to an election in 2004 and the subsequent establishment of a democratically elected government in Acheh, Indonesia, in accordance with the review of the NAD Law, as provided for in point 1 of the 10 May 2002 Joint Statement.

To this end, the GOI will ensure and GAM will support the development of a free and fair electoral process in Acheh, which will be designed to ensure the broadest participation of all elements of Achehnese society.

In light of the delicate nature of the confidence building process, the GOI and GAM further appeal for the support of all elements of society and request that no party undertake any action which is inconsistent with this Agreement and may jeopardize the future security and welfare of the people of Acheh.

The immediate requirement is to ensure the cessation of hostilities and all acts of violence, including, intimidation, destruction of property and any offensive and criminal action. Offensive and criminal action is deemed to include violent actions such as attacking, shooting, engaging in torture, killing, abducting bombing, burning, robbing, extorting, threatening, terrorising, harassing, illegally arresting people, raping, and conducting illegal searches.

Throughout the peace process the maintenance of law and order in Acheh will continue to be the responsibility of the Indonesian Police (Polri). In this context, the mandate and mission of Brimob will be reformulated to strictly conform to regular police activities and as such will no longer initiate offensive actions against members of GAM not in contravention of the Agreement.

The JSC will be the point of reference for all complaints regarding police functions and action that are deemed to be in contravention of the spirit and letter of the
Cessation of Hostilities (COH) Agreement. As such, the JSC will be responsible for defining, identifying and investigating when and if the police have breached their mandate.

With this general understanding, and to bring the peace process forward to the next phase, both parties hereby agree on the following:

**Article 1: Objectives of the Cessation of Hostilities and All Acts of Violence**

a) Since both sides have thus agreed that, from now on, enmity between them should be considered a thing of the past, the peace process, which is continued by an agreement on this phase, will proceed by building further confidence and both sides will prove to each other that they are serious about achieving this ultimate common objective.

b) The objectives of the cessation of hostilities and all acts of violence between both parties are (i) to proceed to the next phase of the peace process, as mutually agreed on 10 May 2002 in Switzerland; (ii) to continue the confidence building process with a view to eliminating all suspicions and creating a positive and cooperative atmosphere which will bring the conflict in Aceh to a peaceful conclusion; and, (iii) to enable, provided hostilities and all acts of violence cease, for the peace process to proceed to the next phases, i.e. the delivery of humanitarian, rehabilitation and reconstruction assistance.

**Article 2: Commitment by Both Sides to Cease Hostilities and All Acts of Violence**

a) Both sides explicitly express their commitment to meet the terms of this Agreement to cease hostilities and all forms of violence toward each other and toward the people in Aceh, by implementing the steps stipulated in this Agreement. In expressing such commitment, both sides guarantee that they are in full control of, respectively, TNI/Polri and GAM forces on the ground. GOI and GAM commit to control those groups that do not share their objectives but claim to be part of their forces.

b) Both sides further commit themselves to immediately after the signing of this Agreement to thoroughly inform their respective forces on the ground of the terms of this Agreement, and to instruct them to cease hostilities immediately.

c) Both sides agree that, should there be other parties taking advantage of the situation and disturbing the peaceful atmosphere, they will endeavour to take joint action against them to restore the peace.

d) During this confidence-building period, both sides agree that they will not increase their military strength, which includes re-deployment of forces, increase in military personnel or military equipment into Aceh.

e) HDC is requested to strictly facilitate the implementation of this Agreement.

f) Both parties will allow civil society to express without hindrance their democratic rights.

**Article 3: Joint Security Committee (JSC)**

a) The senior leadership in charge of security from each side will meet, in order to establish the initial contact and understanding between both sides. They should also
(i) reactivate the Joint Security Committee (JSC), which was established during the implementation of the Humanitarian Pause, and (ii) commence discussion, in order to reach agreement expeditiously, on a plan of action for the JSC in discharging its duties.

b) The functions of JSC are: (i) to formulate the process of implementation of this Agreement; (ii) to monitor the security situation in Aceh; (iii) to undertake full investigation of any security violations; (iv) in such cases, to take appropriate action to restore the security situation and to agree beforehand on the sanctions to be applied, should any party violate this Agreement; (v) to publish weekly reports on the security situation in Aceh; (vi) to ensure that no new paramilitary force is created to assume previous functions of Brimob, and (vii) to design and implement a mutually agreed upon process of demilitarisation. Regarding this last task, the JSC will designate what will be called Peace Zones (see Art. 4(a)). After peace zones have been identified, the GAM will designate placement sites for its weapons. Two months after the signing of the COH and as confidence grows, GAM will begin the phased placement of its weapons, arms and ordinance in the designated sites. The JSC will also decide on a simultaneous phased relocation of TNI forces which will reformulate their mandate from a strike force to a defensive force. The GOI has the right to request HDC to undertake no-notice verification of the designated sites. With the growth in confidence of both parties in the process the phased placement of GAM weapons will be completed within a period of five months (see attached note).

c) The composition of JSC will be senior officials appointed as representatives of the GOI and the GAM and a senior third party personality of high standing agreed upon by both sides. Each senior official from the three parties are to be accompanied by up to four persons as members. The heads of delegations from both sides have to be senior and have the authority to be able to take decisions on the spot.

