PEACEWORKS

After the Agreement
WHY THE OVERSIGHT OF PEACE DEALS SUCCEEDS OR FAILS

By Aly Verjee

PEACEWORKS

PEACE PROCESSES

ABOUT THE REPORT

This report examines the institutions established to monitor and oversee peace agreements, how such institutions are designed and function, and why they succeed or fail, based on case studies from Indonesia, Sierra Leone, Sudan, and South Sudan. The project was supported by the Center for Applied Conflict Transformation at the United States Institute of Peace.

ABOUT THE AUTHOR

Aly Verjee was a visiting expert and then senior adviser at USIP from 2017 to 2019, a senior adviser to the Intergovernmental Authority on Development mediation for South Sudan from 2014 to 2015, and deputy and then acting chief of staff of the Joint Monitoring and Evaluation Commission from 2015 to 2016, overseeing the implementation of South Sudan's 2015 peace agreement.

Cover photo: Indonesian president Susilo Bambang Yudhoyono (left) greets former Aceh rebel leaders with the head of Aceh Monitoring Mission, Pieter Feith (second from right), during an August 14, 2006 conference. (Photo by Dita Alangkara/AP)

UNITED STATES INSTITUTE OF PEACE
Making Peace Possible

Contents

Summary

The journey to peace does not end once a peace agreement is signed. Almost every modern peace treaty establishes some form of institution—a committee, commission, or board—to monitor implementation of and compliance with the agreement's provisions. Though the form and precise mandates of these monitoring institutions vary, the drafters of peace agreements often vest significant powers and far-reaching mandates in them. Despite their prominence and their potentially critical role in keeping agreements on track, however, relatively little is known about how these institutions are designed and where and why they are successful.

This report examines four monitoring and oversight mechanisms established in Sierra Leone, Indonesia, Sudan, and South Sudan and considers the retrospective analyses of those who worked on and with these commissions. Based on these case studies, six areas are identified for mediators, negotiators, and peace agreement implementers seeking to design future monitoring mechanisms.

Such monitoring and oversight institutions need credible, full-time leadership to succeed. Planning for monitoring and oversight must start early enough that valuable time at the start of implementation is not lost, particularly where agreements are already tenuous. Ensuring continuity between the peace agreement mediators and the monitoring entities can help provide essential context and understanding as the monitoring process unfolds. Monitoring and oversight mandates should be realistic and matched with appropriate resources so that the activity is meaningful and the institutions can propose or pursue corrective measures if warranted. Clear lines of accountability and reporting procedures can help these institutions to improve their credibility. Finally, rather than exclusively focusing on short-term, technical benchmarks, monitoring and oversight should be conducted with a long time horizon to be able to contribute to a broader consolidation of peace.

Sudanese vice president Ali Osman Mohammed Taha, left, and John Garang, chairman of the Sudanese People's Liberation Army, share a joke before they sign the Comprehensive Peace Agreement on January 9, 2005 in Nairobi, Kenya. (Photo by Karel Prinsloo/AP)

Introduction

Historically, peace agreements focused primarily, if not exclusively, on security arrangements. [But] as the logic of conflict resolution has evolved toward agreements that are more thematically comprehensive, so too have the requirements for [monitoring and oversight mechanisms].

Peace processes do not end once negotiations conclude and agreements are signed. As important as the negotiations are, the most critical phase of any peace process is arguably what follows the talks: implementation. As part of the implementation phase, almost every modern peace agreement establishes some form of institution—a committee, commission, or board—to monitor and oversee implementation of, and determine compliance with, the agreement's provisions. The precise mandate and powers of these entities vary. Some monitoring and oversight mechanisms (MOMs) entail only light-touch monitoring—for example, periodic reporting on the status of implementation to the national government or international organizations. Other MOMs conduct active, day-to-day oversight of a comprehensive range of agreement provisions. In the event of serious problems or crises, they may intervene to correct course or countermand the deleterious actions of other parties. Many peace agreements vest significant powers in the monitoring mechanisms and often allocate them key roles in sustaining the peace agreement.

The widespread inclusion of provisions establishing third-party monitoring mechanisms in peace agreements suggests that both the mediators and the negotiators of an agreement see a need for such mechanisms to be established, even if their intentions for and expectations of these institutions vary considerably. While the most

As the logic of conflict resolution has evolved toward agreements that are more thematically comprehensive, so too have the requirements for [monitoring and oversight mechanisms], although much of the same logic of ceasefire monitoring has been thought to apply to more generalized oversight processes.

