

Negotiating Disarmament

Lessons learnt from Colombia, Nepal, the Philippines, South Sudan, and Sri Lanka

Disarmament is often characterized as a necessary condition for peace to prevail in the aftermath of civil conflicts. Yet implementation is contingent on what has been negotiated behind closed doors, a process that so far has received little attention. Without knowledge of the positions, motivations, and interests of parties involved in disarmament negotiations, our understanding of particular disarmament outcomes remains incomplete. To fill this gap, we examined negotiations on disarmament in Colombia, Nepal, the Philippines, South Sudan, and Sri Lanka. Our findings focus on the degree of inclusivity in the negotiations, the symbolic relevance of disarmament, and the various roles of external parties in disarmament negotiations.

Brief Points

- Comprehensive disarmament – the collection and disposal of all weapons that belong to the non-state actor – is rare and often unfeasible.
- Disarmament is often partial because the agreement has been negotiated by elites who divide spoils between them and allow some groups to keep weapons.
- The symbolic renunciation of violence by a non-state actor is a significant factor in negotiations and may be as important as discussions on the technical disposal of weapons.
- Discussions surrounding weapons are highly masculinized and women and women's groups are usually excluded from the negotiations.
- External actors can support greater inclusion of women and civil society organizations.
- If external actors pursue their own interests or push the adoption of disarmament methods and concepts that have been developed elsewhere, they may intensify mistrust between the conflict parties.

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Introduction

This brief summarizes findings from the 2021 PRIO Paper, 'Negotiating Disarmament: Lessons learnt from Colombia, Nepal, the Philippines, South Sudan, and Sri Lanka'. Readers can find full references in that report for the points made in this brief. We examined how disarmament was negotiated in five different peace processes: Colombia (FARC), Nepal (CPN-M), the Philippines (MILF), South Sudan (SPLM/A), and Sri Lanka (LTTE). We collected data from primary and secondary sources, and interviews with mediators and other individuals who had intimate knowledge about the five peace processes.

Disarmament Puzzles

Most civil wars end with a negotiated peace accord. It is often assumed that comprehensive disarmament by the opposition group is necessary for a government to agree to end the fighting, and to achieve that aim, an external party should verify disarmament and guarantee the safety of those who had disarmed. However, our research shows that the reality is much more complicated:

- Peace agreements can allow rebel groups to keep some of their weapons.
- Governments were unconcerned about the prospect that groups could acquire new weapons as they disarmed.
- As well as discussing verification that arms had been given up, negotiations focused upon symbolic aspects such as the timing of disarmament, the language used to describe it, and the eventual fate of the weapons handed in.
- Even though external actors may offer assistance, such support was sometimes restricted by domestic conflict parties.
- Negotiations on disarmament often excluded women and women's organizations.

We explain these apparently paradoxical findings by focusing on the following three factors:

1. We show that negotiations on weapons often resemble an **elite bargain** between the government and the leadership of a group. An outcome of those talks may be that a group

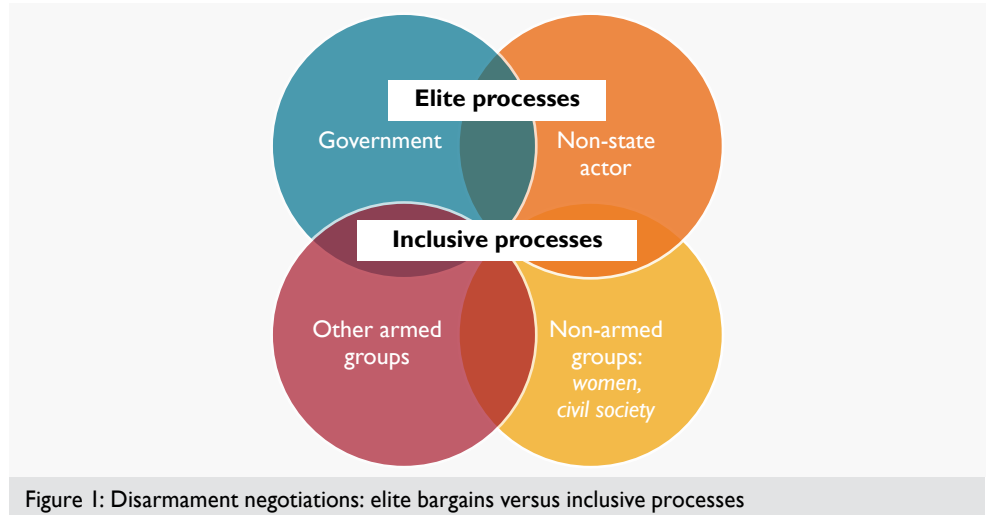


Figure 1: Disarmament negotiations: elite bargains versus inclusive processes

is allowed to keep some arms so long as it uses them against other groups not party to the negotiations. Such elite bargains exclude most of those people affected by the use of weapons.

