

DEMOBILIZATION, DISARMAMENT, AND REINTEGRATION

INTRODUCTION

This chapter provides a discussion of the core elements of demobilization, disarmament, and reintegration (DDR) of former combatants. This chapter also presents an overview of the Darfur Peace Agreement's (DPA) provisions relating to DDR. Finally, this chapter provides sample language on DDR provisions.

Demobilization, disarmament, and reintegration programs serve to demobilize troops by removing them from offensive positions, disarm troops by encouraging non-governmental forces to place their weapons in storage and under the supervision of a neutral body, and reintegrate troops by providing civil society transition programs. The ultimate objective of DDR programs is to create a secure and stable environment conducive to lasting and sustainable peace.

Numerous post-conflict states incorporate demobilization, disarmament, and reintegration programs into their peace-building plans as a means of deescalating the conflict. The programs implemented in Aceh, Angola, Bougainville, Burundi, Cambodia, El Salvador, Guatemala, Kosovo, Mozambique, and Sierra Leone offer examples of the core elements of demobilization, disarmament, and reintegration processes, as well as lessons applicable to states engaging in future demobilization, disarmament, and reintegration programs.

CORE ELEMENTS

Demobilization

The goal of demobilization is to reduce or eliminate the possibility of renewed hostilities during the implementation of a peace agreement. Demobilization involves disbanding armed units, separating opposing forces, or withdrawing forces from positions where they are likely to engage each other. This phase of a demobilization, disarmament, and reintegration program can effectively initiate and facilitate the process by which the parties later disarm and reintegrate former combatants.

Obstacles

Demobilization programs may face both internal and external obstacles to their success. Internally, if either party believes that the ceasefire, peace

agreement, or negotiations are temporary, that party may try to maintain or enhance their military capability. In 1999, Colombia's president, Andrés Pastrana initiated a formal dialogue with representatives of the Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia – FARC). Some people accused FARC of using the gap in fighting to rearm and the talks collapsed after three years. Similarly, in Uganda, the government, and the Lord's Resistance Army (LRA) engaged in peace talks sporadically for years. During these talks, the Lord's Resistance Army never sufficiently demobilized its forces but instead used the gaps in fighting to re-arm and recruit more combatants.

External interference may also be an obstacle to demobilization. In conflicts where neighboring states, foreign nationals, or terrorist organizations are involved in the fighting, an inability to minimize the influence of outside actors may cripple stabilization efforts. The Democratic Republic of the Congo (DRC) and Rwanda face the twin problems of the Rwandan military supporting rebels in the Democratic Republic of the Congo and the Democratic Republic of the Congo providing Rwandan paramilitary factions with arms and bases. The ongoing situation threatens conflict resolution efforts in the Democratic Republic of the Congo and post-conflict reconstruction efforts in Rwanda.

To prevent similar problems, Cambodia's peace agreement contained a provision for the removal of all military forces, domestic and foreign, from the state. The agreement provided for third-party verification and allowed border controls so that foreign forces would not return.¹

Disengagement

During demobilization, government and opposing forces generally either withdraw their troops from potential battlegrounds or confine their troops to assembly camps. Burundi's 2000 Arusha Peace and Reconciliation Agreement required each party to break contact with the opposing military forces by a specified date and withdraw beyond the effective range of their weapons. Where

¹ Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, Oct. 23, (1991), Part I, sec. IV, art. 8, *available at* http://www.usip.org/library/pa/cambodia/agree_comppl_10231991.html (last accessed Sept. 21, 2007).

this was impossible, the ceasefire allowed the use alternative measures, as determined necessary.²

Similarly, the 1992 peace agreement between the Government of El Salvador and the Frente Farabundo Marti para la Liberacion Nacional (FMLN) assigned FMLN forces to specified disarmament zones. In Guatemala's demobilization process, the peace agreement restricted government forces to their barracks or otherwise prevented from coming near the rebels' disarmament zones.³ This provision allowed only U.N. verification units or police units in coordination with the U.N., to access the security zones.

Parties also may establish a coordination zone outside of a security zone for movement of armed forces with the verification authority's approval. Guatemala's coordination zones were located a further six miles around each security zone. The cease-fire also specified transit routes through both zones for rebel forces to use in accessing the assembly points.

Monitoring Demobilization

To ensure opposing forces remain in positions or areas specified in the agreement, a neutral third party often monitors demobilization. In El Salvador, the United Nations Observer Mission monitored the separation and movement of both El Salvadoran and FMLN forces. Cambodia created provincial committees and invited non-governmental organizations to monitor its demobilization process.

To ensure the demobilization of all troops within a force, many demobilization programs register each soldier, generally providing soldiers with either identification cards or certificates. For example, the Burundi agreement specified which parties needed to register and provided all soldiers with an identification certificate and an allowance until they completed the process of reintegrating into society.⁴ Similarly, the Guatemala agreement required the

² Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, Article 26(2), available at http://www.usip.org/library/pa/burundi/pa_burundi_08282000.html (last accessed Sept. 21, 2007).

³ Agreement on the Basis for the Legal Integration of the Unidad Revolucionara Nacional Guatemalteca (Guatemala 1996), Paragraph 3(a)(i), available at http://www.usip.org/library/pa/guatemala/guat_961212.html (last accessed Sept. 21, 2007).

⁴ Arusha Peace and Reconciliation Agreement for Burundi, Protocol III, art. 21.

concentration of opposing soldiers in specified areas and the issuance of temporary identification cards to them.

Disarmament

Similar to demobilization, the objective of disarmament is to prevent a return to violence in post-conflict provinces. The number of weapons available to recently demobilized troops and civilians poses a significant challenge to demobilization, disarmament, and reintegration efforts. Disarmament programs attempt to remove weapons from society through collection, storage, or destruction. These programs often require the parties to hand weapons over to a neutral third party for storage and eventual destruction. Some programs, such as buy-back or trade-in programs, allow former combatants to receive money or tools in exchange for their weapons.

Surrender of Weapons

To prevent the use of weapons in the event of a return to conflict, established programs require former combatants turn their weapons over to a monitoring entity for storage or destruction. Parties to the peace agreement may store the weapons indefinitely, destroy them, or inspect and reissue the weapons as part of the reintegration process. Members of the international community often assist in weapon return monitoring.

Parties often choose to destroy weapons immediately after former combatants surrender them. In Indonesia's now-autonomous province of Aceh, the disarmament process began with the parties helping the Aceh Monitoring Mission (AMM) identify ten locations where Free Aceh Movement (GAM) combatants could safely surrender weapons within Aceh. The Indonesian government and Free Aceh Movement decided Aceh Monitoring Mission officials would collect weapons at these sites and immediately destroy them in front of Indonesian soldiers, police, and government officials.⁵

Other post-conflict states choose to start the disarmament process and later determine handling of the weapons. During the disarmament process in Bougainville, former combatants turned their weapons over to their commanders,

⁵ Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement (2005), Paragraph 5.2, *available at* http://www.thejakartapost.com/RI_GAM_MOU.pdf (last accessed Sept. 21, 2007).

who sealed them in weapons containers.⁶ A dual-lock system ensured that no one could gain access to the weapons without the approval of the United Nations Observer Mission on Bougainville. The Peace Monitoring Group, a group of civilian and unarmed military personnel from neighboring states, monitored the process and tracked all weapons received. In December 2003, the parties jointly decided to destroy the weapons.

Similarly, in Guatemala, ceasefire provisions required parties to submit an accurate inventory of troops and weapons for future disarmament. The provisions required all parties to submit this information to the U.N. verification authority within fifteen days of signing the ceasefire agreement. The ceasefire agreement required the U.N. then to verify the troop levels and weapons concentrations by requiring troops from both parties to register at assembly points. The U.N. then determined if there was a discrepancy between reported troop levels and actual levels and set a troop level limit pursuant to the ceasefire's limitation on troop size and weapons allowances.⁷

Buyback and Trade-In Programs

A buy-back or trade-in program may help provide the necessary financial support to former combatants who are trying to re-enter civilian society while simultaneously removing weapons from the community. A weapons buy-back program allows fighters to exchange their weapons for money or tools anonymously. For example, after the Dayton peace agreement, which ended the civil war between Serbs and Croats in Croatia, the United Nations monitoring authority initiated a weapons buy-back program in western Croatia. Croatian government weapons experts paid cash directly to former Serb combatants in exchange for their weaponry.

One criticism of buy-back programs is that they often lack mechanisms to guarantee that participants do not turn in old or malfunctioning weapons and use the money to buy better weapons. In Aceh, for example, the Indonesian government offered \$0.50 USD per day for up to six months to former Free Aceh Movement combatants who surrendered and turned in their weapons. On

⁶ Bougainville Peace Agreement (2001), Section E, paras. 6-7, *available at* <http://rspas.anu.edu.au/melanesia/documents/bougainville/PDF/BougainvillePeaceAgreement29Aug01.pdf> (last accessed Sept. 21, 2007).