important factors in any agreement's success almost certainly are the political commitment of the parties to that accord and how well it addresses the structural causes of conflict, the mandate, form, and performance of any MOM specified in an agreement matter in the broader evaluation of a peace process.[1] Despite their customary inclusion in peace agreements, how such MOMs are designed and function, their composition, and their role in the success or failure of a given peace agreement are topics rarely investigated. If Scott Sagan's claim of institutional isomorphism—namely, that "modern organizations and institutions often come to resemble each other [in their roles, routines, and rituals] . . . not because of competitive selection or rational learning but because institutions mimic each other"—is correct, then understanding how MOMs are designed and function should have broad implications for the work of peacemakers.[2]

Historically, peace agreements focused primarily, if not exclusively, on security arrangements. Therefore, they concentrated on the technical monitoring required to determine compliance with a cessation of hostilities or ceasefire.[3] As the logic of conflict resolution has evolved toward agreements that are more thematically comprehensive, so too have the requirements for MOMs, although much of the same logic of ceasefire monitoring has been thought to apply to more generalized oversight processes.[4]

Five key roles can be discerned for MOMs. First, at a basic functional level, monitoring bodies play a reporting, monitoring, or verification and oversight role with regard to the status of the peace agreement's implementation. Monitoring, as Jane Boulden writes, "is the process of gathering information about a particular activity," and in this way is distinct from verification, which is the process of assessing parties' compliance

with their commitments.[5] Verification, however, is only one subset of oversight, which implies a much broader purview of investigation, analysis, and assessment of both compliance and performance. While the depth, frequency, and accuracy of monitoring, verification, oversight, and reporting may vary, MOMs can measure both political commitment (e.g., whether party A honors its pledge to end hostile propaganda against party B) and technical agreement performance (e.g., nine out of twelve laws were reformed by the required date specified in the agreement). The nature of reports and reporting may be mandated by the peace agreement, determined independently by the MOM, or determined by international bodies such as the UN Security Council or the African Union Peace and Security Council.

Second, like ceasefire monitoring bodies—to which the practice of peace agreement oversight can be traced—MOMs can reduce uncertainty between parties historically suspicious of one another and therefore serve as an agreement safeguard.[6] Madhav Joshi, SungYong Lee, and Roger Mac Ginty note that such "safeguards are often the first mechanisms to be established," although as "(usually temporary) institutional mechanisms that are facilitative of the implementation of the peace accord and work to protect the peace accord."[7] By acting as a reliable third-party source of information, monitoring bodies can address existing asymmetries in information between (former) enemies.

Third, many peace processes require ongoing dialogue and negotiation to make or sustain progress and to overcome challenges, including ambiguities or inconsistencies in agreements or problems that may have not been foreseen at the time an agreement was finalized. MOMs can provide a forum for continuing negotiations or the framework to engage in new talks. Although their formal mandates may not prescribe this

task, by default, monitoring bodies may have to be solution oriented and conduct mediation by another name. This may be particularly necessary when other interim institutions established by a political settlement are only in the formation stage, are distrusted by the parties, or are dysfunctional.

Fourth, MOMs can serve a signaling function to a broader public, both domestic and international. Sean Molloy and Borja Paladini Adell argue that monitoring mechanisms can "offer the general public insights into the progression, regression or inertia of the peace process."[8] Therefore, in their reporting, statements, and general activities, monitoring institutions may provide both real-time and early warning signals as to the prevailing trends of implementation.

Fifth, MOMs can play a key role in ensuring that peace agreement implementation remains inclusive. Much of the inclusivity debate has focused on process-related norms of the inclusion of actors in agreement *negotiations*.[9] If inclusivity is considered critical to fostering the legitimacy and sustainability of formal negotiations, it follows that during the implementation period of an agreement, inclusivity remains vital to retaining legitimacy.[10] If, as Roger Mac Ginty argues, "implementation becomes something that is done to [people] rather than a process in which they are full participants," advocating for inclusivity in negotiations may be inadequate if implementation processes—and the mechanisms designed to oversee such processes—remain exclusive.[11] Joshi, Lee, and Mac Ginty argue for the potential of monitoring bodies to be inclusive, noting that such entities are "in many cases . . . the most inclusive and representative of the institutions [established by peace agreements] due to the vertical integration of various actors and the horizontal distribution of such mechanisms."[12] Nick Ross presents empirical evidence for the inclusive possibilities of MOMs, categorizing four distinct modalities: a requirement for official monitoring bodies to consult with civil society, monitoring and verification conducted by individual civil society organizations (CSOs) or groups of CSOs, the representation of civil society in inclusive commissions, and civil society participation in international monitoring missions. And he notes that "peace agreements have increasingly included a role for civil society in the monitoring and verification of both ceasefires and thematic agreements."[13]

These five functions are normative. But there is also skepticism about the role of MOMs. Arist von Hehn observes that "external monitors almost inevitably have insufficient capacity to monitor the situation without plunging into local networks."[14] Mac Ginty notes that "peace accord monitoring bodies risk becoming yet another arena of competition in a peace process," and focuses his concern for competition on the monitoring body's assessment.[15] And whether these commissions are inclusive or not, to date there is little clear evidence that the participation of civil society in the work of MOMs contributes specifically to more successful implementation of their mandates.