2. Disarmament also has a **symbolic aspect** which often receives more attention in the negotiations than the technical task of collecting and disposing of weapons. Aspects like timing or language used can derail negotiations. Disarmament as a symbolic act does not require that every weapon be handed in. For a peace process to move forward, a strong message that a group has renounced violent means can be more important than the number of weapons that have been disposed of.
3. **External parties** were able to encourage greater inclusion of women and other constituencies. Nevertheless, there was suspicion among parties negotiating disarmament about the motives of powerful external states or international organizations, and concern that they would use their leverage to advance their own interests.

Elite Bargains vs. Inclusive Talks

Negotiations on disarmament usually occur between members of male-dominated elites. Talks on war-to-peace transitions entail the renegotiation of pre-existing power relations and the redistribution of wealth and of important political positions (such as the defence and interior ministries). Arms are often given up in exchange for concessions in these areas.

Negotiating parties are often interested in limiting the number of actors who can have a say in who is getting what. When it comes to disarmament, talks on weapons are highly masculinized. Disarmament is presented as a topic that requires substantial technological knowledge and specific skills that are at the disposal of military commanders, who are usually men. Figure 1 illustrates how, depending on participation, disarmament negotiations can be considered an elite bargain or an inclusive process. Of course, Figure 1 is a simplification, and most peace processes have a varying degree of inclusivity.

The first step in negotiating disarmament is to bring two or more conflict parties to the table. Negotiations often exclude other armed groups (as was the case in Colombia, the Philippines and South Sudan) who may be involved in fighting. People affected by the use of weapons, especially women (such as in Sri Lanka or Nepal), or civil society organizations (South Sudan) can also be excluded.

Exclusionary disarmament negotiations occur when the process is an elite bargain. For example, in the case of South Sudan, disarmament was used by elites to further their narrow political and economic interests. The 2005 Comprehensive Peace Agreement (CPA) between the Government of Sudan and the South Sudan People Liberation Movement in Opposition (SPLM/A) only mandated the disarmament of other armed groups not party to the peace negotiations. The result was that the SPLM/A launched a bloody coercive disarmament campaign intended to increase its control over southern Sudan.

Women from both sides of the negotiations are often excluded (as was the case in Nepal, South Sudan, and Sri Lanka). This exclusion took place despite the presence of a large number of female combatants in Nepal. Even when present, women may have a limited role in negotiations on disarmament if they have little time to prepare and are expected to follow the party line. In other cases, however, the negotiations provided a fertile ground for the strengthening of women's groups, as occurred in the Philippines and in Colombia. In both cases, women's groups were already active in Track 1.5 and 2 processes and had important experience of mobilization. These groups sometimes received training and funding from external third parties, who can, through capacity-building and by pressuring the negotiating parties, contribute to inclusion.

All peace agreements are likely to have some form of elite bargain element. At the same time, inclusive processes meaningfully include a larger segment of society, both in the talks and in the provisions of the agreement. When it comes to disarmament, an inclusive process includes communities that are impacted by weapons and addresses the needs of those constituencies. In practice, they usually want the weapons to be at least 'put beyond use'. If not actually handed in and disposed of, the weapons need to be safely stored and not displayed. Due to their wider support, inclusive agreements are likely to be more sustainable, whereas elite bargains might break down easily given that a number of other actors' grievances remain unaddressed.

Disarmament as a Symbolic or Technical Process

Negotiations surrounding disarmament include discussions on both the technical and the symbolic elements of laying down of weapons. Technical aspects of disarmament include the modalities of weapons collection, how it is verified and the safe storage and disposal of weapons. Symbolic elements are wide-ranging and can encompass the language used to describe disarmament, the identity of actors who monitor the process, and the eventual fate of weapons handed over. It is possible that one aspect could undermine the other. The symbolic and technical aspects are shown in Figure 2.