The third party (HDC) personality needs to be able to command the respect and high regard of both sides in order to be able to assist in resolving problems, as they arise.

d) In order to perform these functions, the JSC is to be assisted by a monitoring team or monitoring teams, which would be provided security guarantees by both sides in monitoring the security situation and in investigating any violation.

e) The composition of each of the monitoring teams are appointed officials as representatives of the High Command of the security forces of the GOI and the High Command of the forces of the GAM in Aceh and a senior third party military officer agreed upon by both sides reporting to the senior third party personality of high standing in the JSC.

f) JSC and the monitoring team(s) would be provided with the necessary technical and administrative staff and logistical support. The HDC is requested to facilitate the establishment of these bodies by providing the necessary funds, logistical and administrative facilities.

g) It is agreed upon that the JSC and the monitoring team(s) will be established and be operational within one month of the signing of this Agreement. Civil society has the right to provide inputs to the JSC.

**Article 4: Establishment of "Peace Zones"**

a) Following the signing of the COH Agreement, the JSC, with the direct participation of the senior leadership for security from both sides, will immediately
identify and prepare locations of conflict to be designated as "Peace Zones". This would facilitate, considerably the work of the JSC since it could focus its attention on these areas in establishing and maintaining security, and these zones, provided peace could be established, will be the focus of the initial humanitarian, rehabilitation and reconstruction assistance.

b) For the first two months after the signing, both parties will relocate to defensive positions as agreed upon by the JSC. Adjustments to these locations could be made by the JSC in order to separate the forces of both parties with sufficient distance to avoid contact or confrontation. Forces of both parties will refrain from operations, movements, activities or any provocative acts that could lead to contact or confrontation with each other.

c) In order to build trust and confidence during these crucial months, these zones and surroundings will be monitored by the tripartite monitoring teams. The JSC will be informed by both parties of any significant movements or activities in these areas.

d) POLRI will be able to investigate criminal activities in these areas in consultation with the JSC.

e) The designation of identified areas of demilitarised zones such as schools, mosques, health institutions and public places, bazaars, Achehnese meunasahs, market-places, foodstalls, communication centres including bus-terminals, taxi-stations, ferry-terminals, public roads, river transportation services, and fishing ports.

**Article 5: Time Frames**

a) Both sides agree that hostilities and all acts of violence by both sides should cease forever in Acheh.

b) Both sides also agree that hostilities and all acts of violence during the first three months from the time when the JSC and the monitoring team(s) become operational are very crucial as indicator of the seriousness of the commitment from both sides. If indeed hostilities and all acts of violence could decrease dramatically, or even cease altogether, during this first three month period, the Achehnese and other Indonesian people, and the international community, would consider that the peace process would most likely succeed.

c) During the period between the signing of this Agreement and the time when the JSC and the monitoring team(s) become operational, both signatories to this Agreement commit themselves to exercise the utmost restraint by not making any public statement that would inflame the feeling and sentiment of the other side, including the people, and by ensuring that their forces will not initiate any hostile act toward the other.

**Article 6: All-Inclusive Dialogue**
The parties agree to support the process of All-Inclusive Dialogue in Acheh as provided for in the Joint Statement of 10 May 2002. The parties agree to ensure, through this Agreement, the necessary security and freedom of movement for all participants in the All-Inclusive Dialogue to enable the process to be conducted in a safe and fair manner, reflecting the views of all elements of Achehnese society. The parties reconfirm their agreement that the process of All-Inclusive Dialogue be facilitated by HDC.
Article 7: Public Information and Communications

a) To ensure national and international support for the peace process in Acheh, the Agreement of 10 May 2002, and this Agreement and its implementation have to be publicised as widely as possible within one month of the signing of this Agreement. The process of implementation has to be as transparent as possible and the people have to be regularly informed of the progress made and difficulties encountered.

b) Communications to the public will be given priority, especially through the print and electronic media. Television and radio programmes have to be devised to enable obtaining inputs from the general public provided that they are conducted in a fair and balanced manner. The JSC remains the final reference on this matter.

c) Other media, such as community meetings, seminars, flyers, bumper stickers, T-shirts, and others could also be considered, as appropriate.

d) The HDC is requested to look for sources of funding these public information and communication activities.

Article 8: Joint Council

A Joint Council will be established, composed of the most senior representatives of the GOI and the GAM, and of the third party (HDC). The function of this Joint Council will be to resolve all issues or disputes arising out of the implementation of this Agreement, which cannot be resolved by other Committees or Structures established under this Agreement. The Joint Council may amend the articles and provisions of this Agreement.