⁷ U.N. Security Council Document, REPORT OF THE SECRETARY-GENERAL ON THE GROUP OF MILITARY OBSERVERS ATTACHED TO MINUGUA, 6.

reviewing this strategy, the World Bank suggested that the voucher be redeemable only when former combatants return to their villages and communities to encourage the reintegration of former combatants into civilian life.

A weapons trade-in program can promote a return to civilian life by providing demobilized soldiers with industry equipment or household items in exchange for weapons. After decades of civil war, Mozambique implemented a trade-in program that provided tools, sewing machines, bicycles, and other items in exchange for weapons.

Monetary or tangible items do not provide the only incentive for former combatants. Parties to the conflict have also tailored incentives to the situation. For example, when the government of Papua New Guinea and the separatist Bougainville Revolutionary Army came to an agreement on autonomy for Bougainville, the parties determined that it was necessary to amend Papua New Guinea's constitution.⁸ As protection against a return to violence, the parties agreed that they would not amend the Papua New Guinea constitution to grant this increased autonomy until the United Nations Observer Mission on Bougainville verified that the weapons were in secure containers, out of reach of combatants.

Restrictions on Airspace

Restrictions on airspace limit aircraft from flying over specified zones, except in emergencies where a verification authority approves of the fly-over. In Bosnia, ceasefire provisions prohibited military flights over security zones unless a natural disaster or public emergency warranted an exception and the party notified the U.N.. The U.N. mandated no-fly zone was ineffective until the international peacekeeping forces received approval to take action against Serbian aircrafts that violated the airspace restrictions.⁹ State practice indicates that airspace restrictions generally require a third-party verification authority with the resources and political will to enforce the no-fly zone.

Reintegration

In reintegration programs, parties to the peace agreement assist decommissioned former combatants as they begin reincorporation into civilian life.

⁸ Bougainville Peace Agreement, Introduction and Outline, para 1.

⁹ MAJOR JOHN R. SNIDER, USMC, WAR IN BOSNIA: THE EVOLUTION OF THE UNITED NATIONS AND AIR POWER IN PEACE OPERATIONS (1997).

In a number of states, a lack of post-conflict opportunities for former combatants has threatened the peace process. By providing former combatants with job training, employment, financial support, and services to meet special needs, the reintegration process can prevent a return to violence and help establish peace in a post-conflict region.

Job-Training and Creation

Job training programs assist former combatants during the difficult transition to civilian life. Former combatants generally lack skills applicable to other employment; job-training programs can provide these skills so that former combatants are able to enter the workforce. Many experts believe that the stability this provides may contribute to the economic development of the post-conflict region.

Most job-training programs in post-conflict states provide training in multiple fields of work. Sierra Leone's demobilization, disarmament, and reintegration program trained former combatants in areas such as masonry, carpentry, and tailoring. In Bougainville, the job-training program included skills such as accounting and business management.

Some states incorporate former combatants into reconstruction programs, which simultaneously create jobs for former combatants while training them in various skills. For example, Kosovo established the Kosovo Protection Corps (KPC), a civilian agency mandated to help with reconstruction efforts, such as rebuilding hospitals and clearing obstructed roads, and providing emergency assistance following natural or human-made disasters.¹⁰ By integrating former combatants into the region's reconstruction efforts, the Kosovo Protection Corps also created a sense of local ownership of development projects, giving local participants a greater stake in their success.

Limiting training programs to only a few types of jobs, however, may be detrimental to reintegration. For example, in Sierra Leone, economic stagnation has meant that some graduates of job-training programs were unable to find employment. Some experts in post-conflict resolution suggest that one possible

¹⁰ UNITED NATIONS INTERIM ADMINISTRATION MISSION IN KOSOVO, KOSOVO PROTECTION CORPS, *available at* <http://www.unmikonline.org/1styear/kpcorps.htm> (last accessed Sept. 21, 2007).

way to avoid high unemployment is to train former combatants in a wider variety of fields, including agriculture or business.¹¹

Integration into a National Defense Force

Many post-conflict states choose to integrate former combatants into provincial or national defense forces. Because of their experience using military equipment, working in military groups, and executing orders, former combatants can contribute meaningfully to the defense force while gaining legitimate employment. For example, as part of its reintegration program, Aceh permitted former combatants from Free Aceh Movement to serve in the province's police and military forces. This helped to ensure that former Free Aceh Movement combatants would be able to find employment.¹² Similarly, Sierra Leone aimed to integrate Revolutionary United Front (RUF) and guerilla forces into national security forces under its 1999 Agreement. The parties established the recruiting criteria for former combatants and paramilitary groups to enter the new national armed forces.¹³

The integration of former combatants into local and national police and defense forces can be difficult in some circumstances. For example, troops that previously fought on opposing sides may have difficulty working together. In other situations, former rebel forces may not share loyalty to the government. After integrating members of the Revolutionary United Front into its national security forces, Sierra Leone's leaders discovered that some former combatants were not loyal to the state government. Additionally, the integration of Revolutionary United Front forces into the national army led to a military force well beyond the state's needs.

Reintegration Funds

¹¹ KIMBERLY MAHLING CLARK, FOSTERING A FAREWELL TO ARMS: PRELIMINARY LESSONS LEARNED IN THE DEMOBILIZATION AND REINTEGRATION OF COMBATANTS 19-20, DocID: PN-ABY-027, available at http://pdf.dec.org/pdf_docs/pnaby027.pdf (last accessed Sept. 21, 2007).

¹² Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement, para. 3.2.7.

¹³ Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone (1999), pt. 4, art. XVII, para. 2, available at http://www.usip.org/library/pa/sl/sierra_leone_07071999.html (last accessed Sept. 21, 2007).

To help rehabilitate a post-conflict region, states may establish reintegration funds, which provide financial support for former combatants and the conflict-afflicted region. The Bougainville agreement, for example, created the Bougainville Ex-Combatants Trust Account (BETA), which provided financial support and vocational training to former combatants or their widows. Similarly, Aceh's Reintegration Fund provided support for former combatants, but also earmarked money to rehabilitate public and private property destroyed during the conflict.

Providing funding for former combatants can create complications, however. For example, the Bougainville Ex-Combatants Trust Account panel in Bougainville had difficulty defining which persons qualified as former combatants. In addition, the Bougainville Ex-Combatants Trust Account process faced allegations of corruption, including stolen funds and unfair allocation of the funds. In Aceh, many locals were displeased that former combatants received financial support, while so many civilians affected by both the conflict and the 2004 tsunami received less support.

Child Soldiers

Because certain populations, such as child soldiers, may have specific reintegration needs, some states tailor reintegration programs to them. Establishing targeted demobilization, disarmament, and reintegration programs may help these populations become productive members of society. For example, Sierra Leone had a high number of child soldiers during its civil war. The 1999 Lomé Agreement paid unique attention to child soldiers' needs in the rehabilitation and reconstruction process, including tailored psychological counseling, education, and job skills training.¹⁴

To provide proper assistance for child soldiers, parties may turn to organizations that have had experience in this area. The parties to the Sierra Leone conflict sought assistance from groups such as the United Nations Children's Fund (UNICEF). United Nations Children's Fund cooperated with partner organizations

¹⁴ Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, pt. 5, art. XXX.

to found interim care centers for children affected by armed conflict, including child soldiers.¹⁵

Public Education

While the above mechanisms help transition former combatants into civilian life, it is also important to design programs with an emphasis placed on assisting the community to accept former combatants into society. To promote community acceptance as well as government transparency, post-conflict states often educate the population about demobilization, disarmament, and reintegration through public education campaigns.

Public education programs can also help to ensure that the parties understand demobilization, disarmament, and reintegration activities and guidelines, such as decommissioning center locations or registration requirements for job training services. In Aceh, for example, the Aceh Monitoring Mission formed the Department for Information and Communications to educate the Acehnese public about the demobilization, disarmament, and reintegration process. To ensure that the parties met decommissioning deadlines, the parties paid particular attention to educating former combatants from Free Aceh Movement about the requirements and logistics for the decommissioning process. The public education process made certain to use language that former combatants could easily understand.

Public education through media outlets such as radio or newspapers, and through interim government, non-governmental organization staff members, or the international community is productive. In Bougainville, members of the United Nations Observer Mission to Bougainville (UNOMB) attended public meetings in villages throughout the region to discuss the demobilization, disarmament, and reintegration process. They also distributed documents to the public that provided further information about the programs in simple terms.

