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# CIVILIAN PARTICIPATION IN SUDAN CEASEFIRE NEGOTIATIONS

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## **Introduction**

Having concluded the May 11, 2023 *Jeddah Declaration of Commitment to Protect the Civilians of Sudan* and May 20, 2023 *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, the negotiation parties are continuing talks, facilitated by international actors, to end fighting and reduce humanitarian suffering in Sudan.

Building on the important achievements in that declaration and agreement, the purpose of this Rapid Response Analysis is to provide guiding principles for the next phase of Sudan ceasefire negotiations to ensure effective and inclusive participation of civilians in ceasefire-related processes, according to international best practices.

First, this document gives a brief overview of five principles for monitoring humanitarian arrangements and ceasefires, and four additional principles regarding a humanitarian ceasefire agreement. Second, it outlines the previous and ongoing Jeddah negotiations and achievements. Third, it explains in more depth the analysis, including best practices, which informs the guiding principles. The guiding principles center on effectively including civilians in ceasefire-related processes to improve ceasefire outcomes by providing mechanisms for civilian complaints and enabling transparency, accountability, and inclusivity. In addition to civilian-inclusive negotiations and monitoring mechanisms, other guiding principles are for ceasefire agreements to be widely distributed, specific, flexible, and coordinated with local-level initiatives. Negotiation parties can consider implementing each principle in subsequent ceasefire negotiations.

## **Overview of Principles for Monitoring Humanitarian Arrangements and Ceasefires**

### *1. The ceasefire monitoring mechanism includes civilians.*

Civilian ceasefire monitoring improves legitimacy, increases accountability, increases the sustainability of the ceasefire, and helps ceasefire governance reflect the needs and experiences of those affected by violence.

### *2. The monitoring process expressly provides mechanisms for civilian complaints.*

Civilian complaints give voice to those affected by violence, and require both positive elements, such as affirmative access to the complaints process, as

well as negative elements, such as preventing retribution by military groups. For instance, military courts of either conflict party ought to avoid dealing with civilian matters.

*3. The monitoring process expressly provides for transparency to civilians.*

Civilian access to ceasefire monitoring information can help ensure that violations are investigated fully and that permissible military movements are not unexpected or mistakenly considered to be ceasefire violations.

*4. Members of the press and media are allowed to report unimpeded and without interference or threat, including reporting on the conflict, humanitarian responses, and all other events and stories.*

Press freedom can help facilitate civilian engagement and monitoring, ensure accountability of the conflict groups, and serve to build norms of civic life.

*5. Civilian participation in ceasefire mechanisms is inclusive, taking into account various stakeholders along age, gender, and ethnic or tribal affiliations.*

Inclusion of diverse groups can generate ceasefire policies attuned to concrete issues faced by such groups, as well as increase the legitimacy of ceasefire agreements.

## **Overview of Principles Regarding a Humanitarian Ceasefire**

*1. The ceasefire agreement is widely distributed to combatants and civilians, so there is wide knowledge of the expectations for and obligations of conflict party conduct.*

This can be achieved, for instance, through sharing detailed maps and timetables critical to the ceasefire with civilian groups and military troops.

*2. The ceasefire agreement, including provisions regarding civilian roles, is specific and well defined as to what is permitted, what is prohibited, and how monitoring mechanisms function.*

For instance, one strategy applying this principle would be to provide the exact location troops will withdraw to, instead of simply saying they will withdraw.

*3. While the goal of ceasefires is to fully stop violence, it is important for the parties to recognize that limited violence could still occur, and plan how they will address it without the ceasefire breaking down.*

One key method of executing this principle is to develop responses to violations that reprimand violence enough to discourage it, without being so severe as to incite escalation.

*4. Given the key roles of civilians at both national and local levels, a national-level ceasefire is coordinated with localized ceasefires and other localized peacebuilding efforts.*

A national ceasefire could benefit from momentum already achieved at local levels, and vice versa. Multi-level ceasefire coordination could develop the roles of grassroots groups in the peace and potential political processes.

## Background

This section offers some general comments regarding the May 11, 2023 *Jeddah Declaration of Commitment to Protect the Civilians of Sudan* and the May 20, 2023 *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, between the Sudanese Armed Forces and Rapid Support Forces.