Mandate and intended purpose are just the beginning of any discussion of monitoring and oversight. This report considers both the application of these theoretical purposes of MOMs and practical questions related to the quality, composition, and activities of these institutions. Drawing on interviews conducted in 2018 and 2019 with former participants in and close observers of these MOMs and on the author's direct experience serving with a MOM, this report considers four examples of third-party MOMs, from Sierra Leone, Indonesia, Sudan, and South Sudan, that were established over the decade and a half from 1999 to 2015. These cases were selected as roughly contemporaneous examples that each took different approaches to inclusion, from formal civil society and noncombatant participation to more exclusive approaches, and that differed as well in institutional leadership, composition of membership, and institutional mandates and agendas.

All of these MOMs held important, if sometimes loosely defined, responsibilities in the peace agreements that called for their creation. Most received substantial

Table 1. Common Features of Four Monitoring and Oversight Mechanisms

	Commission for the Consolidation of Peace (Sierra Leone)	Aceh Monitoring Mission (Aceh)	Assessment and Evaluation Commission (Sudan)	Joint Monitoring and Evaluation Commission (South Sudan)
Reporting and monitoring function	Yes	Yes	Yes	Yes
Verification function	Yes	Yes	Yes	Yes
Oversight function	Yes	Yes	No	Yes
Independent/nonpartisan chair	No	Yes	Yes	Yes
Independent/nonpartisan members (other than the chair)	Yes	Yes	Yes	Yes
International membership	No	Yes	Yes	Yes
National membership	Yes	No	Yes	Yes
Civil society membership	Yes	No	No	Yes

international political and financial backing and were led by senior national and international political and diplomatic figures. All the peace agreements considered in this report featured the strong involvement of the respective regional organizations: the Economic Community of West African States (ECOWAS) in Sierra Leone, the Association of Southeast Asian Nations (ASEAN) in Aceh, and the Intergovernmental Authority for Development (IGAD) in the cases of both Sudan and South Sudan, all of which were expected to play key roles in or alongside the oversight bodies. All the MOMs were created outside the framework of the United Nations, despite there being concurrent UN peacekeeping missions in three of the four cases, and historically, the UN would have been the default agency for monitoring compliance with peace agreements if the UN Security Council determined a threat to international peace and security existed.[16] With

the hindsight now possible (all but one of these MOMs are no longer operating), the effectiveness and value of these institutions can be assessed from a longer-term perspective. The results are mixed, as both insiders and external observers attest.[17]

In each of the following case studies—from Sierra Leone, Indonesia, Sudan, and South Sudan—a brief account of the conflict and peace process in each context is followed by a recap of the mandate of the MOM and the key existing literature of the time, then a discussion of the insights derived from the participant and observer interviews conducted more recently for this report. Some of the key distinguishing characteristics of the four commissions examined here are described in table 1, including the nature of the mandate, leadership, and composition of each body.

Ahmed Tejan Kabbah (right), then president of Sierra Leone, sits next to Foday Sankoh, a leader of the Revolutionary United Front, at a dinner for heads of states arriving for peace talks in Togo on July 6, 1999. (Photo by Clement Ntaye/AP)

Sierra Leone: The Commission for the Consolidation of Peace

Civil war in Sierra Leone began in 1991. The Revolutionary United Front (RUF) aimed to overthrow the government, and after a coup d'état in 1992, an initial peace agreement in 1996, and a further coup in 1997, which also elevated the RUF, a subsequent peace process between the civilian government of Sierra Leone and the RUF led to the signing of the Lomé Peace Agreement in March 1999.[18] The Lomé agreement was a power-sharing accord that installed the commander of the RUF as vice president of Sierra Leone and granted a general amnesty to combatants in return for a cessation of hostilities and disarmament by the RUF. While the Lomé accord was ultimately ill-fated—conflict had resumed by 2000—the agreement did create two implementation and oversight mechanisms: the Commission for the Consolidation of Peace (CCP) and the Joint Implementation Commission (JIC).[19]

Article 6 of the Lomé agreement charged the CCP with "the overall goal and responsibility for supervising and monitoring the implementation of and compliance with the provisions of the present Agreement relative to the promotion of national reconciliation and the consolidation of peace" and gave it the authority "to inspect any activity or site connected with the implementation of the present Agreement" and to make "recommendations for improvements or modifications . . . to the President of Sierra Leone for appropriate action." Article 6 also called

Sierra Leone
Adapted from artwork by Rainer Lesniewski/Shutterstock

on the CCP to notify the president of "failures of the structures to perform their assigned duties."