Involving the local community in public education campaigns tends to increase the benefit that these educational programs will have. Accordingly, the failure to involve the local community in the design of public education programs tends to render the educational programs ineffective. For example, Aceh's demobilization, disarmament, and reintegration public education programs stressed

¹⁵ REPORT OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR CHILDREN AND ARMED CONFLICT, Doc. No. A/60/335, Sept. 7, 2005, at 13, *available at* http://www.unicef.org/emerg/files/report_SRSG_cac.pdf (last accessed Sept. 21, 2007).

the importance of peace, rather than focusing on practical concerns, such as housing and access to basic services. Critics claim that this failure to address many of the local population's needs was due to Aceh's failure to incorporate the local community in planning the demobilization, disarmament, and reintegration public education programs.

Informing the local population of the demobilization, disarmament, and reintegration process not only builds confidence in the peace process, but also gives people a sense of ownership over the peace process and may encourage some to convince former combatants to disarm. In Bougainville, United Nations Observer Mission was particularly effective in informing the public about demobilization, disarmament, and reintegration programs because it incorporated local community members in public education campaigns. For example, the group encouraged church leaders and women's groups to organize educational programs in their communities.

The Role of the International Community

States designing demobilization, disarmament, and reintegration programs usually use the support of a neutral, third party throughout the process. The international community can provide various services during the demobilization, disarmament, and reintegration process, including financial support, technical assistance, and neutral monitors.

The international community may also provide financial or technical assistance during implementation of the demobilization, disarmament, and reintegration programs. In Sierra Leone, for example, United Nations Observer Mission in Sierra Leone and the Economic Community of West African States Monitoring Group provided implementation assistance.¹⁶ These groups and the World Bank also provided financial support to the demobilization, disarmament, and reintegration programs.

Other states invited the international community to oversee and supervise the process. Bougainville employed the international community to monitor and manage their demobilization, disarmament, and reintegration programs.¹⁷ Monitors included a non-profit organization and the United Nations. As part of the

¹⁶ Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, pt. 4, art. XIII; pt. 4, art. XVI, paras. 1-2.

¹⁷ Bougainville Peace Agreement, sec. E, paras. 3, 11-13.

Bougainville Agreement, the parties established a committee to design and manage the demobilization, disarmament, and reintegration process. This committee consisted of representatives from Bougainville's provincial government, Papua New Guinea's central government, the governments of Australia and New Zealand, as well as a non-governmental organization.

Guatemala also explicitly enlisted the assistance of the international community. The Guatemalan peace agreement specifically granted supervision and verifications authority to the U.N. to monitor the implementation of a ceasefire agreement. The U.N. was responsible for on-site monitoring of the ceasefire.¹⁸

States also may provide for international third party verification authorities to ensure implementation of ceasefire and DDR provisions. Sri Lanka provided for a Norwegian verification authority to monitor ceasefire provisions and to enquire into any alleged violations of the ceasefire. The parties agreed that the Norwegian verification mission would conduct its activities through "on-site monitoring" of each signatory party's commitments.

Implementation Timetable

To ensure the demobilization process moves forward, parties often agree to a timeline of events. When parties meet deadlines, this helps build confidence in the peace process as well as trust between the parties.

The peace agreement can set deadlines for each phase of the demilitarization process. Aceh's Memorandum of Understanding (MoU) between the government of Indonesia and the Free Aceh Movement outlined four decommissioning and demobilization stages and deadlines between September 15, 2005 and December 31, 2005.¹⁹ Kosovo also set deadlines in its agreement, including when the establishment of weapon storage sites would occur, when forces would cease wearing uniforms and insignia, and when full demilitarization would occur.²⁰

¹⁸ U.N. Security Council Document, REPORT OF THE SECRETARY-GENERAL ON THE GROUP OF MILITARY OBSERVERS ATTACHED TO MINUGUA, 5.

¹⁹ Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement, para. 4.4.

²⁰ Interim Agreement for Peace and Self-Government in Kosovo (1999), ch. 7, art. 5, *available at* http://www.usip.org/library/pa/kosovo/kosovo_rambtoc.html (last accessed Sept. 21, 2007)

Other demobilization, disarmament, and reintegration programs simply establish a deadline for completion of the entire process. Angola, for example, set the deadline for demobilization, training of demobilized personnel, and integration of former combatants into the national police for 455 days after implementation of the peace agreement began.²¹

COMPARATIVE STATE PRACTICE

Indonesia: Memorandum of Understanding on Aceh

Parties Involved

The parties to the negotiations include the Government of the Republic of Indonesia (GOI) and representatives of the Gerakan Aceh Merdeka (Free Aceh Movement / GAM).

Basic Objectives and Components

The parties signed a Memorandum of Understanding to end the conflict on August 15, 2005.²² Under the terms of the Memorandum of Understanding, the Free Aceh Movement relinquished its demands for secession and agreed to disarm, on the condition that the Indonesian government provided a range of economic and political privileges and withdrew some of its military forces from Aceh.

Substantive Issues

Decommissioning combatants was a gradual process in Aceh. Upon signing the Memorandum of Understanding, Free Aceh Movement members were prohibited from wearing the Free Aceh Movement uniform or insignia.²³ The successful decommissioning of Free Aceh Movement members occurred in four stages over a period of three-and-a-half months.²⁴ In that time, the Aceh

²¹ Lusaka Protocol (Angola 1994), Annex 9, para. 9, *available at* http://www.usip.org/library/pa/angola/lusaka_11151994.html (last accessed Sept. 21, 2007).

²² Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005).

²³ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 4.2.

²⁴ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 4.6.

Monitoring Mission, tasked with monitoring the implementation of the Memorandum of Understanding and demobilization, disarmament, and reintegration process, received and verified the collection of 840 arms, ammunition, and explosives from the Free Aceh Movement, as provided in the Memorandum of Understanding.²⁵ The decommissioning paralleled the withdrawal of an agreed-upon number of government military and police forces from Aceh.²⁶ Both the decommissioning of the Free Aceh Movement and the withdrawal of government forces concluded on time.²⁷

Amnesty and Reintegration were also part of the peace agreement in Aceh. The Memorandum of Understanding provided amnesty to participants in Free Aceh Movement activities. However, any Free Aceh Movement member using a weapon after the signing of the Memorandum of Understanding became ineligible for amnesty.²⁸ The Memorandum of Understanding also provided for the release of political prisoners within fifteen days of signing.

The Memorandum of Understanding included several measures intended to help Free Aceh Movement members reintegrate into society. These measures included the establishment of a reintegration fund, the allocation of land or employment to former combatants, and the availability of social security for those unable to work.²⁹ Former Free Aceh Movement combatants could also seek employment in the national police and military in Aceh without discrimination, so long as they met national standards for employment with these groups.³⁰

The parties allocated reintegration expenses based on the Free Aceh Movement's report on the number of former combatants. However, during implementation the number of former combatants was much higher than the Free

²⁵ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 4.3.

²⁶ The number of national police and military was reduced from 14,700 to 9,100. Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 4.7.

²⁷ CRISIS MANAGEMENT INITIATIVE, ACEH PEACE PROCESS NEGOTIATIONS (2006), *available at* http://www.cmi.fi/?content=aceh_project (last accessed Sept. 21, 2007).

²⁸ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), arts. 3.1.1-4.

²⁹ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), arts. 3.2.3, 3.2.5, 3.2.5 (a).

³⁰ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 3.2.7.

Aceh Movement originally predicted.³¹ The parties there fore needed additional, unanticipated funds to extend reintegration programs to all former combatants. Concerns over the targeting of listed individuals if the peace agreement were to collapse, might have caused the initial underreporting of former combatants. Another possibility may be that the original estimate did not take into account Free Aceh Movement members serving as police or administrators, as well as Free Aceh Movement widows.³²

Local Elections and Representation is useful in demobilization, disarmament, and reintegration. The Memorandum of Understanding allowed for the creation of political parties within Aceh to run in provincial elections.³³ The government and legislature of Indonesia developed legal standards for the creation of political parties in accordance with the Memorandum of Understanding.³⁴ This marked a major departure from Indonesian law, which requires political parties to organize nationally, in order to discourage secessionist political forces.³⁵ The Free Aceh Movement cannot organize candidates as a political party until 2009.³⁶

The Memorandum of Understanding does not clearly state whether independent parties may run in Aceh's elections. Permitting independent candidates was important to the Free Aceh Movement, which needed to convince its members that disarmament and the end of the call for secession had resulted in a political gain. After several delays, the Indonesian parliament agreed to permit independent candidates to run in the upcoming elections. The postponement of elections from April 2006 to December 2006 was due to delays.³⁷ The Free Aceh

³¹ INTERNATIONAL CRISIS GROUP, *ACEH: NOW FOR THE HARD PART* (2006), available at <http://www.crisisgroup.org/home/index.cfm?id=4049&CFID=32254786&CFTOKEN=52956389> (last accessed Sept. 21, 2007).