Disarmament doesn't need to be comprehensive because it has a powerful symbolic role. Parties may negotiate at length the symbolism

associated with giving up weapons, and disarmament as a symbol of the end of hostilities may be as important as actually putting weapons beyond use. For the local population, a combination of arms being put beyond use, and not hearing gunfire or seeing weapons being carried on the streets may be a strong enough sign that the fighting is over. Negotiations on disarmament may act as a confidence-building exercise and help build trust between the parties.

The most striking aspect of this symbolic importance is that in three of the cases (Colombia, the Philippines, and Nepal), the term 'disarmament' was specifically rejected and other terms were preferred. In some contexts, the term 'disarmament' is associated with defeat or surrender, and it was important to avoid using words that had already been rejected by the guerrillas. In Colombia, the term *dejación de armas* or the 'abandonment' or 'laying down' of arms was used. The negotiators in the Philippines agreed upon the terms 'normalization' and 'decommissioning'. In Nepal the parties labelled the process the 'management of arms and armies'. It is apparent that, to be successful, the peace process needed to both safely collect and dispose of weapons *and* use language and symbols which respected the identities of the people being disarmed.

Symbolism was similarly important for state actors. Governments in Colombia and Nepal rejected disarmament being overseen by a UN peacekeeping force as doing so would be associated with state failure and loss of sovereignty. Instead, an unarmed UN observer mission was chosen in Colombia and *ad hoc* coalitions of supporting states or organizations were used in Nepal and the Philippines.

Disarmament is also a technical process. It is still necessary to safely collect and dispose of weapons and explosives, and verify that weapons have not been illicitly diverted. Members of

armed groups need to be protected from attack while they are disarming. Technical aspects of collecting or decommissioning arms may have a negative effect on the symbolic aspects of disarmament. For example, a requirement that weapons that have been handed in be safely stored and later destroyed by the armed forces may rule out symbolic acts of destruction intended to mark the transition to peace, such as burning the guns in public or using the scrap metal to make public works of art.

While it is useful to provide parties with options and examples from elsewhere, ultimately, the parties themselves need to create the conditions that work for them and in their specific context, and not be pushed into a template borrowed from elsewhere that's not necessarily suitable. External actors should avoid suggesting particular disarmament processes and concepts if they lack the relevant cultural and contextual knowledge, in order to avoid inadvertently antagonizing parties at the negotiations.

The Role of External Actors

External actors such as the UN or donor states can provide support to the negotiations. Nevertheless, parties in Colombia, Nepal and the Philippines limited the role played by the UN and other external actors. In Nepal, for some national leaders, the limited nature of external involvement was a matter of pride. Conversely, in South Sudan, where external actors had an extensive role, their activities may have been counterproductive. The role of external parties is complex and such support may not always be welcome. Figure 3 depicts some of the specific ways through which external actors can affect disarmament negotiations.

The most important positive role played by external parties in all the case studies was to facilitate the negotiations by providing mediation