In general, all ceasefires have the immediate objective of stopping violence, but they can vary in their underlying purposes.<sup>1</sup> Here, the *Jeddah Declaration of Commitment to Protect the Civilians of Sudan* seeks to respond to “urgent humanitarian needs of [Sudan’s] civilian citizens,”<sup>2</sup> and the *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* similarly provides that the purpose of the agreement is to “achieve a short-term ceasefire to facilitate the delivery of emergency humanitarian assistance and restoration of essential services.”<sup>3</sup> Additionally, the ceasefire negotiations and implementation could offer the potential for increased institutionalization of civilian oversight of governance structures in Sudan. Capitalizing on such opportunities will also help build a more robust ceasefire. As the UN observes, inclusion of diverse voices in ceasefire negotiations and governance can “help to address the root causes of conflict, reflect the needs and experiences of those affected by violence, and generate a sense of ownership in the agreement among local populations. Inclusion can strengthen the legitimacy of a process, transform community relations, reduce external risks and, above all, increase the sustainability of outcomes.”<sup>4</sup>

A ceasefire monitoring and verification mechanism commonly contains elements that concern monitoring, verification, investigation, and reporting.<sup>5</sup> Such a mechanism typically has a principal ceasefire monitoring committee at its apex,

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<sup>1</sup> Corinne Bara, Govinda Clayton, and Siri Aas Rustad, *Understanding Ceasefires*, 28(3) *International Peacekeeping* 329, 332 (2021).

<sup>2</sup> *Jeddah Declaration of Commitment to Protect the Civilians of Sudan*, Sudanese Armed Forces and Rapid Support Forces, Preamble (May 11, 2023).

<sup>3</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. I.1 (May 20, 2023).

<sup>4</sup> *Guidance on the Mediation of Ceasefires*, United Nations Department of Political and Peacebuilding Affairs, 30 (Sept. 2022), available at <https://peacemaker.un.org/thematic-areas/ceasefires-security-arrangement>.

<sup>5</sup> *Guidance on the Mediation of Ceasefires*, United Nations Department of Political and Peacebuilding Affairs, 51 (Sept. 2022), available at <https://peacemaker.un.org/thematic-areas/ceasefires-security-arrangement>.

with sub-committees and substructures to assist and manage particular functions, which are further supported by monitoring teams operating at the local level.<sup>6</sup>

The *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* provides for some of these elements, albeit with several shortcomings. First, while the ceasefire agreement provides for a Monitoring and Coordination Committee, it fails to outline how monitoring is to be organized.<sup>7</sup> It is generally best practice for ceasefire agreements to describe terms in as much detail as possible, to preempt any future disputes and avoid the need for further agreements. Although the ceasefire agreement incorporates the obligations on conflict party conduct agreed to in the *Jeddah Declaration of Commitment to Protect the Civilians of Sudan*,<sup>8</sup> these terms do not meet the level of specificity under best practices.

Second, best practices call for scrupulously impartial groups to carry out monitoring, investigating complaints, and enforcing compliance, and this impartiality can be affected when a group plays the dual roles of ceasefire mediator and ceasefire monitor.<sup>9</sup> The *Agreement on a Short-Term Ceasefire and Humanitarian Arrangement* establishes a Monitoring and Coordination Committee made of representatives of the conflict parties (the Sudanese Armed Forces and Rapid Support Forces), Saudi Arabia, and the United States. Insofar as it is crucial for monitoring groups to remain impartial, both as to mediation and monitoring, the provisions in the *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* fall short of this principle.<sup>10</sup> As negotiations progress, parties may consider how to divest Saudi Arabia and the United States from this dual role, as

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<sup>6</sup> *Guidance on the Mediation of Ceasefires*, United Nations Department of Political and Peacebuilding Affairs, 51 (Sept. 2022), available at <https://peacemaker.un.org/thematic-areas/ceasefires-security-arrangement>.

<sup>7</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. IV.6 (May 20, 2023) (the monitoring committee “shall provide a platform for receiving complaints and resolving disputes.”).

<sup>8</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. II.7(i) (May 20, 2023) (stating “violations and abuses of international human rights and violations of international humanitarian law” constitute a violation of the agreement); *Jeddah Declaration of Commitment to Protect the Civilians of Sudan*, Sudanese Armed Forces and Rapid Support Forces, Art. 2 (May 11, 2023) (recognizing that listed obligations are required under international humanitarian law and international human rights law.).