The JIC consisted of members of the CCP, the guarantors, and other international supporters of the agreement, and was chaired by the regional organization the ECOWAS. Its function was to make "recommendations deemed necessary to ensure effective implementation of the present Agreement . . . without prejudice to the functions of" the CCP.[20] Thus, at least from the text of the Lomé agreement, the CCP had the more expansive mandate. Further, the JIC met only quarterly, while the CCP served as the day-to-day oversight entity. The CCP was also one of the first MOMs anywhere in the world to formally require civil society involvement in the peace agreement's oversight process. Of the five commissioners, two were to be appointed by civil society, one by the armed opposition, one by the incumbent government, and one by the parliament.

Despite this inclusive design, however, the CCP was set back from the outset by its partisan leadership. Sierra Leone president Ahmad Tejan Kabbah appointed Johnny Paul Koroma, a former rebel leader, chair of the CCP. Koroma had formed the Armed Forces Revolutionary Council (AFRC), which at one time

was allied with the RUF in its fight against the Sierra Leonean government. But, as Chris Mahony and Yasmin Sooka have argued, the appointment of Koroma alienated the CCP from the RUF "due to disintegrating relations" between the former AFRC and RUF allies and led to the CCP not being "predisposed towards ensuring accommodation of RUF interests (such as an examination of what caused them to take up arms in the first place) and representation within the Commission."[21] Dennis Bright, a former CCP commissioner who, despite his civil society background, was the government appointee to the commission, argues that because of its partisan political leadership, from the outset the CCP "was politically and financially marginalized by both the government and the international community," but that over time, the commission "attracted greater attention and financial support" and "pared down its scope to focus on confidence-building at all levels as a strategy for enhancing the peace process."[22]

Scholarly assessments of the CCP have been largely negative. In his writing about Sierra Leone's peace processes and its numerous commissions, Jeremy Levitt included the CCP in his argument that "these commissions . . . have had minimal impact for innumerable reasons, including official corruption, structural and technical inefficiencies, and untimeliness."[23] Arthur Abraham notes there was no time frame for the implementation of the work of the CCP, while David Francis observes "the serious drawback" of the time limit of the CCP's mandate, writing that the body was "economically irrelevant" for the purposes of a power-sharing agreement.[24]

Nearly twenty years later, Bright reflected that

> although the government proposed me as their representative, they did not set up a channel for me to report to them. We did not have the capacity to act. Mandates are one thing, reality on the ground differed. We needed

a bigger structure. When we needed to do things outright, we had to resort to the UN [mission] for support. It was not very easy to access government. The CCP should have played a key role in the JIC but we did not—our chair affected our participation in the process. There was no serious feedback from him. [The CCP] would have looked different if we had had someone else as chair.

With regard to inclusion, Bright stated that it "also has drawbacks—you have to find something for every party involved, and that isn't always easy. The presence of civil society [in the CCP] put a break on the belligerent kind of discourse, but it doesn't mean we were all thinking the same way."

For another former commissioner, one who represented civil society on the CCP, the commission "wasn't inclusive":

> We had no women in the commission, no disabled as a result of the war. People were thinking largely about warring factions. But we felt we [as civil society] had something to offer, and we had had a huge engagement in the peace process. When we got to the CCP, there were many turning points. . . . [Koroma] always presented himself as if he was in charge. He didn't take our conclusions very seriously. He thought the institution was under his control. [Koroma] used the CCP to set himself up for power. We could have been very powerful, but the real power was with the RUF and Koroma.

Other observers agreed that the RUF's role in the country, and Koroma's role in the CCP, were critical. Said one analyst in 2018:

> The CCP wanted to do more. But oversight was restricted because the RUF was still dominant. The country did not have money to fund those activities. At the same time, it was good to have the rebels there [in the CCP]. Because the commander [Koroma] was involved, it quelled his involvement in the rebel movements, in a situation everyone knew was fragile.

Interviewees suggested that the CCP could have done more if it had been backed more systematically. Resource constraints were a common complaint,

particularly in comparison to the resources extended to the UN peacekeeping mission, but also to other entities established by the Lomé agreement, such as the Truth and Reconciliation Commission. Mahony and Sooka note that the staff of the CCP consisted only of a driver, an accountant, and a messenger.[25] As the former civil society commissioner stated:

> The CCP was not going to do very much. It was not properly resourced. We wanted to have a decentralized structure, but it is impossible for a few people to be everywhere. We didn't have the resource base to do more, which suited the RUF. But the commission did make some good moves: we created some awareness around the peace process, and we were recognized as a point of reference in the process. Wherever we went in the country we were received enthusiastically.