Article 9: Amendment or Termination

This Agreement may only be amended by agreement between the two parties in the Joint Council. Should either party wish to unilaterally terminate the Agreement then they are obligated to first bring the issue to the Joint Council and engage in and support all efforts by the Joint Council to resolve the problem within a sufficient period of time (no less than 30 days). If the Joint Council is unable to resolve the matter, then either party has the right to unilaterally withdraw from the Agreement.

For the Government of the Republic of Indonesia
Amb. Mr. S. Wiryono

For the Leadership of the Free Acheh Movement
Dr. Zaini Abdullah

Witnessed by
Henry Dunant Centre for Humanitarian Dialogue (HDC)
Mr. Martin Griffit
MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF INDONESIA AND THE FREE ACEH MOVEMENT

The Government of Indonesia (GoI) and the Free Aceh Movement (GAM) confirm their commitment to a peaceful, comprehensive and sustainable solution to the conflict in Aceh with dignity for all.

The parties commit themselves to creating conditions within which the government of the Acehnese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia.

The parties are deeply convinced that only the peaceful settlement of the conflict will enable the rebuilding of Aceh after the tsunami disaster on 26 December 2004 to progress and succeed.

The parties to the conflict commit themselves to building mutual confidence and trust.

This Memorandum of Understanding (MoU) details the agreement and the principles that will guide the transformation process.

To this end the GoI and GAM have agreed on the following:

1 GOVERNING OF ACEH

1.1 Law on the Governing of Aceh
1.1.1 A new Law on the Governing of Aceh will be promulgated and will enter into force as soon as possible and not later than 31 March 2006.

1.1.2 The new Law on the Governing of Aceh will be based on the following principles:
   a) Aceh will exercise authority within all sectors of public affairs, which will be administered in conjunction with its civil and judicial administration, except in the fields of foreign affairs, external defence, national security, monetary and fiscal matters, justice and freedom of religion, the policies of which belong to the Government of the Republic of Indonesia in conformity with the Constitution.
   b) International agreements entered into by the Government of Indonesia which relate to matters of special interest to Aceh will be entered into in consultation with and with the consent of the legislature of Aceh.
   c) Decisions with regard to Aceh by the legislature of the Republic of Indonesia will be taken in consultation with and with the consent of the legislature of Aceh.
   d) Administrative measures undertaken by the Government of Indonesia with regard to Aceh will be implemented in consultation with and with the consent of the head of the Aceh administration.

1.1.3 The name of Aceh and the titles of senior elected officials will be determined by the legislature of Aceh after the next elections.

1.1.4 The borders of Aceh correspond to the borders as of 1 July 1956.

1.1.5 Aceh has the right to use regional symbols including a flag, a crest and a hymn.
1.1.6 Kanun Aceh will be re-established for Aceh respecting the historical traditions and customs of the people of Aceh and reflecting contemporary legal requirements of Aceh.

1.1.7 The institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established.

1.2 Political participation

1.2.1 As soon as possible and not later than one year from the signing of this MoU, GoI agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, GoI will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end.

1.2.2 Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter.

1.2.3 Free and fair local elections will be organised under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009.

1.2.4 Until 2009 the legislature of Aceh will not be entitled to enact any laws without the consent of the head of the Aceh administration.

1.2.5 All Acehnese residents will be issued new conventional identity cards prior to the elections of April 2006.

1.2.6 Full participation of all Acehnese people in local and national elections will be guaranteed in accordance with the Constitution of the Republic of Indonesia.

1.2.7 Outside monitors will be invited to monitor the elections in Aceh. Local elections may be undertaken with outside technical assistance.

1.2.8 There will be full transparency in campaign funds.

1.3 Economy

1.3.1 Aceh has the right to raise funds with external loans. Aceh has the right to set interest rates beyond that set by the Central Bank of the Republic of Indonesia.

1.3.2 Aceh has the right to set and raise taxes to fund official internal activities. Aceh has the right to conduct trade and business internally and internationally and to seek foreign direct investment and tourism to Aceh.

1.3.3 Aceh will have jurisdiction over living natural resources in the territorial sea surrounding Aceh.

1.3.4 Aceh is entitled to retain seventy (70) per cent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh as well as in the territorial sea surrounding Aceh.

1.3.5 Aceh conducts the development and administration of all seaports and airports within the territory of Aceh.
1.3.6 Aceh will enjoy free trade with all other parts of the Republic of Indonesia unhindered by taxes, tariffs or other restrictions.

1.3.7 Aceh will enjoy direct and unhindered access to foreign countries, by sea and air.

1.3.8 GoI commits to the transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity and to communicate the results to the head of the Aceh administration.