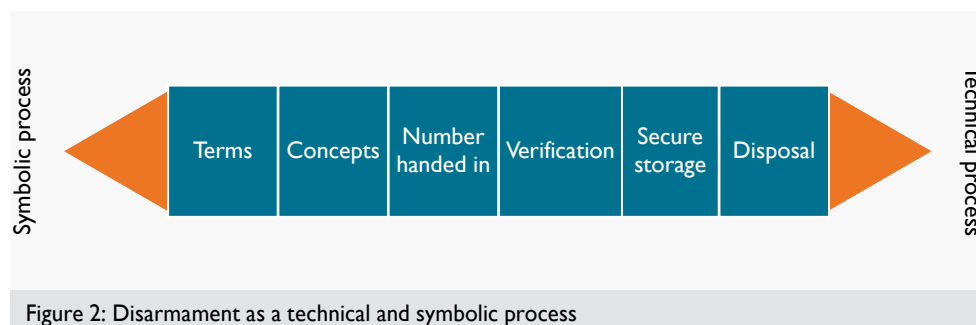


Figure 2: Disarmament as a technical and symbolic process

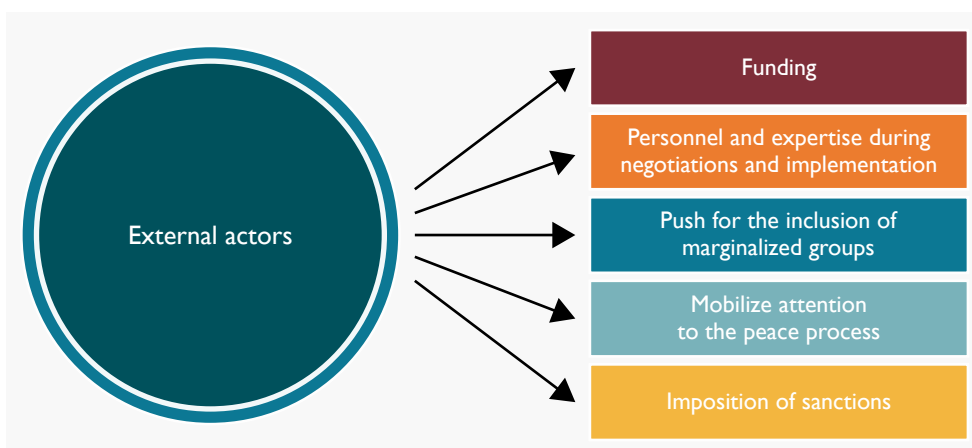


Figure 3: Varieties of external actors' influence

teams, funding, expertise and other resources. External parties also committed to assisting implementation tasks such as monitoring, verification, collection and disposal of weapons. External actors can also help bring attention to a peace process. Overall, external actors with a long-term presence in a country may be in the best position to help build trust between the conflict parties.

External parties were able to persuade some of the parties to drop positions that held up progress. For example, after it had 'consultations with the international community', the Government of the Philippines ended its stance that disarmament should be a precondition for talks. External actors were also able to encourage greater inclusivity in Colombia.

The provision of external support is a form of leverage (as that support could be withdrawn). Another form of leverage that was relevant to the Colombia, South Sudan and Sri Lanka cases was sanctions. The FARC in Colombia and LTTE in Sri Lanka wished that their international status as terrorist actors be removed. However, using or threatening sanctions comes

with the risk that doing so may generate resentment or negatively impact various aspects of the peace process. In the case of Sri Lanka, sanctions directed against the LTTE prevented the group from travelling to negotiations and donor conferences, limiting the group's ability to engage with external actors.

The South Sudan case highlights how external states and international organizations were criticized for having unrealistic expectations about what disarmament could achieve. The SPLM/A and the Government of Sudan wanted to use some of the funds that would be allocated for disarmament. The external parties used this leverage to direct the disarmament aspects of the peace negotiations, but in doing so they failed to understand the motives and interests of the parties and the overall conditions in the region. Specifically, the UN was criticized for pushing the parties to include 'standard language' on disarmament in the peace agreement text. While this ensured that the text accorded with some international best practices, it was also apparent that the parties at the negotiating table had little 'buy in' to the disarmament commitments included in the peace agreement.

Recommendations

For people working as negotiators and facilitators, we affirm the following recommendations:

- Help the parties to understand that disarmament should not be a precondition but an outcome of a peace negotiation.
- Negotiate confidence-building measures, which need to be agreed upon and implemented before disarmament (which usually occurs at the end of the process).
- Take into account that it can be more important that weapons aren't used or displayed than whether they have been surrendered.
- Encourage inclusivity by ensuring that negotiations on disarmament involve not just those who use weapons but the broadest possible coalition of conflict-affected parties, making specific efforts to create safe spaces for civil society (women's rights organizations, youth groups, journalists, groups of war disabled individuals, religious communities etc.).
- Understand the symbolic importance of weapons in society, especially the symbolism associated with aspects of disarmament. Explore with the conflict parties how to achieve disarmament that is not perceived as surrender.
- Understand local organizations' level of interest in disarmament, violence prevention methods, training, funding, and capacity needs, and the relationships between these organizations. ■

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THE PROJECT

'Negotiating Disarmament' is led by Nicholas Marsh and funded by the Norwegian Ministry of Foreign Affairs. It is part of a wider PRIO initiative on disarmament and peace processes, which includes the DISARM project led by Júlia Palik. This work builds on over two decades of research at PRIO on the proliferation of small arms and light weapons, the effects of these flows, and how to manage them.

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