Bright concluded, "We know about this classical superstructure [of monitoring and oversight] but, we have to ask ourselves, is it peace for the ordinary man?" For Bright, the CCP's biggest achievement was a practical, hands-on activity outside its formal mandate—the Bo conference of April 2000, a trust-building meeting that occurred between combatants—rather than any formal task of monitoring and oversight. As Bright observed about the conference, "I can't remember a time when the insurgents had had to meet on Sierra Leonean territory. The precedent had been set. It is possible to see the other side. A little bit of confidence was built."[26]

Four key conclusions can be drawn from the case of the CCP. First, a powerful mandate did not automatically translate into substantive action. Second, greater inclusivity in the commission's membership did not overcome other structural problems, such as a lack of resources or politicized leadership. Third, while Koroma's appointment as chair did not aid the achievement of the commission's mandate, the attention of a potential spoiler may have been diverted. Finally, institutions such as MOMs can be repurposed and make unforeseen contributions, such as to reconciliation.

In the years since the peace agreement between the government of Indonesia and the Free Aceh Movement, Aceh's capital, Banda Aceh, shown here, has grown significantly. (Photo by Taufik Kelana/Shutterstock)

Aceh: The Aceh Monitoring Mission

Historically an independent country, Aceh was incorporated into what became Indonesia during the period of Dutch colonialism. The Free Aceh Movement, known as the Gerakin Aceh Merdeka (GAM), emerged in the 1970s and aimed to achieve Aceh's secession from Indonesia.[27] After twenty-five years of conflict between the central government and GAM, peace talks began in 2000. Agreements reached in 2000 and 2002 failed to hold. It was not until 2005 that a Memorandum of Understanding (MOU) between the government of the Republic of Indonesia and GAM (also known as the Helsinki Agreement) was reached.[28] In this agreement, GAM relinquished its claim to independence and agreed to demobilize its forces and surrender its weapons. The

Jakarta government agreed to permit Aceh a high degree of autonomy over its internal affairs, including fiscal powers to raise and spend its own revenues; to withdraw some military and police personnel; and to grant an amnesty to GAM members. The agreement established the Aceh Monitoring Mission (AMM), comprising monitors from both EU and ASEAN countries.[29] While Acehnese and Indonesian officials participated in the work of the AMM, they were not formal members, nor did they have decision-making roles in the AMM's work. Civil society likewise was not formally part of the mechanism. Some observers felt the AMM could have engaged more widely with civil society and that the engagement it did make was left too late in the life of the mission.[30]

Under articles 5.1 and 5.2 of the MOU, the AMM had the mandate to monitor the implementation of the commitments of the parties to the MOU, and specifically to

- monitor the demobilization of GAM and the decommissioning of its armaments;
- monitor the relocation of nonorganic military forces and nonorganic police troops;
- monitor the reintegration of active GAM members;
- monitor the human rights situation and provide assistance in this field;
- monitor the process of legislation change;
- rule on disputed amnesty cases;
- investigate and rule on complaints and alleged violations of the MOU; and
- establish and maintain liaison and good cooperation with the parties.[31]

While the AMM was rapidly established in September 2005, just days after the Helsinki Agreement was reached, its mission was brief, and it concluded its work just over a year later, in December 2006. Accounts offered shortly after the conclusion of the mission's term were largely positive. The former head of the AMM, Pieter Feith, wrote in 2007 that "crucial to the successful start of the mission was that the parties asked the contributing countries to be present in Aceh from the day the agreement was signed" and that "the mission members were constantly in contact with the parties and civil society representatives, proposing new ideas and running a substantial public information campaign. This was important to create confidence and build trust between the parties."[32] In a 2007 study, Kirsten Schulze cited several reasons for the AMM's success, including the commitment of the parties to the peace process, the leadership and impartiality of the AMM, the quick implementation of the agreement's amnesty provisions and security arrangements, and, controversially, the AMM's lack of focus on the human rights provisions of the agreement, "which made it possible for the AMM

to complete its mission in the sensitive context of Indonesian domestic politics."[33] Similarly, Patrick Barron and Adam Burke noted in 2008 that the AMM's narrow approach "may have been advisable" in the context of Aceh as a means to keep the government of Indonesia "sufficiently comfortable with the proceedings."[34]

Participants and observers interviewed in 2018, reflecting on the experience of the AMM, expressed more mixed views, challenging some of the earlier, positive evaluations of the AMM. As one former GAM member said, "The AMM was good, but left too early." Another said, "Feith was good, but the AMM should not have left Aceh until all points were [implemented]." Another commentator argued that "the AMM was a success in terms of its narrow mandate . . . but [was] not a success in terms of the context. Everyone knows that there were more weapons, perhaps 16,000, post peace-process. [The AMM] was very [stuck] to the number [of weapons mentioned in the agreement]. They could have done more." An Acehnese political observer reflected that

the AMM was a strong point of the MOU. But we needed to establish a transition system for the monitoring, [perhaps] an office of five to ten members to follow up. Now,

the level of trust is low, but [people] don't bother to do anything because they are happy with peace. We agreed on some timelines [in the Agreement], but ten years later they have not happened. Is that a success?