³² INTERNATIONAL CRISIS GROUP, *ACEH: NOW FOR THE HARD PART* (2006); INTERNATIONAL CRISIS GROUP, *ACEH: SO FAR SO GOOD* (2006), 4-5.

³³ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 1.2.1.

³⁴ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 1.2.1.

³⁵ Michael Renner, *OPEN DEMOCRACY, LEARNING FROM ACEH*, Jan. 12, 2006, available at http://www.opendemocracy.net/conflict-protest/aceh_3173.jsp (last accessed Sept. 21, 2007).

³⁶ WORLDWATCH INSTITUTE, *ACEH ELECTIONS LIKELY TO BE HELD IN AUGUST 2006*, available at <http://www.worldwatch.org/node/4368> (last accessed Sept. 21, 2007); *Aceh Set to Elect Governor in August*, THE JAKARTA POST, May 10, 2006, available at http://www.infid.be/aceh_fall_short.htm (last accessed Sept. 21, 2007).

³⁷ INTERNATIONAL CRISIS GROUP, *ACEH: NOW FOR THE HARD PART* (2006).

Movement has now begun to promote independent candidates for the December 2006 election.³⁸ As the Memorandum of Understanding stipulates, outside monitors will be present to oversee the elections.³⁹ Elections for Aceh's legislature will take place in 2009.⁴⁰

The Memorandum of Understanding also stipulates that the Free Aceh Movement may nominate representatives to participate fully in the commission created to conduct the post-tsunami reconstruction.⁴¹

Liberia: Comprehensive Peace Agreement

Parties Involved

The parties to the peace agreement are the Government of Liberia (GOL), the Liberians United for Reconciliation and Democracy (LURD), the Movement for Democracy in Liberia (MODEL), and political parties.⁴²

Basic Objectives and Components

On August 18, 2003, Liberia's Comprehensive Peace Agreement (the Agreement) provided for the disarmament of approximately 40,000 combatants.

³⁸ *Aceh Elections Likely to be Held in August 2006*, WorldWatch Institute; *Aceh Set to Elect Governor in August*, THE JAKARTA POST, May 10, 2006.

³⁹ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 1.2.7. The Indonesian government has invited a European Union monitoring team to oversee the December elections. *Peace Monitors Extend Mission in Indonesia's Aceh*, REUTERS INDIA, Sept. 11, 2006.

⁴⁰ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 1.2.3.

⁴¹ Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 1.3.9.

⁴² The political parties who were party to the agreement were the All-Liberian Coalition Party, the Equal Rights Party, the Free Democratic Party, the Labor Party, the Liberia National Union, the Liberia Unification Party, the Liberian Action Party, the Liberian People's Party, the National Democratic Party, the National Patriotic Party, the National Reformation Party, the New Deal Movement, the People's Democratic Party, the Progressive Peoples Party, the Reformation Alliance Party, the True Whig Party, the United People's Party, and the Unity Party.

The Agreement also provided for the formation of a transitional government that would prepare the state for elections in 2005.⁴³

Substantive Issues

Disarmament, Decommissioning and Reintegration is most likely successful when the commission organizing it has representatives from all the parties. The Agreement called for a ceasefire and a demobilization, disarmament, and reintegration process that would result in the full disarmament of all paramilitary groups.⁴⁴ The commission coordinating demobilization, disarmament, and reintegration activities included representatives from paramilitary groups. The International Stabilization Force (ISF) conducted the disarmament, and all arms were under the International Stabilization Force's surveillance.⁴⁵

The Agreement stipulated that, following demobilization, members of paramilitary groups were to remain in designated locations until the former combatants began reintegration activities or entered the national armed forces. The poor preparation and an insufficient number of peacekeepers, caused the suspension of the demobilization, disarmament, and reintegration program after a few months, but restarted it was successfully a few months later.⁴⁶ Although reports of violence continued for almost a year following the signing of the Agreement, violence never spread to other communities or lasted for more than a few days.⁴⁷

The Agreement also called for the immediate and unconditional release of prisoners of war from all sides.⁴⁸ Further, the transitional government considered a

⁴³ Liberia Comprehensive Peace Agreement (2003), art. XIX, sec. 2, *available at* http://www.usip.org/library/pa/liberia/liberia_08182003_cpa.html.

⁴⁴ Liberia Comprehensive Peace Agreement, art. V.

⁴⁵ Liberia Comprehensive Peace Agreement, art. IV, sec. 1; art. VI, secs. 2, 4.

⁴⁶ Josephus Moses Gray, *The Resumption of the Disarmament, Demobilization, Rehabilitation and Reintegration Process*, THE PERSPECTIVE, Apr. 12, 2004, *available at* <http://www.theperspective.org/2004/apri/ddrr.html> (last accessed Sept. 21, 2007).

⁴⁷ INTERNATIONAL CRISIS GROUP, LIBERIA'S ELECTIONS: NECESSARY BUT NOT SUFFICIENT (2005), *available at* <http://www.crisisgroup.org/home/index.cfm?id=3646&l=1> (last accessed Sept. 21, 2007).

⁴⁸ Liberia Comprehensive Peace Agreement, art. IX.

policy regarding amnesty for members of paramilitary groups that are party to the Agreement.⁴⁹

Political Representation can serve as an enticement for former combatants to give up their arms. Upon complete disarmament, all paramilitary groups agreed to cease their activities as military forces.⁵⁰ Under the Agreement, former paramilitary groups are free to form political parties or otherwise engage lawfully in national politics.⁵¹ Additionally, the two main paramilitary groups, Liberians United for Reconciliation and Democracy and Movement for Democracy in Liberia were each allocated twelve seats in the seventy-six-member transitional legislature. The Agreement also granted twelve seats to the Government of Liberia, so that the Government and the paramilitary groups each had equally represented.⁵² The remaining seats were for representatives of political parties, civil society organizations, special interest groups, and the provinces.⁵³

Paramilitary leaders initially attempted to block the disarmament process in order to gain desired posts in the transitional government.⁵⁴ In December 2003, paramilitary leaders withdrew their objections, and the disarmament process moved forward.⁵⁵ Nearly two years later, in December 2005, Liberia successfully held elections.⁵⁶ In these elections, no party won enough seats to dominate either of the two houses of parliament.⁵⁷

United Kingdom and Ireland: Northern Ireland Accords

Parties Involved

⁴⁹ Liberia Comprehensive Peace Agreement, art. XXXIV.

⁵⁰ Liberia Comprehensive Peace Agreement, art. XXI, sec. 5.

⁵¹ Liberia Comprehensive Peace Agreement, art. XXI, sec. 6.

⁵² Liberia Comprehensive Peace Agreement, art. XXIV, secs. 3, 4.

⁵³ Liberia Comprehensive Peace Agreement, art. XXIV, secs. 3, 4.

⁵⁴ INTERNATIONAL CRISIS GROUP, REBUILDING LIBERIA: PROSPECTS AND PERILS (2004), available at <http://www.crisisgroup.org/home/index.cfm?id=2496&l=1> (last accessed Sept. 21 2007).

⁵⁵ IRIN, LIBERIA: LURD DROPS THREAT TO HOLD UP DISARMAMENT, Dec. 3, 2003, available at: http://www.irinnews.org/report.asp?ReportID=38221&SelectRegion=West_Africa&SelectCountry=LIBERIA (last accessed Sept. 21, 2007).

⁵⁶ INTERNATIONAL CRISIS GROUP, REBUILDING LIBERIA: PROSPECTS AND PERILS (2004).

⁵⁷ INTERNATIONAL CRISIS GROUP, LIBERIA: STAYING FOCUSED (2006).

The parties to Northern Ireland Accords (the Accords, also known as the Belfast Agreement and the Good Friday Accords) were the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Ireland. The Accords prohibited the Irish Republican Army (IRA) from negotiating on the same basis as other parties unless it disarmed. The Irish Republican Army was therefore was not a signatory to the agreement but rather an interested party, meaning a party with a stake in the outcome of the process.

Basic Objectives and Components

The purpose of the Accords was to end the violence in Northern Ireland and determine the status of the territory of Northern Ireland. The parties signed the Accords on April 10, 1998.

Substantive Issues

The parties agreed to use their influence with paramilitary groups on both sides of the conflict to achieve the decommissioning and full disarmament of all paramilitary groups in Northern Ireland within two years.⁵⁸ Accordingly, disarmament was not a precondition to the Agreement.⁵⁹ This separated the decommissioning process from ongoing discussions on the devolution of power.

Due to the use of less specific terms like “commitment” and “influence” rather than specific statements such as “a requirement to disarm” and “will implement legislation to achieve decommissioning,” the clauses pertaining to disarmament were interpreted differently by the parties to the agreement. Some parties interpreted the Accords to mean that they had an explicit obligation to disarm, while others believed disarmament was not a strict requirement.⁶⁰

Significant disagreement and controversy over the Irish Republican Army’s decommissioning process led to political instability in Northern Ireland. In October 2002, the UK suspended the Northern Ireland Assembly, a body for home

⁵⁸ The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland, London Stationery Office (1998), *available at* <http://www.nio.gov.uk/agreement.pdf> (last accessed Sept. 21, 2007).