<sup>9</sup> Nicholas Haysom and Julian Hottinger, *Do's and Don'ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 8 (2010).

<sup>10</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. IV.2 (May 20, 2023).

well as consider how civilians and civilian groups can be involved at any and all levels of the ceasefire monitoring and verification mechanism.

Third, both the *Jeddah Declaration of Commitment to Protect the Civilians of Sudan* and the *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* fail to provide for the inclusion of civilians. Neither agreement involved civilian groups in the negotiations or drafting, and the *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* does not include civilians in the Monitoring and Coordination Committee.<sup>11</sup> Furthermore, it fails to expressly provide for civilian access to the platform for receiving complaints and resolving disputes regarding allegations of violations.<sup>12</sup> While both documents do provide lists of conduct prohibited for protection of civilians, without civilian involvement in negotiations and drafting, it is unclear how well these prohibitions will address the issues that various civilian groups require for their wellbeing.

## **Analysis of Principles for Monitoring Humanitarian Arrangements and Ceasefires**

### *1. The ceasefire monitoring mechanism includes civilians.*

Monitoring and verification of ceasefire violations is often delegated to a joint monitoring commission made of representatives of the conflict parties and third-party actors.<sup>13</sup> These commissions often include civilian actors, as well as representatives from the UN or other international and regional organizations, States, and Non-Governmental Organizations (NGOs).<sup>14</sup>

Scholarship finds “a growing recognition of the importance of incorporating local actors” in such roles, and observes a “greater involvement of civilian actors

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<sup>11</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. IV.2 (May 20, 2023).

<sup>12</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. IV.6 (May 20, 2023) (the monitoring committee “shall provide a platform for receiving complaints and resolving disputes.”).

<sup>13</sup> Corinne Bara, Govinda Clayton & Siri Aas Rustad, *Understanding Ceasefires*, 28(3) *International Peacekeeping* 329, 330 (2021).

<sup>14</sup> Corinne Bara, Govinda Clayton & Siri Aas Rustad, *Understanding Ceasefires*, 28(3) *International Peacekeeping* 329, 330 (2021).

within ceasefire monitoring” in practice.<sup>15</sup> Civilian actors can be involved in ceasefire monitoring functions both as lead monitors and as a complement to other actors.<sup>16</sup> From the perspective of stopping hostilities, civilian monitoring can help with “exposing noncompliance to ceasefire commitments, promoting peace process issues among conflict parties, and socializing outside spoilers and raising public awareness about ceasefires.”<sup>17</sup>

The conflict parties may prefer civilian actors to be involved with monitoring, as it can promote buy-in to the ceasefire administration and funnel civilian discontent through a formal and managed process. Civilian groups, including women’s groups and civilian communities, are among the most critical stakeholders in a peace process.<sup>18</sup> As the UN Guidance on Mediation of Ceasefires observes, “[t]hrough direct engagement in [monitoring and verification] mechanisms, these groups can enhance the inclusivity and credibility of the structures.”<sup>19</sup> Such involvement also disincentivizes civilian groups from developing their own separate responses to military action.

## *2. The monitoring process expressly provides mechanisms for civilian complaints.*

Generally, ceasefire complaint mechanisms narrowly define the standing of who may complain under the arrangement, often allowing only the conflict parties who form the agreement to complain of violations.<sup>20</sup> *The Agreement on a Short-*

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<sup>15</sup> Corinne Bara, Govinda Clayton & Siri Aas Rustad, *Understanding Ceasefires*, 28(3) International Peacekeeping 329, 335 (2021).

<sup>16</sup> Cate Buchanan, Govinda Clayton, and Alexander Ramsbotham, *Ceasefire monitoring: developments and complexities*, Conciliation Resources and Political Settlements Research Programme, 19 (2021), available at [https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/Ceasefire\\_monitoring\\_Developments\\_and\\_complexities.pdf](https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/Ceasefire_monitoring_Developments_and_complexities.pdf).

<sup>17</sup> Corinne Bara, Govinda Clayton, and Siri Aas Rustad, *Understanding Ceasefires*, 28(3) International Peacekeeping 329, 335 (2021).

<sup>18</sup> *Guidance on the Mediation of Ceasefires*, United Nations Department of Political and Peacebuilding Affairs, 51 (Sept. 2022), available at <https://peacemaker.un.org/thematic-areas/ceasefires-security-arrangement>.