1.3.9 GAM will nominate representatives to participate fully at all levels in the commission established to conduct the post-tsunami reconstruction (BRR).

1.4 Rule of law
1.4.1 The separation of powers between the legislature, the executive and the judiciary will be recognised.

1.4.2 The legislature of Aceh will redraft the legal code for Aceh on the basis of the universal principles of human rights as provided for in the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

1.4.3 An independent and impartial court system, including a court of appeals, will be established for Aceh within the judicial system of the Republic of Indonesia.

1.4.4 The appointment of the Chief of the organic police forces and the prosecutors shall be approved by the head of the Aceh administration. The recruitment and training of organic police forces and prosecutors will take place in consultation with and with the consent of the head of the Aceh administration in compliance with the applicable national standards.

1.4.5 All civilian crimes committed by military personnel in Aceh will be tried in civil courts in Aceh.

2 HUMAN RIGHTS

2.1 GoI will adhere to the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

2.2 A Human Rights Court will be established for Aceh.

2.3 A Commission for Truth and Reconciliation will be established for Aceh by the Indonesian Commission of Truth and Reconciliation with the task of formulating and determining reconciliation measures.

3 AMNESTY AND REINTEGRATION INTO SOCIETY

3.1 Amnesty
3.1.1 GoI will, in accordance with constitutional procedures, grant amnesty to all persons who have participated in GAM activities as soon as possible and not later than within 15 days of the signature of this MoU.
3.1.2 Political prisoners and detainees held due to the conflict will be released unconditionally as soon as possible and not later than within 15 days of the signature of this MoU.

3.1.3 The Head of the Monitoring Mission will decide on disputed cases based on advice from the legal advisor of the Monitoring Mission.

3.1.4 Use of weapons by GAM personnel after the signature of this MoU will be regarded as a violation of the MoU and will disqualify the person from amnesty.

3.2 Reintegration into society

3.2.1 As citizens of the Republic of Indonesia, all persons having been granted amnesty or released from prison or detention will have all political, economic and social rights as well as the right to participate freely in the political process both in Aceh and on the national level.

3.2.2 Persons who during the conflict have renounced their citizenship of the Republic of Indonesia will have the right to regain it.

3.2.3 GoI and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into the civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.

3.2.4 GoI will allocate funds for the rehabilitation of public and private property destroyed or damaged as a consequence of the conflict to be administered by the authorities of Aceh.

3.2.5 GoI will allocate suitable farming land as well as funds to the authorities of Aceh for the purpose of facilitating the reintegration to society of the former combatants and the compensation for political prisoners and affected civilians. The authorities of Aceh will use the land and funds as follows:
   a) All former combatants will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
   b) All pardoned political prisoners will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
   c) All civilians who have suffered a demonstrable loss due to the conflict will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.

3.2.6 The authorities of Aceh and GoI will establish a joint Claims Settlement Commission to deal with unmet claims.

3.2.7 GAM combatants will have the right to seek employment in the organic police and organic military forces in Aceh without discrimination and in conformity with national standards.

4 SECURITY ARRANGEMENTS

4.1 All acts of violence between the parties will end latest at the time of the signing of this MoU.
4.2 GAM undertakes to demobilise all of its 3000 military troops. GAM members will not wear uniforms or display military insignia or symbols after the signing of this MoU.

4.3 GAM undertakes the decommissioning of all arms, ammunition and explosives held by the participants in GAM activities with the assistance of the Aceh Monitoring Mission (AMM). GAM commits to hand over 840 arms.

4.4 The decommissioning of GAM armaments will begin on 15 September 2005 and will be executed in four stages and concluded by 31 December 2005.

4.5 GoI will withdraw all elements of non-organic military and non-organic police forces from Aceh.

4.6 The relocation of non-organic military and non-organic police forces will begin on 15 September 2005 and will be executed in four stages in parallel with the GAM decommissioning immediately after each stage has been verified by the AMM, and concluded by 31 December 2005.

4.7 The number of organic military forces to remain in Aceh after the relocation is 14700. The number of organic police forces to remain in Aceh after the relocation is 9100.

4.8 There will be no major movements of military forces after the signing of this MoU. All movements more than a platoon size will require prior notification to the Head of the Monitoring Mission.

4.9 GoI undertakes the decommissioning of all illegal arms, ammunition and explosives held by any possible illegal groups and parties.

4.10 Organic police forces will be responsible for upholding internal law and order in Aceh.

4.11 Military forces will be responsible for upholding external defence of Aceh. In normal peacetime circumstances, only organic military forces will be present in Aceh.

4.12 Members of the Aceh organic police force will receive special training in Aceh and overseas with emphasis on respect for human rights.

5 ESTABLISHMENT OF THE ACEH MONITORING MISSION

5.1 An Aceh Monitoring Mission (AMM) will be established by the European Union and ASEAN contributing countries with the mandate to monitor the implementation of the commitments taken by the parties in this Memorandum of Understanding.