⁵⁹ The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland, London Stationery Office (1998).

⁶⁰ Heidi Wushinske, *Note & Comment: Politician and Paramilitaries: Is Decommissioning a Requirement of the Belfast Agreement*, TEMPLE INTL. & COMP. L. J. (Fall 2003).

rule established by the Accords.⁶¹ In July 2005, the Irish Republican Army announced the end of its campaign, and promised complete decommissioning of all weapons, which clergymen from Catholic and Protestant churches would witness. By September 2005, the decommissioning body and the two clergymen declared that to their satisfaction the Irish Republican Army had put all of their weapons beyond use.⁶² Critics of the process claimed that the Irish Republican Army's decommissioning process was "too secretive."⁶³

On April 6, 2006, the prime ministers of the United Kingdom and the Republic arrived in Northern Ireland to unveil a blueprint for restoring devolution to Northern Ireland. On May 10, 2006, the United Kingdom passed the Northern Ireland Act 2006, outlining the principles for resuming the process of devolution.⁶⁴ Northern Ireland's political parties had until November 24, 2006, to decide on the structure of a power-sharing government.⁶⁵

A complicating factor in the devolution process is that the Unionist political party has said it will not be involved in any power-sharing government until the Irish Republican Army disbands completely.⁶⁶ Ultimately, the Unionist demands may link the decommissioning process with the process of devolution of power, despite the Accords' deliberate separation of the two processes.

Macedonia: Ohrid Framework Agreement

Parties Involved

The then-President's party, the Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (VMRO-DPMNE),

⁶¹ NORTHERN IRISH PARLIAMENT, available at <http://www.niassembly.gov.uk/> (last accessed Sept. 21, 2007).

⁶² *IRA has Destroyed All its Arms*, BBC.com, Sept. 26, 2005, available at http://news.bbc.co.uk/1/hi/northern_ireland/4283444.stm, (last accessed Sept. 21, 2007)

⁶³ *Britain: No New Chance for Northern Ireland Power-Sharing until 2009 if Deadline Missed*, INTERNATIONAL HERALD TRIBUNE- EUROPE, Sept. 9, 2006, available at http://www.iht.com/articles/ap/2006/09/09/europe/EU_GEN_Northern_Ireland.php.

⁶⁴ The full text of the Northern Ireland Act available at <http://www.opsi.gov.uk/acts/acts2006/20060017.htm> (last accessed Sept. 21, 2007).

⁶⁵ *Britain: No New Chance for Northern Ireland Power-Sharing until 2009 if Deadline Missed*, INTERNATIONAL HERALD TRIBUNE- EUROPE, Sept. 9, 2006.

⁶⁶ *Britain: No New Chance for Northern Ireland Power-Sharing until 2009 if Deadline Missed*, INTERNATIONAL HERALD TRIBUNE- EUROPE, Sept. 9, 2006.

and the Social Democratic Union of Macedonia (SDSM) represented the Macedonian government. The Democratic Party of Albania (DPA) and the Party for Democratic Prosperity (PDP) represented the ethnic Albanians. Although the actions of the National Liberation Army an important consideration at the talks, the paramilitary group was not party to the talks.

Basic Objectives and Components

The primary goals of the Ohrid Framework Agreement, signed on August 13, 2001, were to: (1) end the armed conflict between ethnic Albanians in the National Liberation Army and Macedonian security forces that erupted after the Kosovo refugee crisis; (2) establish equality for ethnic Albanians, while preserving the Macedonian state and its culture; and (3) involve the international community in assisting in the implementation of the agreement, where necessary.

Substantive Issues

The Agreement called for a voluntary ceasefire and the complete, voluntary disarmament and disbanding of ethnic Albanian armed groups, including the National Liberation Army.⁶⁷ A North Atlantic Treaty Organization force, as agreed, collected and destroyed the weapons and supervised the demobilization in an operation known as “Essential Harvest.”⁶⁸ The Agreement conditioned the passage of constitutional amendments upon the collection of one-third of the weapons by North Atlantic Treaty Organization forces.⁶⁹ A law passed subsequent to the Agreement provided amnesty to National Liberation Army fighters who surrendered their arms by a specific date.⁷⁰

⁶⁷ Macedonia Framework Agreement (2001), sec. 2, *available at* http://www.usip.org/library/pa/macedonia/pa_mac_08132001.html (last accessed Sept. 21, 2007).

⁶⁸ Macedonia Framework Agreement, sec. 2; OPERATION ESSENTIAL HARVEST, NATO FACT SHEET, Aug. 17, 2001; Ulf Brunnbauer, *The Implementation of the Ohrid Agreement: Ethnic Macedonian Resentments* 12, JOURNAL ON ETHNOPOLITICS AND MINORITY ISSUES IN EUROPE, ISSUE 1/2002, CENTER FOR THE STUDY OF BALKAN SOCIETIES AND CULTURES, UNIVERSITY OF GRAZ, AUSTRIA, *available at* www.ecmi.de/jemie/download/Focus1-2002Brunnbauer.pdf (last accessed Sept. 21, 2007)

⁶⁹ Macedonia Framework Agreement, sec. 2.

⁷⁰ NATO PARLIAMENTARY ASSEMBLY, TRIP REPORTS: VISIT TO SKOPJE AND TETOVO, Apr. 9-12, 2002, *available at* <http://www.nato-pa.int/archivedpub/trip/av067gen-skopje.asp> (last accessed Sept. 21, 2007).

Many of the former members of, the now dissolved, National Liberation Army, are now active in the political arena.⁷¹ Former National Liberation Army members won the majority of Albanian votes in the 2002 election and became part of the ruling national coalition. The Albanian National Army, a breakaway faction of the National Liberation Army, opposes the Agreement and continues hostilities, with little regard to their lack of popular support.⁷²

DARFUR PEACE AGREEMENT

The 2006 Darfur Peace Agreement (DPA) devotes Chapter 3 to demobilization, disarmament, and reintegration. The DPA affirms that a lasting peace may only come through a “comprehensive Ceasefire Agreement and final Security Arrangements that address the root cause and different aspects of the armed conflict.”⁷³ Further the DPA, as a general principle, pledges the parties to “create and maintain a conducive atmosphere,” neutralize and disarm the Janjaweed and armed militias, create a professional and inclusive armed forces, put in place “proper mechanisms for the demobilization, rehabilitation and social integration of former combatants.”⁷⁴ The DPA also pledges that the parties will ensure that “troops and force under their command” observe and implement the agreement.⁷⁵

The Darfur Peace Agreement establishes a process of disengagement, redeployment, and arms control that is to “take place in incremental steps; in a reciprocal fashion; with appropriate security guarantees; through agreements reached in the Ceasefire Commission; and with verification by AMIS.”⁷⁶ The first phase is disengagement; the second phase is redeployment; and the third phase is arms control.⁷⁷ Under the direction of the Ceasefire Commission, AMIS will determine the parties’ areas of control. AMIS must also verify each parties’ troop

⁷¹ OPERATION ESSENTIAL HARVEST, NATO FACT SHEET.

⁷² THE CENTRE FOR SOUTHEAST EUROPEAN STUDIES, ANA AND MACEDONIAN RADICALISM AGGRAVATE TENSION IN MACEDONIA (2002), *available at* http://www.csees.net/?page=analyses&a_id=9 (last visited Oct. 2, 2007).

⁷³ Darfur Peace Agreement, art. 22, para. 214, sec. b, May 5, 2006, *available at*, http://www.unmis.org/english/2006Docs/DPA_ABUJA-5-05-06-withSignatures.pdf (last accessed Sept. 21, 2007).

⁷⁴ Darfur Peace Agreement, art. 22, para. 214.

⁷⁵ Darfur Peace Agreement, art. 22, para. 214, secs. c, f, h, k, i.

⁷⁶ Darfur Peace Agreement, art. 27, para. 290-292.