<sup>19</sup> *Guidance on the Mediation of Ceasefires*, United Nations Department of Political and Peacebuilding Affairs, 51 (Sept. 2022), available at <https://peacemaker.un.org/thematic-areas/ceasefires-security-arrangement>.

<sup>20</sup> Nicholas Haysom and Julian Hottinger, *Do’s and Don’ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 8 (2010).



*Term Ceasefire and Humanitarian Arrangements* does not describe who will have access to its platform for receiving complaints.<sup>21</sup>

Because civilians are often the victims of ceasefire violations, and a humanitarian ceasefire aims to prevent harm to civilians, the complaints machinery would benefit from expressly affording civilians the opportunity to complain of ceasefire violations. This opportunity requires both positive elements, such as affirmative access to the complaints process, as well as negative elements, such as preventing the exposure of complaining civilians to retribution by military groups.<sup>22</sup> For instance, no civilian matters ought to fall under the jurisdiction of the military courts of either party.

### *3. The monitoring process expressly provides for transparency to civilians.*

Transparency to civilian groups can help foster local buy-in to the ceasefire process and enable civilian groups to serve a supervisory function for ceasefire violations.

First, to establish trust, “[c]easefire agreements can and should establish both obligations and modalities for the exchange of information by the contending forces regarding their respective armed forces.”<sup>23</sup> This obligation and access to these modes of communication would be even more beneficial if they extended to civilian groups.

Second, civilians would benefit from some level of information access related to complaints, investigations, and monitoring. Civilian access to this information serves the related purposes of enforcing ceasefire compliance through public shaming and fostering public participation around ceasefire issues, helping take steps towards institutionalizing civilian oversight of the military.<sup>24</sup>

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<sup>21</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. IV.6 (May 20, 2023) (the monitoring committee “shall provide a platform for receiving complaints and resolving disputes.”).

<sup>22</sup> Nicholas Haysom and Julian Hottinger, *Do’s and Don’ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 8 (2010).

<sup>23</sup> Nicholas Haysom and Julian Hottinger, *Do’s and Don’ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 12 (2010).

<sup>24</sup> Luka Biong D. Kuol, *Reforming the Security Sector in Sudan: The Need for a Framework*, Africa Center for Strategic Studies (Nov. 2, 2020).

However, broad access to information can risk generating disproportionate civilian responses. In general, ceasefire dispute resolution needs to balance referrals to political leadership with liaison forums in the contact zones to deal with everyday matters.<sup>25</sup> If matters are needlessly escalated, this can lead to delayed resolution, and “disempowers military commanders from taking the initiative to resolve minor problems at the front line.”<sup>26</sup> Analogously, premature disclosure to civilians could risk interfering with the resolution of matters. For that reason, stakeholders may want to consider how transparency at the early stage of complaints and investigations is governed, and if it is better practice to limit it to civilian groups whose internal governance can limit premature reactions.

*4. Members of the press and media are allowed to report unimpeded and without interference or threat, including reporting on the conflict, humanitarian responses, and all other events and stories.*

Press and media freedom is important to ensure that ceasefire violations are documented and disseminated. Media coverage can help facilitate civilian engagement and monitoring, ensure accountability of the conflict groups, and serve to help build norms of civic life.

Press and media freedom is regularly at the forefront of discussions regarding ceasefires. The UN, NGOs, and groups commenting on South Sudan in 2017 and 2018, have called for stronger press and media freedom in several ceasefire arrangements, including those in the Sudan region.<sup>27</sup> In Yemen, despite the existence of a truce, conflict actors perpetrated thousands of truce violations and had no independent international accountability mechanism.<sup>28</sup> Without effective journalism, there was no way to “document violations committed by

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<sup>25</sup> Nicholas Haysom and Julian Hottinger, *Do's and Don'ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 9 (2010).

<sup>26</sup> Nicholas Haysom and Julian Hottinger, *Do's and Don'ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 9 (2010).

<sup>27</sup> *High Commissioner for Human Rights Urges Ceasefire and Respect for Freedom of Expression and Peaceful Assembly*, United Nations Office of the High Commissioner for Human Rights (Nov. 30 2005), available at [www.ohchr.org/en/press-releases/2009/10/high-commissioner-human-rights-urges-ceasefire-and-respect-freedom](http://www.ohchr.org/en/press-releases/2009/10/high-commissioner-human-rights-urges-ceasefire-and-respect-freedom); *Government Threatens Free Press While December Ceasefire is Violated*, Civicus (Jan. 15, 2018); *Former detainees call for ceasefire, push for press freedom*, Radio Tamazuj (Aug. 2 2017), available at <https://radiotamazuj.org/en/news/article/former-detainees-call-for-ceasefire-push-for-press-freedom>.