5.2 The tasks of the AMM are to:
   a) monitor the demobilisation of GAM and decommissioning of its armaments,
   b) monitor the relocation of non-organic military forces and non-organic police troops,
   c) monitor the reintegration of active GAM members,
   d) monitor the human rights situation and provide assistance in this field,
   e) monitor the process of legislation change,
   f) rule on disputed amnesty cases,
g) investigate and rule on complaints and alleged violations of the MoU,

h) establish and maintain liaison and good cooperation with the parties.

5.3 A Status of Mission Agreement (SoMA) between GoI and the European Union will be signed after this MoU has been signed. The SoMA defines the status, privileges and immunities of the AMM and its members. ASEAN contributing countries which have been invited by GoI will confirm in writing their acceptance of and compliance with the SoMA.

5.4 GoI will give all its support for the carrying out of the mandate of the AMM. To this end, GoI will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.

5.5 GAM will give all its support for the carrying out of the mandate of the AMM. To this end, GAM will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.

5.6 The parties commit themselves to provide AMM with secure, safe and stable working conditions and pledge their full cooperation with the AMM.

5.7 Monitors will have unrestricted freedom of movement in Aceh. Only those tasks which are within the provisions of the MoU will be accepted by the AMM. Parties do not have a veto over the actions or control of the AMM operations.

5.8 GoI is responsible for the security of all AMM personnel in Indonesia. The mission personnel do not carry arms. The Head of Monitoring Mission may however decide on an exceptional basis that a patrol will not be escorted by GoI security forces. In that case, GoI will be informed and the GoI will not assume responsibility for the security of this patrol.

5.9 GoI will provide weapons collection points and support mobile weapons collection teams in collaboration with GAM.

5.10 Immediate destruction will be carried out after the collection of weapons and ammunitions. This process will be fully documented and publicised as appropriate.

5.11 AMM reports to the Head of Monitoring Mission who will provide regular reports to the parties and to others as required, as well as to a designated person or office in the European Union and ASEAN contributing countries.

5.12 Upon signature of this MoU each party will appoint a senior representative to deal with all matters related to the implementation of this MoU with the Head of Monitoring Mission.

5.13 The parties commit themselves to a notification responsibility procedure to the AMM, Including military and reconstruction issues.

5.14 GoI will authorise appropriate measures regarding emergency medical service and hospitalisation for AMM personnel.

5.15 In order to facilitate transparency, GoI will allow full access for the representatives of national and international media to Aceh.
6 DISPUTE SETTLEMENT

6.1 In the event of disputes regarding the implementation of this MoU, these will be resolved promptly as follows:

a) As a rule, eventual disputes concerning the implementation of this MoU will be resolved by the Head of Monitoring Mission, in dialogue with the parties, with all parties providing required information immediately. The Head of Monitoring Mission will make a ruling which will be binding on the parties.

b) If the Head of Monitoring Mission concludes that a dispute cannot be resolved by the means described above, the dispute will be discussed together by the Head of Monitoring Mission with the senior representative of each party. Following this, the Head of Monitoring Mission will make a ruling which will be binding on the parties.

c) In cases where disputes cannot be resolved by either of the means described above, the Head of Monitoring Mission will report directly to the Coordinating Minister for Political, Law and Security Affairs of the Republic of Indonesia, the political leadership of GAM and the Chairman of the Board of Directors of the Crisis Management Initiative, with the EU Political and Security Committee informed. After consultation with the parties, the Chairman of the Board of Directors of the Crisis Management Initiative will make a ruling which will be binding on the parties.

GoI and GAM will not undertake any action inconsistent with the letter or spirit of this Memorandum of Understanding.

Signed in triplicate in Helsinki, Finland on the 15 of August in the year 2005.

On behalf of the Government of the Republic of Indonesia,
Hamid Awaludin, Minister of Law and Human Rights

On behalf of the Free Aceh Movement,
Malik Mahmud, Leadership

As witnessed by
Martti Ahtisaari
Former President of Finland
Chairman of the Board of Directors of the Crisis Management Initiative
Facilitator of the negotiation process
DECLARATION OF CESSATION OF HOSTILITIES (IN SRI LANKA)

The modalities for the implementation of the agreed Cessation of Hostilities by the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam for a specified period will be as follows:-

1. There will be no offensive operations by either party during this period. An offensive operation will be considered a violation of the agreement.

2. The security forces and the LTTE will maintain their present positions on the ground, keeping a minimum of 600 metres between each other. However, each party would reserve the right of movement within 100 metres from their own bunker lines, keeping a minimum of 400 metres in between. Any party moving in the restricted areas would be considered an offensive operation.

3. The navy and airforce will continue to perform their legitimate tasks for safeguarding the sovereignty and territorial integrity of the country, from external aggression, without in any way engaging in offensive operations against the LTTE, or causing any obstructions to legitimate and bona fide fishing activity in specified areas.