⁷⁷ Darfur Peace Agreement, art. 27, para. 293.

levels and location. The DPA also establishes demilitarized zones, humanitarian supply routes and redeployment zones.⁷⁸

Oversight Structure

The DPA creates the Darfur Security Arrangements and Implementation Commission (DSAIC), a subsidiary of the Transitional Darfur Regional Authority (TRDA), with authority over the demobilization, disarmament, and reintegration process.⁷⁹ The members of the DSAIC include: the Governors of the three Darfur States, the Chief of Staff of the Sudanese Armed Forces, a representative of the National Council for Demobilization, Disarmament, and Reintegration, three representatives nominated by the Movements, a representative of the Joint Commission, Representatives of the African Union Mission in Sudan (AMIS) and the Chairperson of the Security Advisory Team.⁸⁰ DSAIC may establish subsidiary entities as necessary to carry out security force integration, disarmament, demobilization, and reintegration, provided such entities have representatives from the same groups as the DSAIC.⁸¹

Pursuant to Annexure 3 of the DPA, the Ceasefire Commission is responsible for “planning, verifying and ensuring the implementation of the rules and provisions of the ceasefire.”⁸² The DPA requires that the Force Commander for AMIS be the Chairman of the Ceasefire Commission. Other members of the Ceasefire Commission include the Deputy Force Commander of AMIS, the Civilian Police Commissioner of AMIS and representatives of the Government of Sudan, JEM and SLM/A.⁸³ Representatives from the European Union, U.N., and United States are to serve as observers.⁸⁴ The DPA requires the Ceasefire Commission to consult and coordinate with AMIS. When the Ceasefire

⁷⁸ Darfur Peace Agreement, art. 22, paras. 295-297.

⁷⁹ Darfur Peace Agreement, art. 29, para. 390.

⁸⁰ Darfur Peace Agreement, art. 29, para. 392.

⁸¹ Darfur Peace Agreement, art. 29, paras. 391, 393.

⁸² Darfur Peace Agreement, Annexure 3: Agreement with the Sudanese Parties on the Modalities for Establishment of the Ceasefire Commission and the Deployment of Observers in the Darfur, art. III (i), May 28, 2004, *available at* http://www.unmis.org/english/2006Docs/DPA_annex3.pdf (last accessed Sept. 27, 2007).

⁸³ Darfur Peace Agreement, art. 25, para. 240.

⁸⁴ Darfur Peace Agreement, art. 25, para. 241.

Commission is unable to reach a consensus on an issue, the Ceasefire Commission must refer the issue to the Joint Commission for a final and binding decision.⁸⁵

The Special Representative of the Chairperson of the African Union Commission is the chairman of the Joint Commission.⁸⁶ The DPA requires the Joint Commission to take “decisive action” regarding any ceasefire violation including, publicizing violations, recommending prosecutions of individual violators, “recommending appropriate action in cases of grave violations,” and make recommendations to the African Union in relation to further punitive action.⁸⁷ The DPA requires the Joint Commission to reach decisions by consensus. If the Joint Commission fails to reach a consensus, the DPA provides that the Chairperson consult with the international members of the Joint Commission before making a decision if it is “necessary in the vital interest of maintaining the ceasefire.”⁸⁸

The DPA establishes the Security Advisory Team (SAT) as an entity to “build confidence and guarantee fairness” between the parties.⁸⁹ It is composed of technical experts from other countries and international organizations that are acceptable to the parties. The SAT is to support the integration of former combatants, help restructure security institutions, and consult with African Union Mission in Sudan and other entities where appropriate to carry out these functions.⁹⁰ Additionally, the SAT must help the DSAIC mediate disputes between parties regarding integration.⁹¹ The Government of Sudan is responsible for financial and logistical support but may seek international assistance to implement integration programs.⁹²

The DPA also provides for the creation of a Technical Integration Committee, chaired by representatives of the Movements and the Sudanese Armed Forces, and including representatives from SAT and AMIS. The Technical Integration Committee must develop a plan for the integration of former

⁸⁵ Darfur Peace Agreement, art. 25, para. 246.

⁸⁶ Darfur Peace Agreement, art. 25, para. 247.

⁸⁷ Darfur Peace Agreement, art. 25, para. 250.

⁸⁸ Darfur Peace Agreement, art. 25, paras. 254-255.

⁸⁹ Darfur Peace Agreement, art. 29, para. 395.

⁹⁰ Darfur Peace Agreement, art. 29, paras. 395, 397.

⁹¹ Darfur Peace Agreement, art. 29, para. 398.

⁹² Darfur Peace Agreement, art. 29, para. 396.

combatants into the security institutions.⁹³ The DPA mandates the integration of former combatants within sixteen months and emphasizes the importance of integrating combatants with the goal of increasing the “professionalism, inclusiveness, and capabilities” of the security institutions.⁹⁴

Disarmament

The DPA requires the Government of Sudan to ensure that the Janjaweed/militias are not active in areas of “civilian habitation and internally displaced person camps.”⁹⁵ The Government of Sudan is required to neutralize the Janjaweed/militias in coordination with AMIS and notify the Ceasefire Commission of its plans.⁹⁶ The disarmament plan includes enforcement operations to apprehend and disarm militants; confiscate heavy and long-range weapons; prosecute and punish criminals.⁹⁷

After the parties redeploy and the disarmament of the Janjaweed/militias, the parties shall relinquish their heavy artillery and long-range weapon systems. The DPA mandates that AMIS store these weapons be held in secure locations under a dual lock, “with the Movements in control of one key and African Union Mission in Sudan in control of the other key.”⁹⁸ The chairman of the Ceasefire Commission shall oversee the arms control process and AMIS shall be responsible for verification of compliance.⁹⁹ If AMIS discovers any breach of these rules or the ceasefire, AMIS must report to the Ceasefire Commission immediately.¹⁰⁰ The Government of Sudan, with assistance from international organizations, is to provide funding, non-military logistics, and technical assistance in process of assembly, disarmament, and demobilization.¹⁰¹

Demobilization

⁹³ Darfur Peace Agreement, art. 29, para. 399.

⁹⁴ Darfur Peace Agreement, art. 29, para. 400.

⁹⁵ Darfur Peace Agreement, art. 27, para. 366.

⁹⁶ Darfur Peace Agreement, art. 27, para. 370.

⁹⁷ Darfur Peace Agreement, art. 27, para. 367.

⁹⁸ Darfur Peace Agreement, art. 29, para. 426, sec. c.

⁹⁹ Darfur Peace Agreement, art. 27, paras. 371, 373.

¹⁰⁰ Darfur Peace Agreement, art. 27, para. 374.

¹⁰¹ Darfur Peace Agreement, art. 29, para. 420.

The DPA provides that the demobilization process shall start after the disarmament process. The DPA establishes Movements' Assembly sites where demobilization shall occur. The Darfur Security Arrangements and Implementation Commission (DSAIC) has the authority to develop "a plan that specifies the timing, sequencing, and processes of disarmament and demobilization of former combatants." This authority is to be conducted with the assistance of African Union Mission in Sudan and other international partners.¹⁰²

Prior to demobilization, the DPA requires former combatants to be registered, screened, and categorized.¹⁰³ The process begins with the designation of assembly areas by the Ceasefire Commission in consultation with the parties.¹⁰⁴ The assembly areas are the designated locations where Movements forces remain during the demobilization process and where they will receive logistical support from the Government of Sudan and the international community.¹⁰⁵ AMIS is responsible for monitoring the assembly areas.¹⁰⁶ The Movements are responsible for internal security in the assembly sites and cannot leave the sites with their weapons without first notifying African Union Mission in Sudan at least 72 hours in advance.¹⁰⁷

Reintegration

The DPA requires that the Government of Sudan, with the assistance of international partners, ensure that "all former combatants who wish to return to civilian life" or are not eligible for integration into the security forces are supported through reintegration programs.¹⁰⁸ The reintegration process is to be fair, transparent, and consistent with regard to the eligibility of former combatants, regardless of their affiliations.¹⁰⁹

¹⁰² Darfur Peace Agreement, art. 29, paras. 424-425.

¹⁰³ Darfur Peace Agreement, art. 29, para. 426, sec. d.

¹⁰⁴ Darfur Peace Agreement, art. 27, para. 372.

¹⁰⁵ Darfur Peace Agreement, art. 29, paras. 419, 420, 423.

¹⁰⁶ Darfur Peace Agreement, art. 29, para. 419. African Union Mission in Sudan will develop the plan for assembly in consultation with the parties, with monitoring by African Union Mission in Sudan. Darfur Peace Agreement, art. 29, paras. 419, 421.

¹⁰⁷ Darfur Peace Agreement, art. 29, paras. 422-423.

¹⁰⁸ Darfur Peace Agreement, art. 29, para. 431.

¹⁰⁹ Darfur Peace Agreement, art. 29, para. 434.