<sup>28</sup> *A Dark Year Despite the Truce: Press Briefing on the Human Rights Situation in Yemen 2022*, Mwatana for Human Rights (Jan. 5, 2023), available at <https://mwatana.org/en/annualbreif2022/>.

parties to the conflict, submit public reports, as well as collect, and preserve and analyze evidence, and build files for future criminal litigation procedures.”<sup>29</sup>

Despite such consistent calls for press freedom, there is limited systematic guidance on the role of press and media freedom in ceasefire arrangements. A strong ceasefire would enable journalists to collect and disseminate information.<sup>30</sup> That said, local actors could benefit from critically considering the potential costs and benefits of the media’s role in diffusing conflict and institutionalizing civil society. Media environments can be complex, and some studies show that media can serve both to facilitate peace or to instigate conflict.<sup>31</sup>

*5. Civilian participation in ceasefire mechanisms are inclusive, taking into account various stakeholders along age, gender, and ethnic or tribal affiliations.*

Inclusivity in ceasefire negotiations and implementation is generally considered to be a best practice that ensures good policy making and execution, as well as stakeholder buy-in. As outlined above, the inclusion of diverse voices can help address the root causes of the conflict by reflecting the needs and experiences of affected populations, and generating a sense of their ownership over the agreement. In sum, inclusion “can strengthen the legitimacy of a process, transform community relations, reduce external risks and, above all, increase the sustainability of outcomes.”<sup>32</sup>

For instance, mediators often do not “find women and civil society to be relevant and conclude that inclusion is more important at later stages of a peace process.”<sup>33</sup> This approach can lead to unsuccessful outcomes. Ceasefires can heavily influence or determine which actors will subsequently be invited to the

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<sup>29</sup> *A Dark Year Despite the Truce: Press Briefing on the Human Rights Situation in Yemen 2022*, Mwatana for Human Rights (Jan. 5, 2023), available at <https://mwatana.org/en/annualbreif2022/>.

<sup>30</sup> Magnus Lundgren et al., *Local Ceasefires and De-Escalation: Evidence from the Syrian Civil War*, *Journal of Conflict Resolution* (Jan. 9, 2023), available at <https://journals.sagepub.com/doi/epub/10.1177/00220027221148655>.

<sup>31</sup> Gurinder Pal Singh, *Press as Negotiator or Instigator between India and Pakistan: A Case Study of Ceasefire Violation Incident Occurred in January 2013*, 26(1) *Journal of International Relations* 81, 84 (2022).

<sup>32</sup> *Guidance on the Mediation of Ceasefires*, United Nations Department of Political and Peacebuilding Affairs, 30 (Sept. 2022), available at <https://peacemaker.un.org/thematic-areas/ceasefires-security-arrangement>.

<sup>33</sup> Olivia Holt-Ivry, Allison Muehlenbeck, and Michelle Barsa, *Inclusive Ceasefires: Women, Gender, and a Sustainable End to Violence*, *Inclusive Security*, 1 (Mar. 2017), available at [www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/](http://www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/).

peace table and which issues will appear on the agenda of those talks.<sup>34</sup> Given this, civilians and civilian groups would benefit from being included from the earliest stage possible.

Beyond determining who is involved in governance, inclusive ceasefire negotiations can also affect the substantive terms of the ceasefire. Studies show that the inclusion of women in ceasefire and peace negotiation results in agreements that are significantly (estimated at 35 per cent) more likely to last at least 15 years.<sup>35</sup> Different groups, such as women civilian groups, can also bring unique insights to the negotiations. For instance, in the 2000 Arusha Peace and Reconciliation Agreement, the mediation team made of civilian groups (including women's groups) brought to light ongoing humanitarian offenses that the armed groups had left off their lists, and these insights were used to advance more comprehensive language in the agreement.<sup>36</sup>

The *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* does prohibit “sexual, gender-based, and discriminatory violence of all kinds.” That said, it is good practice to go beyond including policies that aim to help certain groups. Specifically, a seat at the table is necessary to ensure policies cover actual issues occurring on the ground, and to ensure that various groups are invested in the ceasefire process.