As another Acehnese explained, "The AMM had done a good job [in] 2005–6 on security . . . [delivering] a quick response. . . . In terms of the political issues, AMM has not satisfied us." Directly refuting Schulze's belief that the AMM was successful because it downplayed the human rights dimension of its mandate, he went on: "Is the monitoring of an agreement really successful if it only monitors some things, and not others?"

While, as Feith pointed out in his 2007 article, it is always difficult to find an appropriate time for a mission to leave, the reflections of Acehnese a decade later suggest that even when early progress is made, there is an ongoing role for monitoring and oversight beyond the initial period of implementation. Barron and Burke made this point in 2008, noting that some felt the AMM could have worked more collaboratively with other international actors with a longer-term footprint in Aceh, and that it was "unclear how much the post-AMM

institutional infrastructure . . . was planned in a cohesive way."[35] A formal, near identical follow-on mission may not always be feasible or desirable in light of the financial and logistical limitations of implementation and questions concerning the consent of the host state. Without an agreed-on transition strategy, however, an abrupt end to monitoring may also be problematic. Indonesia, and Aceh in particular, remains vulnerable to destabilizing grievances, as interviewees in Aceh in 2018 conveyed and others have agreed.[36]

Five key conclusions can be drawn from the case of the AMM. First, the rapid establishment of a MOM can sustain an agreement's momentum at a critical juncture. Second, credible leadership matters. Third, downplaying certain aspects of the mandate may improve the likelihood of achieving other aspects of the mandate but may diminish the MOM's overall credibility. Fourth, MOMs without national members that do not systematically consult widely may lose citizens' broader trust. Fifth, monitoring is a process as well as an activity, and initial achievements may fade if there is no strategy for monitoring compliance with commitments in the longer term.

A woman walks through the ruins of the market in Abyei, Sudan, on November 27, 2008. Once a thriving city on the north-south border, Abyei was destroyed during sectarian violence six months earlier. (Photo by Evelyn Hockstein/New York Times)

Sudan: The Assessment and Evaluation Commission

Sudan's civil war was arguably the longest running in Africa. In 2005, after nearly half a century of conflict, the government of Sudan and the predominantly southern Sudanese Sudan People's Liberation Movement/Army (SPLM/A) signed the Comprehensive Peace Agreement (CPA), mediated by the IGAD.[37] For a six-year period, from 2005 to 2011, the CPA established a government of national unity in Khartoum; a semi-autonomous Government of Southern Sudan; and provisions on security arrangements, power and wealth sharing, and constitutional reform. It also provided for a referendum on the continued unity of Sudan and southern Sudan, a vote that eventually led to the secession of South Sudan and its establishment as an independent state in 2011. The CPA called for a dedicated separate MOM, to be known as the Assessment and Evaluation Commission (AEC). The agreement stated that the AEC:

> shall be established during the Pre-Interim Period to monitor the implementation of the [Comprehensive] Peace Agreement and conduct a mid-term evaluation [i.e., by 2008] of the unity arrangements established under the Peace Agreement. . . . The Parties shall work with the [AEC] during the Interim Period with a view to improving the institutions and arrangements created under the Agreement and making the unity of Sudan attractive to the people of South Sudan.[38]

Sudan
Adapted from artwork by Rainer Lesniewski/Shutterstock

> Concern was expressed that the AEC does not have sufficient authority, and having investigated a breach in the agreement, has no means to ensure the guilty party would act on it or suffer consequences. It was also not clear to whom or what body the AEC should report, since the present system where it reports to the presidency is widely held to be ineffective. The argument was made . . . that the AEC should report to IGAD, and although there is no provision in the CPA that suggests such recourse, Tom Vraalsen, Chairman of the AEC, presented a report to the IGAD Council of Ministers in their meeting of 13 April 2007 in Nairobi on matters pertaining to his work at that body's request.[40]

The AEC consisted of equal representation from the government of Sudan and the SPLM/A, as well as representatives of IGAD states and international supporters of the peace process. Its first chair was the Norwegian diplomat Tom Vraalsen, who was succeeded by the British diplomat Sir Derek Plumbly in 2008. Its secretariat was entirely international, and, as one former AEC staffer offered in retrospect, this limited the insights the AEC could glean. "We should have had more [Sudanese] staff in substantive roles," this individual said. Another former AEC official thought that the AEC could have done more to be inclusive in its engagement with Sudanese outside of the commission. "It might have been useful to have had greater civil society consultation in our mandate. . . . While we were pretty inclusive politically, we didn't have inclusion in other areas. We didn't have someone dedicated to media, for example. But when you have a thinly staffed secretariat, these are the choices."