4. Acts such as sabotage, bomb explosions, abductions, assassinations and intimidation directed at any political group, party or any individual will amount to an offensive operation.

5. a. It is suggested that committees to deal with violations of this agreement be set up to inquire into any instances of violation of the above terms of agreement. These committees could be set up in the areas of Jaffna, Mannar, Vavuniya, Mullaitivu, Batticaloa-Ampara and any other areas as deemed necessary
   b. It will be the responsibility of these committees to take immediate action on complaints made by either party to this agreement to inquire into and resolve such disputes.
   c. These committees could comprise representatives drawn from Canada, Netherlands, Norway, ICRC and from retired judges or public officers, religious heads and other leading citizens: all appointed by mutual agreement.
   d. Each committee could consist of five members; two from government, two from the LTTE and one from a foreign country, who will be Chair.
   e. Freedom of movement for the committees to perform their tasks will have to be ensured by both parties to the agreement.
   f. Facilities required for the committees to act swiftly and impartially will have to be provided by mutual agreement.

6. Recommend establishment of communication between Sri Lanka and LTTE military area leaders which will enable them to sort out problems expeditiously, locally.

7. Cessation of Hostilities will continue till notice of termination is given by either party. Such notice should be given at least 72 hours before termination.

Signed on 7/8 January 1995
Mr. Velupillai Pirabhakaran, Leader of the Liberation Tigers of Tamil Eelam

President Chandrika Bandaranaike Kumaratunge, President of Sri Lanka and Commander in Chief of the Sri Lankan Armed Forces
AGREEMENT ON A CEASEFIRE BETWEEN THE GOVERNMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA AND THE LIBERATION TIGERS OF TAMIL EELAM

Preamble
The overall objective of the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the GOSL) and the Liberation Tigers of Tamil Eelam (hereinafter referred to as the LTTE) is to find a negotiated solution to the ongoing ethnic conflict in Sri Lanka.

The GOSL and the LTTE (hereinafter referred to as the Parties) recognise the importance of bringing an end to the hostilities and improving the living conditions for all inhabitants affected by the conflict. Bringing an end to the hostilities is also seen by the Parties as a means of establishing a positive atmosphere in which further steps towards a lasting solution can be taken.

The Parties further recognise that groups that are not directly party to the conflict are also suffering the consequences of it. This is particularly the case as regards the Muslim population. Therefore, the provisions of this Agreement regarding the security of civilians and their property apply to all inhabitants.

With reference to the above, the Parties have agreed to enter into a ceasefire, refrain from conduct that could undermine the good intentions or violate the spirit of this Agreement and implement confidence-building measures as indicated in the articles below.

Article 1 : Modalities of a ceasefire
The Parties have agreed to implement a ceasefire between their armed forces as follows:

1.1 A jointly agreed ceasefire between the GOSL and the LTTE shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs in accordance with Article 4.2, hereinafter referred to as D-day.

Military operations

1.2 Neither Party shall engage in any offensive military operation. This requires the total cessation of all military action and includes, but is not limited to, such acts as:
   a) The firing of direct and indirect weapons, armed raids, ambushes, assassinations, abductions, destruction of civilian or military property, sabotage, suicide missions and activities by deep penetration units;
   b) Aerial bombardment;
   c) Offensive naval operations.

1.3 The Sri Lankan armed forces shall continue to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.

Separation of forces

1.4 Where forward defence localities have been established, the GOSL’s armed forces and the LTTE’s fighting formations shall hold their ground positions, maintaining a zone of separation of a minimum of six hundred (600) metres. However, each Party reserves the right of movement within one hundred (100) metres of its own defence location.
localities, keeping an absolute minimum distance of four hundred (400) metres between them.

Where existing positions are closer than four hundred (400) metres, no such right of movement applies and the Parties agree to ensure the maximum possible distance between their personnel.

1.5 In areas where localities have not been clearly established, the status quo as regards the areas controlled by the GOSL and the LTTE, respectively, on 24 December 2001 shall continue to apply pending such demarcation as is provided in Article 1.6.

1.6 The Parties shall provide information to the Sri Lanka Monitoring Mission (SLMM) regarding defence localities in all areas of contention, cf. Article 3. The monitoring mission shall assist the Parties in drawing up demarcation lines at the latest by D-day + 30.

1.7 The Parties shall not move munitions, explosives or military equipment into the area controlled by the other Party.

1.8 Tamil paramilitary groups shall be disarmed by the GOSL by D-day + 30 days at the latest. The GOSL shall offer to integrate individuals in these units under the command and disciplinary structure of the GOSL armed forces for service away from the Northern and Eastern Province.

Freedom of movement

1.9 The Parties' forces shall initially stay in the areas under their respective control, as provided in Article 1.4 and Article 1.5.