## **Analysis of Principles Regarding a Humanitarian Ceasefire**

*1. Ceasefire agreements are widely distributed to combatants and civilians, so there is wide knowledge of the expectations and obligations for conflict party conduct.*

Unless both members of the military and civilians are kept informed regarding the obligations placed on the military by a ceasefire, it is difficult to fully

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<sup>34</sup> Olivia Holt-Ivry, Allison Muehlenbeck, and Michelle Barsa, *Inclusive Ceasefires: Women, Gender, and a Sustainable End to Violence*, Inclusive Security, 1 (Mar. 2017), available at [www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/](http://www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/).

<sup>35</sup> Olivia Holt-Ivry, Allison Muehlenbeck, and Michelle Barsa, *Inclusive Ceasefires: Women, Gender, and a Sustainable End to Violence*, Inclusive Security, 1 (Mar. 2017), available at [www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/](http://www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/).

<sup>36</sup> Olivia Holt-Ivry, Allison Muehlenbeck, and Michelle Barsa, *Inclusive Ceasefires: Women, Gender, and a Sustainable End to Violence*, Inclusive Security, 4 (Mar. 2017), available at [www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/](http://www.inclusivesecurity.org/publication/inclusive-ceasefires-women-gender-sustainable-end-violence/).

implement any ceasefire agreement. In such a situation, non-leadership military could claim ignorance of the rules; civilians might not be aware of any restrictions on military activity that the ceasefire had put into place; and commanders could seek to gain advantages through violations they would later claim were the result of ignorance.

To avoid potential negative consequences of poor information dissemination, a ceasefire agreement benefits from concrete obligations for conflict parties informed both of their obligations and when those obligations go into effect.<sup>37</sup> If a ceasefire includes provisions for civilian participation, then civilians need to know what those provisions are and how to enforce them. Unless there is equal distribution of that information to all parties affected by the conflict, there may end up being ineffective application of those provisions.

The *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* also discusses the importance of fully disseminating the rules of the ceasefire to military and civilian members. As discussed above, this is an important way to keep civilians informed and capable of monitoring the ceasefire. Currently, the existence of the short-term ceasefire is the only information that the conflict parties are required to communicate. If the agreement required communication of the ceasefire and its terms, that would be more precise and allow for better civilian participation.<sup>38</sup>

*2. The ceasefire agreement, including provisions regarding civilian roles, is specific and well defined as to what is permitted, what is prohibited, and how monitoring mechanisms are designed and function.*

In general, specificity of ceasefire terms is required to manage expectations, avoid disputes over whether conduct was compliant or non-compliant, and avoid returning to conflict.

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<sup>37</sup> Nicholas Haysom and Julian Hottinger, *Do's and Don'ts of Sustainable Ceasefire Agreements*, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka, 16 (2010), available at [https://peacemaker.un.org/sites/peacemaker.un.org/files/DosAndDontofCeasefireAgreements\\_HaysomHottinger2010.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/DosAndDontofCeasefireAgreements_HaysomHottinger2010.pdf).

<sup>38</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. II.5 (May 20, 2023) (“The Parties shall communicate the short-term ceasefire to the civilian population through print, radio, and all possible means of communication. The Parties shall provide accurate information concerning the short-term ceasefire to the media.”).

Given civilian groups' exclusion from the ceasefire negotiations, and the potential that they remain or are further marginalized in practical ceasefire implementation, it is important that civilian involvement be defined.<sup>39</sup> Similar details on the time, place, and manner of ceasefire obligations will be necessary to ensure that civilians know what rules are being enforced. If updates or changes occur, then civilians deserve access to the updated details as well. This represents an additional reason why civilian involvement in ceasefire negotiations is critical. It is important for the negotiations to address potential ambiguities, and civilians are in a key position to identify issues that might seem obvious to the military, but are less familiar to civilians, or vice versa.