The reintegration process is community based to benefit both returnees and local communities. The former combatants are to receive “awareness orientation, sensitization, and training regarding on Demobilization, Disarmament and Reintegration, the peace process and their roles and responsibilities,”¹¹⁰ and are allowed to choose their path to reintegration.¹¹¹ The reintegration programs must include follow-up monitoring and continuing support measures as needed to ensure long-term sustainability.¹¹² The DPA encourages the participation of communities and civil society “to strengthen their capacity to play their role in improving and sustaining the social and economic reintegration of former combatants.”¹¹³

Integration into a National Defense Force

The DPA specifies that 4,000 former combatants will undergo integration into the Sudan Armed Forces, 1,000 will be integrated into the police and other security forces, and 3,000 will be supported through education and training programs.¹¹⁴ The DPA also provides guidelines regarding the composition of integrated units and the conditions under which integration is to occur.¹¹⁵ The integration of former combatants, however, is not to increase the troop level in Darfur.¹¹⁶

The DPA grants the Technical Integration Committee the authority to recommend specific numbers of former combatants, based on the availability of accelerated officer training, to fill positions at all levels of Sudanese security services.¹¹⁷ The Government of Sudan, the African Union, and international partners will then offer former combatants additional training so that they meet the requirements of their rank and positions.¹¹⁸ Former combatants who have previously served in the police or armed forces are entitled to return to the police or armed forces with their former rank.¹¹⁹ During the first five years after

¹¹⁰ Darfur Peace Agreement, art. 29, para. 426, sec. a.

¹¹¹ Darfur Peace Agreement, art. 29, para. 434.

¹¹² Darfur Peace Agreement, art. 29, para. 435.

¹¹³ Darfur Peace Agreement, art. 29, para. 436.

¹¹⁴ Darfur Peace Agreement, art. 29, paras. 408, 409.

¹¹⁵ Darfur Peace Agreement, art. 29, paras. 410, 411.

¹¹⁶ Darfur Peace Agreement, art. 29, para. 413.

¹¹⁷ Darfur Peace Agreement, art. 29, para. 401.

¹¹⁸ Darfur Peace Agreement, art. 29, paras. 402-403.

¹¹⁹ Darfur Peace Agreement, art. 29, paras. 406, 408, sec. b.

integration, the former combatants will not be released from service due to any reduction in force size and will not have an assignment outside of Darfur.¹²⁰

Reintegration Funds and Special Programs

The Government of Sudan, with international support, is to fund the reintegration of former combatants.¹²¹ The DPA recognizes the special reintegration needs of women, children, and disabled former combatants.¹²² The DPA specifically recognizes the special needs of orphans of combatants and those who were combatants themselves.¹²³ The DPA requires that the Reintegration Plan allocate resources to develop specific programs for them.¹²⁴

Implementation Timetable & Sequencing

The Darfur Peace Agreement establishes a timeline for completion of the demobilization, disarmament, and reintegration process.¹²⁵ The timeline begins with the signing of the ceasefire, and continues two and a half years after its implementation.¹²⁶ The established timetable specifies dates for the commencement of all phases of disarmament, demobilization, and reintegration including disengagement, redeployment, limited arms control, and assembly of forces reintegration. The DPA requires the parties to complete all phases of disarmament, demobilization and reintegration by 1,065 days after signing of the DPA.¹²⁷

¹²⁰ Darfur Peace Agreement, art. 29, paras. 404-405.

¹²¹ Darfur Peace Agreement, art. 29, paras. 431, 437.

¹²² Darfur Peace Agreement, art. 29, para. 442.

¹²³ Darfur Peace Agreement, art. 29, para. 444.

¹²⁴ Darfur Peace Agreement, art. 29, paras. 438, 442-445.

¹²⁵ Darfur Peace Agreement, art. 30, para. 454-457.

¹²⁶ Darfur Peace Agreement, art. 27, para. 301 & art. 30, para. 457.

¹²⁷ Darfur Peace Agreement, Implementation Timetable for Comprehensive Ceasefire and Final Security Arrangements.

SAMPLE LANGUAGE

Article XXX **Demobilization**

Disengagement

- (1) Disengagement shall mean the immediate breaking of contact between the opposing military forces of the Parties to the Agreement at places where they are in direct contact by the effective date and time of the ceasefire.
- (2) Immediate disengagement at the initiative of all military units shall be limited to the effective range of all weapons. Disengagement to put all weapons out of range shall be conducted under the guidance of the Ceasefire Commission and monitored by the Monitoring Mission.¹²⁸

AND

- (3) Where disengagement by a party is impossible or impractical, the Ceasefire Commission shall find an alternative solution to render the weapons safe.¹²⁹

OR

- (3) When immediate disengagement is not possible, a framework and sequence of disengagement shall be agreed upon by all parties to the Ceasefire through the Ceasefire Commission.
- (4) Wherever disengagement by movement is impossible or impractical, alternative solutions requiring that weapons are rendered safe shall be designated by the Monitoring Mission.¹³⁰

¹²⁸ This language is drawn from the Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 26 (2). Similar language is used in the Liberia Comprehensive Agreement, art. V (1-3).

¹²⁹ This language is drawn from the Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 26 (2).

¹³⁰ This Language is drawn from the Liberia Comprehensive Agreement, art. V (4-5).

Ceasefire Commission

- (1) The Ceasefire Commission shall consist of representatives of the Government, the combatants of the political parties and movements, the United Nations other International organizations.¹³¹
- (2) The Ceasefire Commission shall be a decision-making body.¹³²
- (3) The Ceasefire Commission shall take its decisions by consensus.¹³³
- (4) The Ceasefire Commission shall be responsible, among other things, for:
 - (a) Establishing the location of units at the time of the ceasefire;
 - (b) Establishing liaison between the parties for the purpose of the ceasefire;
 - (c) Finding appropriate solutions in the event of difficulty in disengagement;
 - (d) Conducting investigations of any ceasefire violations;
 - (e) Verifying all information, data and activities relating to military forces of the parties;
 - (f) Verifying the disengagement of the military forces of the Parties where they are in direct contact;
 - (g) Monitoring the storage of arms, munitions equipment;
 - (h) Monitoring the quartering of troops and police;
 - (i) Undertaking the disarmament of all illegally armed civilians;
 - (j) Undertaking mine clearance throughout the country.
- (5) The Parties undertake to provide the Ceasefire Commission immediately with all relevant information on the organization, equipment and positions of their forces, on the understanding that such information shall be held in strict confidence.¹³⁴

¹³¹ This language is drawn from Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 27 (1). A similar structure is used in The Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, pt. 4, art. II; para. 1, and in the Lusaka Protocol (Angola 1994), Annex 8, sec. C, para. 1.

¹³² This language is drawn from Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 27 (1).

¹³³ This language is drawn from Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 27 (1).

¹³⁴ This language is drawn from Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 27 (1).

Monitoring Mission

- (1) A Monitoring Mission will be established by international organizations and contributing states with the mandate to monitor the implementation of the commitments taken by the parties in this Agreement.¹³⁵
- (2) The tasks of the Monitoring Mission are to:¹³⁶
 - (a) Monitor the demobilization of former combatants and decommissioning of their armaments;
 - (b) Monitor the relocation of non-organic military forces and non-organic police troops;
 - (c) Monitor the reintegration of former combatants;
 - (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 Agreement; and
 - (h) Establish and maintain liaison and good cooperation with the parties.
- (3) The Parties will support the implementation of Monitoring Mission's mandate. To this end, the Parties will each write a letter to the international organizations and contributing states expressing its commitment and support to the Monitoring Mission.¹³⁷
- (4) The Parties commit themselves to provide the Monitoring Mission with secure, safe, and stable working conditions and pledge their full cooperation with the Monitoring Mission.¹³⁸

¹³⁵ The Language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.1. Other agreements using a monitoring mission include Liberia Comprehensive Peace Agreement, art. III, sec. 1; The Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, pt. 1, art. II; para. 1; and The Macedonia Framework Agreement (2001), Annex C, sec. 1.

¹³⁶ This Language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.2. This language is similar to the Liberia Comprehensive Peace Agreement, art. III, sec. 2.

¹³⁷ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.4-5.5.

¹³⁸ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.6.

- (5) Monitors will have unrestricted freedom of movement in Darfur. The Monitoring Mission will accept only those tasks within the provisions of the Agreement. The Parties do not have a veto over the actions or control of the Monitoring Mission operations.¹³⁹
- (6) The Monitoring Mission reports to the Head of Monitoring Mission who will provide regular reports to the parties and to others as required.¹⁴⁰
- (7) Upon signature of this Agreement, each party will appoint a senior representative to deal with all matters related to the implementation of this Agreement with the Head of Monitoring Mission.¹⁴¹
- (8) The Parties commit themselves to notify the Monitoring Mission of all military and reconstruction issues pursuant to an established procedure.¹⁴²
- (9) To facilitate transparency, the Government of Sudan will allow full access for the representatives of national and international media to Darfur.¹⁴³

Timetable

The Parties agree to develop a timetable for the phased withdrawal of Monitoring Mission, including measures for securing all of the Darfur territory by the restructured armed forces. The phased withdrawal of the Monitoring Mission will be linked to the phased creation and deployment of the restructured armed forces.¹⁴⁴

¹³⁹ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.7.

¹⁴⁰ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.11.

¹⁴¹ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.12.