1.10 Unarmed GOSL troops shall, as of D-day +60 days, be permitted unlimited passage between Jaffna and Vavuniya using the Jaffna - Kandy road (A9). The modalities are to be worked out by the Parties with the assistance of the SLMM.

1.11 The Parties agree that individual combatants shall, on the recommendation of their area commander, be permitted, unarmed and in plain clothes, to visit family and friends residing in areas under the control of the other Party. Such visits shall be limited to six days every second month, not including the time of travel by the shortest applicable route. The LTTE shall facilitate the use of the Jaffna - Kandy road for this purpose. The Parties reserve the right to deny entry to specified military areas.

1.12 The Parties agree that as of D-day individual combatants shall, notwithstanding the two-month restriction, be permitted, unarmed and in plain clothes, to visit immediate family (i.e. spouses, children, grandparents, parents and siblings) in connection with weddings or funerals. The right to deny entry to specified military areas applies.

1.13 Fifty (50) unarmed LTTE members shall, as of D-day + 30, for the purpose of political work, be permitted freedom of movement in the areas of the North and the East dominated by the GOSL. Additional 100 unarmed LTTE members shall be permitted freedom of movement as of D-day + 6-. As of D-day + 90, all unarmed LTTE members shall be permitted freedom of movement in the North and East. The LTTE members shall carry identity papers. The right of the GOSL to deny entry to
specified military areas applies.

**Article 2 : Measures to restore normalcy**

The Parties shall undertake the following confidence-building measures with the aim of restoring normalcy for all inhabitants of Sri Lanka:

2.1 The Parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment.

2.2 The Parties shall refrain from engaging in activities or propagating ideas that could offend cultural or religious sensitivities. Places of worship (temples, churches, mosques & other holy sites etc) currently held by the forces of either of the Parties shall be vacated by D-day + 30 days and made accessible to the public. Places of worship which are situated in their respective "high security zones" shall be vacated by all armed personnel and maintained in good order by civilian workers, even when they are not made accessible to the public.

2.3 Beginning on the date on which this Agreement enters into force, school buildings occupied by either party shall be vacated and returned to their intended use. This activity shall be completed by D-day + 160 at the latest.

2.4 A schedule indicating the return of all other public buildings to their intended use shall be drawn up by the Parties and published at the latest by D-day + 30.

2.5 The Parties shall review the security measures and the set-up of checkpoints, particularly in densely populated cities and towns, in order to introduce systems that will prevent harassment of the civilian population. Such systems shall be in place from D-day + 60.

2.6 The Parties agree to ensure the unimpeded flow of non-military goods to and from the LTTE-controlled areas in accordance with Annex A. Quantities shall be determined by market demand. The GOSL shall regularly review the matter with the aim of gradually removing any remaining restrictions on non-military goods.

2.7 In order to facilitate the flow of goods and the movement of civilians, the Parties agree to establish checkpoints on their line of control at such locations as are specified in Annex B.

2.8 The Parties shall take steps to ensure that the Trincomalee - Habarana road remains open on a 24-hour basis for passenger traffic with effect from D-day + 10.

2.9 The Parties shall facilitate the extension of the rail service on the Batticaloa-line to Welikanda. Repairs and maintenance shall be carried out by the GOSL in order to extend the service up to Batticaloa.

2.10 The Parties shall open the Kandy - Jaffna road (A9) to non-military traffic of goods and passengers. Specific modalities shall be worked out by the Parties with the assistance of the Royal Norwegian Government by D-day + 30 at the latest.

2.11 A gradual easing of the fishing restrictions shall take place starting from D-day. As of D-day + 90, all restrictions on day and night fishing shall be removed, subject to the following exceptions: 1) fishing will not be permitted within an area of 1 nautical mile on either side along the coast and 2 nautical miles seawards from all security
forces camps on the coast; ii) fishing will not be permitted in harbours or approaches to harbours bays and estuaries along with coast.

2.12 The Parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place. Arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code.

2.13 The Parties agree to provide family members of detainees access to the detainees within D-day + 30.

Article 3: The Monitoring Mission
The Parties have agreed to set up an international monitoring mission to enquire into any instance of violation of the terms and conditions of this agreement. Both Parties shall fully cooperate to rectify any matter of conflict caused by their respective sides. The mission shall conduct international verification through on-site monitoring of the fulfilment of the commitments entered into in this Agreement as follows:

3.1 The name of the monitoring mission shall be the Sri Lankan Monitoring Mission, hereinafter referred to as the SLMM.

3.2 Subject to acceptance by the Parties, the Royal Norwegian Government (hereinafter referred to as the RNG) shall appoint the Head of the SLMM (hereinafter referred to as the HOM), who shall be the final authority regarding interpretation of this Agreement.