Writing in 2007, John Young argued that the AEC "did not meet the expectations of those who initially proposed it."[39] For Young, the weakness of the AEC was in its mandate, its authority, and ambiguities about its line of reporting:

One diplomat reflected in 2006 that a mistake had been made in not creating greater institutional continuity between the IGAD mediation and the AEC by ensuring that the former mediator, Lazaro Sumbeiywo, was not also part of the AEC. As the diplomat commented, Sumbeiywo was left out "in spite of the good that [Sumbeiywo] could have done [in] providing continuity, and making sure that the AEC was following through or being the conscience of the sides in terms of implementing the Agreement."[41] And by 2010, a year before the CPA concluded, a donor evaluation "found insufficient technical support for the AEC."[42]

In retrospect, those who served on and worked with the AEC also had mixed views about the commission's overall performance. Interviewed in 2018, a former diplomat assigned to Sudan during the CPA noted that the AEC "quickly became less relevant. Nobody questioned whether it was likely to work. These elaborate structures, do they work in the field?" And as a former senior official to the AEC noted:

> We could have had more continuity between Naivasha [site of the IGAD talks] and our work, to understand why things were written the way they were. It was always going to be difficult . . . we didn't receive anything [from the talks]. . . . But when it came to the mandate, it was not necessarily to have been a good thing to have had

more specificity, because that allowed for us to be a bit more flexible. A lot of what these institutions need to do is theatre, successful theatre, a contribution to getting to 2011 [when the CPA was due to conclude].

For another representative to the AEC, "The formal meeting [was] not the most important part of our work. What you do before and after is what mattered. So some of the African members [of the AEC] attended the meetings pro forma, but had no clear agenda while they were there." Reflecting on the change between the first chair of the AEC, who had a reputation for bluntness, and the second chair, who took a more subtle approach, the representative noted that the AEC did not have a compulsory reporting function. AEC reports and minutes of meetings had to be agreed to by the parties and thus were necessarily restrained. The former AEC representative speculated whether it would have made a difference had the AEC been able to report directly to the UN Security Council, insofar as the UN Mission in the Sudan (UNMIS) was also report-ing on the implementation of the agreement. For his part, the former senior official noted that "there was always going to be a problem with parallel institutions." He observed that as head of UNMIS, the UN Special Representative of the Secretary-General, rather than the AEC chair, was perhaps the prime international figure in Sudan, but that the UN had a different set of concerns, many of which were tied to the operational realities of managing a large peacekeeping mission. The issue, the former official continued, was a division of labor. "The UN was never really proactive," he said.

As an example of the AEC's utility, the former official provided two illustrations: the controversial census of 2008 and the contested area of Abyei, which was claimed by both Sudan and South Sudan. We had "an emergency meeting on the census, which helped the parties climb down. With Abyei, there was a flare-up, a real crisis. Our intervention worked, at least for a time, to prevent further escalation." With respect to Abyei, the quick action of the AEC contributed to a

timely de-escalation of a volatile situation. In May 2008, after the Sudan Armed Forces and associated militias attacked and looted Abyei town, AEC chair Plumbly organized an immediate visit of the commission, includ-ing representatives of the parties, to understand the situation on the ground. Seeing the situation firsthand led to an early agreement between the parties to re-store security. In both examples, the census and Abyei, the AEC clearly exceeded its sparse mandate in the CPA, but its interventions were ultimately accepted by the parties. In a sense, therefore, the AEC "reinvented itself," the former official said.

However, this reinvented purpose was not necessarily sustained throughout the period of implementation, nor was it felt equally throughout the country. As another former representative to the AEC noted:

> I agree at the outset there was a useful role for the AEC to play. [But as time went on], particularly after the mid-term report of the AEC [in 2008] there was a gradual transi-tion. The AEC was a weak commission with not a lot of independence. And there was a limited presence outside of Khartoum. . . . Opening the AEC office in Juba was a big step. [By the later stage of the agreement], I don't know if the AEC made a difference at that time. I don't know if we needed a repurposed AEC at that point.

Five key conclusions can be drawn from the case of the AEC. First, the AEC suffered from a weak mandate and ambiguous lines of reporting. Second, the AEC was under-resourced in terms of both the scope and diversity of its personnel. Third, there was a lack of continuity between the CPA mediation and the imple-mentation process. Fourth, more positively, effective leadership from 2008 allowed the AEC to build strong relations with both parties to the CPA, and to intervene in crises. Fifth, noting that Darfur was at the center of international attention for much of the CPA implemen-tation period, the AEC helped keep international actors focused to some extent on CPA implementation, at least until 2010.