¹⁴² This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.13.

¹⁴³ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 5.15.

¹⁴⁴ This language is drawn from Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, pt. 4, art. XIII para. 3, *available at* http://www.usip.org/library/pa/sl/sierra_leone_07071999.html (last accessed Sept. 21, 2007).

Dispute Resolution

A Mixed Military Working Group (MMWG) will be established to resolve any problems that may arise in the observance of the ceasefire. It will be chaired by the most senior United Nations military officer in the State or his representative. Each Party agrees to designate an officer of the rank of brigadier or equivalent to serve on the MMWG. Its composition, method of operation and meeting places will be determined by the most senior United Nations military officer in consultation with the Parties. Similar liaison arrangements will be made at lower military command levels to resolve practical problems on the ground.¹⁴⁵

De-mobilization Process

- (1) Under the supervision of the ceasefire commission and the Monitoring Mission, the following will be carried out:
 - (a) Lists of people to be demobilized shall be compiled.
 - (b) Members to be demobilized shall be provided with some form of appropriate identification.
 - (c) Demobilization criteria and a demobilization package shall be drawn up.
 - (d) An organ to deal with the socio-professional reintegration of demobilized troops shall be established.
 - (e) A technical committee to work out the program and modalities of demobilization shall be set up.
 - (f) Following the demobilization process, a certificate shall be issued to demobilized troops.
 - (g) Each demobilized person shall receive a demobilization allowance.¹⁴⁶
- (2) The parties hereby commit themselves to demobilize all their remaining forces before or shortly after the elections and, to the extent that full demobilization is unattainable, to respect and abide by whatever decision the

¹⁴⁵ This language is drawn from Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, Oct. 23, (1991), Annex 2, art. II, *available at* http://www.usip.org/library/pa/cambodia/agree_comppol_10231991.html (last accessed Sept. 21, 2007).

¹⁴⁶ This language is drawn from Arusha Peace and Reconciliation Agreement for Burundi (2000), Protocol III, art. 21 (4-6, 8, 9, 11, and 12). The Agreement on a Comprehensive Political Settlement of the Cambodia Conflict (1991), Annex 2, art. III, presents a similar and detailed plan for demobilization process.

newly elected government that emerges in accordance with this Agreement takes with regard to the incorporation of parts or all of those forces into a new national army.¹⁴⁷

- (3) Upon completion of the demobilization referred to in paragraph 2, the Parties and the United Nations Special Representative of the Secretary General shall undertake a review regarding the final disposition of the forces remaining in the cantonments, with a view to determining which of the following shall apply:
 - (a) If the Parties agree to proceed with the demobilization of all or some of the forces remaining in the cantonments, preferably prior to or otherwise shortly after the elections, the Special Representative shall prepare a timetable for so doing, in consultation with them;
 - (b) Should total demobilization of all of the residual forces before or shortly after the elections not be possible, the Parties hereby undertake to make available all of their forces remaining in cantonments to the newly elected government that emerges in accordance with this Agreement, for consideration for incorporation into a new national army.
 - (c) They further agree that any such forces, which are not incorporated into the new national army, will be demobilized forthwith according to a plan to be prepared by the Special Representative.¹⁴⁸

Article XXX **Disarmament**

Disarmament Sub-Committee

- (1) The Ceasefire Committee hereby establishes a sub-committee to develop, manage and implement weapons disposal in accordance with this Resolution. The agreed membership of the sub-committee will be as follows:
Chairman: Director, International Organization Representative, Deputy

¹⁴⁷ This language is drawn from Agreement on a Comprehensive Political Settlement of the Cambodia Conflict (1991), Annex 2, art. II, *available at* http://www.usip.org/library/pa/cambodia/agree_comppol_10231991.html (last accessed Sept. 21, 2007).

¹⁴⁸ This language is drawn from Agreement on a Comprehensive Political Settlement of the Cambodia Conflict (1991), Annex 2, art. V (1 and 2).

Chair: Commander, Monitoring Mission, or his representative and Representatives of all parties¹⁴⁹

- (2) The sub-committee may, by agreement, co-opt other members, including representatives of other groups.¹⁵⁰
- (3) The sub-committee will seek support for, and co-ordinate:
 - (a) An active joint program to promote public awareness, understanding, and support of weapons disposal;
 - (b) Development and implementation of this Resolution, including mechanisms to ensure location, identification, control, withdrawal from the community and secure storage of weapons, with special regard for factory-made arms and ammunition;
 - (c) Means of ensuring the full and accurate recording of weapons, and securing the co-operation and participation by individuals and other groups.¹⁵¹
- (4) The sub-committee shall take such account of the need for confidentiality as the parties may require for security.¹⁵²
- (5) The sub-committee shall resolve such differences as may arise in relation to implementation under this Resolution.¹⁵³

Surrender of Weapons

- (1) Former combatants will hand into their commanders their weapons, which will be stored by the commanders at central locations, designated by the Disarmament Sub-committee, to await verification by the Monitoring Mission.
- (2) The Monitoring Mission will verify the weapons have been turned in at which point the weapons will be held in containers under Monitoring Mission supervision and secured by two locks – with one key held by the

¹⁴⁹ This language is drawn from Bougainville Peace Agreement (2001), sec. E, para. 3.

¹⁵⁰ This language is drawn from Bougainville Peace Agreement (2001), sec. E, para. 3.

¹⁵¹ This Language is drawn from Bougainville Peace Agreement (2001), sec. E, para 4. Similar language is used in Liberia's Comprehensive Peace Agreement, art. VI, paras. 8-11.

¹⁵² This language is drawn from Bougainville Peace Agreement (2001), sec. E, para. 4.

¹⁵³ This language is drawn from Bougainville Peace Agreement (2001), sec. E, para. 4.

relevant commander and the other held by the Monitoring Mission – pending a final decision on the ultimate fate of the weapons.¹⁵⁴

OR

- (1) The Parties commit themselves to ensuring the prompt and efficient implementation of a national process of cantonment, disarmament, demobilization, rehabilitation, and reintegration.
- (2) The Monitoring Mission shall conduct the disarmament of all combatants of the Parties including paramilitary groups.
- (3) The Monitoring Mission is requested to deploy to all disarmament and demobilization locations in order to facilitate and monitor the program of disarmament.¹⁵⁵

OR

With regard to the ultimate disposition of the remaining forces and all the arms, ammunition and equipment, the Monitoring Mission, as it withdraws from the state, shall retain such authority as is necessary to ensure an orderly transfer to the newly elected government of those responsibilities it has exercised during the transitional period.¹⁵⁶

Article XXX
Reintegration

- (1) As citizens of the State, all persons having been granted amnesty or released from prison or detention will have all political, economic, and social rights

¹⁵⁴ This language is drawn from Bougainville Peace Agreement (2001), sec. E, paras 6, 7.

¹⁵⁵ This Language is drawn from Liberia Comprehensive Peace Agreement, art. VI, para. 1, 2, and 7. Similar language is used in the Lusaka Protocol (Angola 1994), Annex 8, para. 1.25 and 1.26; and in the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict (1991), Annex 2, art. V (4).

¹⁵⁶ This language is drawn from Agreement on a Comprehensive Political Settlement of the Cambodia Conflict (1991), Annex 2, art. V (2).

as well as the right to participate freely in the political process both in the Region and on the national level.¹⁵⁷

- (2) The Government of Sudan will allocate suitable farming land as well as funds to the authorities of the Region for the purpose of facilitating the reintegration to society of the former combatants. 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 the Region.¹⁵⁸
- (3) Former combatants will have the right to seek employment in the police and military forces in the region without discrimination and in conformity with national standards.¹⁵⁹

Reintegration funds

The Government of Sudan 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 the Region.¹⁶⁰

OR

The Parties invite the International Community and the World Bank to rapidly convene a meeting of international donors after adoption this agreement to support the financing of measures to be undertaken for the purpose of implementing the Agreement, including measures to strengthen local self-government and reform the police services, to address macro-financial assistance to the State, and to support the rehabilitation and reconstruction measures identified in the developed action plan.¹⁶¹

¹⁵⁷ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 3.1.2.

¹⁵⁸ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 3.2.5.

¹⁵⁹ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 3.2.7.

¹⁶⁰ This language is drawn from Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (2005), art. 3.2.4.

¹⁶¹ Language is taken from Macedonia Framework Agreement (2001), Annex 2, para. 3.3.

Child Soldiers

The Government of Sudan shall accord particular attention to the issue of child soldiers. It shall, accordingly, mobilize resources, both within the state and from the International Community, and especially through the Office of the UN Special Representative for Children in Armed Conflict, UNICEF and other agencies, to address the special needs of these children in the existing disarmament, demobilization, and reintegration processes.¹⁶²

¹⁶² This language is drawn from Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, pt. 5, art. XXX.