The *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* provides several categories of prohibited conduct that both parties agree to avoid. This is a laudable step in the direction of making a precise ceasefire agreement, but there are additional ways to improve precision. For instance, this agreement provides that both parties will refrain from “acquiring, fortifying defenses, resupplying, or distributing arms or military supplies, including from foreign sources”,<sup>40</sup> but also allows “[s]upplying non-combat materials, such as food, water, medicine, fuel, lubricating oils, stationary, clothing, and related administrative needs and movements, within the parties’ respective areas of control.”<sup>41</sup> If one side moves a tanker of fuel to a military base or resupplies medical units, that could both be allowed by and forbidden by the ceasefire agreement. Similarly, the agreement says that “[i]n the event both Parties are in direct contact and/or are along designated humanitarian corridors, the Parties shall disengage their forces; forces of both Parties who are in direct contact in such areas will stop firing and position themselves in a defensive posture.”<sup>42</sup> However, it leaves out details that could help prevent confusion such as how far apart the forces will move to disengage or what constitutes a defensive posture. Adding more detail in these areas could prevent misunderstandings that could lead to violence.

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<sup>39</sup> Nicholas Haysom and Julian Hottinger, *Do's and Don'ts of Sustainable Ceasefire Agreements, Presentation revised for use by Peace Appeal in Nepal and Sri Lanka*, 1–5 (2010), available at [https://peacemaker.un.org/sites/peacemaker.un.org/files/DosAndDontofCeasefireAgreements\\_HaysomHottinger2010.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/DosAndDontofCeasefireAgreements_HaysomHottinger2010.pdf).

<sup>40</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. II.7(vii) (May 20, 2023).

<sup>41</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. II.8(iii) (May 20, 2023).

<sup>42</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. II.11 (May 20, 2023).

3. *While the goal of ceasefires is to fully stop violence, it is important for the parties to recognize that limited violence may still occur, and plan how they will address those incidents without the ceasefire breaking down.*

While a key goal of a ceasefire is to reduce violence, it is unlikely that any ceasefire prevents all violence from occurring.<sup>43</sup> Instead, parties to a ceasefire can strengthen it by preparing and agreeing on how they will respond to violence when it does occur. Otherwise, retaliation is more likely to lead to escalating violence, causing the agreement to break down.

Advance agreement can determine how to govern ceasefire violations and provide red lines that the parties agree to avoid crossing, both of which can both improve the durability of ceasefires. Monitoring is an important element of durable ceasefires. Civil groups have specific advantages as monitors to a ceasefire agreement that make their involvement beneficial in preventing and addressing violence. These groups can facilitate communication between and within conflict parties, expose noncompliance with ceasefire commitments, promote peace process issues among conflict parties, socialize outside spoilers, and raise public awareness of ceasefires.<sup>44</sup>

While the *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements* contains language discussing how to investigate violations, and even includes language discussing the measures taken in response to violations, there is room for improvement. Currently, the agreement states that once the Monitoring and Coordination Committee determines a violation has occurred it will define appropriate measures, including but not limited to:

- “Notifying the Party that committed, or is accused of committing, the violation;
- Publicly identifying the Party having committed the violation;

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<sup>43</sup> Corinne Bara, Govinda Clayton, and Siri Aas Rustad, *Understanding Ceasefires*, 28(3) International Peacekeeping 329, 333–336 (2021).

<sup>44</sup> Corinne Bara, Govinda Clayton, and Siri Aas Rustad, *Understanding Ceasefires*, 28(3) International Peacekeeping 329, 335 (2021).

- Calling for accountability for perpetrators of violations, especially for any grave crimes or abuses.”<sup>45</sup>

These measures exert soft pressure on violators, but might not provide enough consequences to dissuade opportunistic violations. More direct consequences explicitly described in the ceasefire agreement may help prevent violations and other violence.

*4. Given the key roles of civilians at both national and local levels, a national-level ceasefire is coordinated with localized ceasefires and other localized peacebuilding efforts.*

Coordination between a national ceasefire and localized ceasefire efforts could leverage civilians’ key influence and make use of prior progress in localized initiatives. This coordination in respect of both negotiations and implementation, including monitoring of the delivery of humanitarian aid, could help develop the eventual roles in the peace and political processes of civilians. This approach includes those grassroots initiatives that have been instrumental in ensuring basic necessities to conflict-affected communities, but which have previously been excluded from the political process. This inclusion and coordination could therefore serve as a confidence-building measure between civilians and the existing political class, as well as parties to the armed conflict.

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<sup>45</sup> *Agreement on a Short-Term Ceasefire and Humanitarian Arrangements*, Sudanese Armed Forces and Rapid Support Forces, Art. IV.7(ii) (May 20, 2023).