3.3 The SLMM shall liaise with the Parties and report to the RNG.

3.4 The HoM shall decide the date for the commencement of the SLMM’s operations.

3.5 The SLMM shall be composed of representatives from the Nordic countries.

3.6. The SLMM shall establish a headquarters in such places as the HoM finds appropriate. An office shall be established in Colombo and in Wanni in order to liaise with the GOSL and the LTTE, respectively. The SLMM will maintain a presence in the districts of Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai.

3.7 A local monitoring committee shall be established in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai. Each committee shall consist of 5 members, two appointed by the GOSL, two by the LTTE and one international monitor appointed by the HoM. The international monitor shall chair the committee. The GOSL and the LTTE appointees may be selected from among retired judges, public servants, religious leaders or similar leading citizens.

3.8 The committees shall serve the SLMM in an advisory capacity and discuss issues relating to the implementation of this Agreement in their respective districts, with a view to establishing a common understanding of such issues. In particular, they will seek to resolve any dispute concerning the implementation of this Agreement at the lowest possible level.

3.9 The parties shall be responsible for the appropriate protection of and security arrangements for all SLMM members.

3.10 The Parties agree to ensure the freedom of movement of the SLMM members in performing their task. The members of the SLMM shall be given immediate access to
areas where violations of the Agreement are alleged to have taken place. The Parties also agree to facilitate the widest possible access to such areas for the local members of the six above-mentioned committees, cf Article 3.7.

3.11 It shall be the responsibility of the SLMM to take immediate action on any complaints made by either Party to the Agreement, and to enquire into and assist the Parties in the settlement of any dispute that might arise in connection with such complaints.

3.12 With the aim of resolving disputes at the lowest possible level, communication shall be established between Commanders of the GOSL armed forces and the LTTE area leaders to enable them to resolve problems in the conflict zones.

3.13 Guidelines for the operations of the SLMM shall be established in a separate document.

**Article 4: Entry into force, amendments and termination of the Agreement**

4.1 Each Parties shall notify their consent to be bound by this Agreement through a letter to the Norwegian Minister of Foreign Affairs signed by Prime Minister Ranil Wickremasinghe on behalf of the GOSL and by leader Velupillai Pirabaharan on behalf of the LTTE, respectively. The agreement shall be initialled by each Party and enclosed in the abovementioned letter.

4.2 The Agreement shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs.

4.3 This Agreement may be amended and modified by mutual agreement of both Parties. Such amendments shall be notified in writing to the RNG.

4.4 This Agreement shall remain in force until notice of termination is given by either Party to the RNG. Such notice shall be given fourteen (14) days in advance of the effective date of termination.

**Annex A: List of goods**

The Parties agree to ensure the flow of non-military goods to and from LTTE dominated areas of the Northern and Eastern Province, as well as unimpeded flow of such goods to the civilian population in these areas. Non military goods not covered by article 2.6 in the Agreement are listed below:

- Non military arms/ammunition
- Explosives
- Remote control devices
- Barbed wire
- Binoculars/Telescopes
- Compasses
- Penlight batteries

Diesel, petrol, cement and iron rods will be restricted in accordance with the following procedures and quantities:

**Diesel and Petrol**
The Government Agents (GA) will register available vehicles; tractors and
motorcycles in the LTTE controlled areas. The GA will calculate the required weekly amount of diesel and petrol based on the following estimate:

- Trucks/Buses - 250 litre/week
- 4 wheels tractor - 310 litre/week
- 2 wheel tractor - 40 litre/week
- Petrol vehicle - 30 litre/week
- Motorcycles - 7 litre/week
- Fishing vessel - 400 litre/week

**Cement**

Cement required for rehabilitation and reconstruction of Government property; registered co-operatives; or approved housing projects implemented by the GOSL and international NGOs and more affluent members of the society; will be brought in directly by relevant institutions under licenses issued by Government Agents. The GA shall stipulate the monthly quantities permitted for such project based upon planned and reported progress.

Cement required for individual shops/construction/house owners/rehabilitation-initiatives will be made available through the co-operations on a commercial basis. The monthly import for this purpose will be limited to 5,000 bags during the first month and thereafter 10,000 bags/month. Individual sales by the co-operatives will be registered and limited to 25 bags per household.

**Iron rods**

Iron rods for building constructions will be brought in to the LTTE controlled areas under licenses issued by the GA.

A monthly re-assessment will be made to assess the possibilities of removal of the above restrictions.

**Annex B: Checkpoints**

Checkpoints agreed in Ch.2.7 are as follows:

- Mandur
- Paddirupur
- Kaludaveli Ferry Point
- Anbalantivu Ferry Point
- Mamunai Ferry Point
- Vanvunateevu
- Santhiveli Boat Point
- Black Bridge
- Sitandy Boat Point
- Kiran bridge
- Kinnyadi Boat Point
- Valachenai
- Makerni
- Mahindapura
- Muttur
- Ugilankulam
- Omanthai.