A man carries the flag of South Sudan through the streets of Juba on July 8, 2011, the day before South Sudan officially became an independent nation. (Photo by Tyler Hicks/New York Times)

South Sudan: The Joint Monitoring and Evaluation Commission

South Sudan became independent from Sudan in 2011. In December 2013, violent conflict in Juba, the capital of South Sudan, led within days to a full-blown civil war between the government of South Sudan and dissident factions of the national army and local militias.[43] IGAD quickly launched peace talks. After twenty months of on-again, off-again negotiations, the Agreement on the Resolution of the Conflict in South Sudan (ARCSS) was reached in August 2015.[44] The agreement called for the establishment, within fifteen days of the signing of the ARCSS document, of a Joint Monitoring and Evaluation Commission (JMEC), to "be responsible for monitoring and overseeing the implementation of the [Agreement] and the mandate and tasks of the

[Transitional Government of National Unity], including the adherence of the Parties to the agreed timelines and implementation schedule."[45] The JMEC was to oversee the work of all the transitional institutions established by the ARCSS and recommend and report corrective action in the case of "serious deficiencies" in the implementation of the agreement. The commission was required to report to both national and international bodies, including the African Union Peace and Security Council and the UN Security Council. It was to be "chaired by a prominent African personality" and was to have an "independent secretariat" with its own dedicated funding.[46]

South Sudan
Adapted from artwork by Rainer Lesniewski/Shutterstock

Ethiopia, as chair of IGAD and leader of the mediation, also led the process to select and appoint the first chairperson of JMEC. It took several months to develop a short list of candidates. Festus Mogae, president of Botswana from 1998 to 2008, became the top choice and, after a process of consultation with the other IGAD states, was offered and accepted the position. Mogae was selected for several reasons. First, he was seen as a highly competent leader who had left power after two successful terms in office. Second, as a trained economist and former civil servant, he had a techno-cratic bent, while also having been in politics. Third, because he was a former president, some felt that South Sudan's president, Salva Kiir, would respect him and take him more seriously than he would a figure of ambassadorial or envoy rank of lesser stature. Finally, Botswana was far removed from the regional politics of the Horn of Africa and was not perceived as biased toward the position of one faction or another, or toward any of the regional countries. However, more than three critical months passed before Mogae could begin the JMEC's operations in-country. It was not until late November 2015 that the JMEC took meaningful action and convened its first meeting.[47]

The JMEC was "joint" in the sense that its membership was exactly half South Sudanese and half international. It included representation from civil society, youth, the business community, and women's groups. At least on paper, the JMEC seemed to have some potential. As one former representative to Sudan's AEC observed, "JMEC learned some of the AEC lessons in design," notably in the specificity of its mandate and in allowing its chair to report independently of the parties. Two members of the IGAD mediation secretariat (including the author of this report) were appointed to senior positions at the JMEC, providing a degree of institution-al memory and continuity.[48] The government of South Sudan, however, strenuously opposed the institution

of an oversight mechanism from the outset, arguing in August 2015 that "the provisions of [the ARCSS] makes JMEC the governing authority of the Republic of South Sudan. Neither the government nor the National Legislature will have a role to play."[49] The government quickly targeted JMEC's personnel, including both Mogae and his secretariat, and Mogae expressed concern for his safety several times. As Kate Almquist Knopf has observed, however, neither the IGAD mem-ber states nor the United States took sufficient action to back the JMEC when it was attacked, "fostering the parties' disregard for these mechanisms."[50]

There were at least four reasons for this lack of broad-er political backing for the JMEC. First, the relative regional unity of effort that brokered the ARCSS dimin-ished significantly after August 2015, when the prin-cipal negotiations ended. Second, with the shift from negotiations outside the country to implementation within South Sudan, many diplomatic representatives in Juba were worried about antagonizing their host government on this matter. Third, in an attempt to main-tain relations with the government, Mogae was initially restrained in response to the government's attacks and did not succeed in pushing the region to give JMEC its unequivocal backing. Fourth, few international

organizations recognized at the time just how precarious South Sudan's peace agreement was. By the time crisis arrived, it was too late for an effective oversight mechanism to impel a change of direction.

With the effective collapse of the ARCSS in July 2016 and South Sudan's return to full-blown conflict only eight months after the JMEC first started operations, the balance of monitoring shifted significantly toward security and ceasefire violations and was therefore the purview of the separate ceasefire monitoring commission established by the ARCSS. Eventually the JMEC repurposed itself as a mediator. With IGAD's South Sudan mediation office largely disbanded, JMEC staff effectively served as the secretariat for the renewed IGAD mediation process, known as the High Level Revitalization Forum, which led to a revised peace agreement in September 2018. Though that agreement remains imperiled, it has endured longer than its antecedent.[51]

Ultimately, however, the JMEC did not meet expectations. It allowed itself to be dictated to by the parties. At an early stage, it permitted deviations from the text of the ARCSS, for example with respect to the ministerial selection process in December 2015, which signaled to the parties that further deviations would be tolerated, or at least not resisted. The JMEC rarely took or recommended corrective action. Though Mogae made some

robust calls to the international community, demanded accountability, and set in motion the events that led to the resumption of the peace process, he was a part-time, frequently absent chair.[52] He did not move quickly to build the institution and was not able to resist the many pressures on him; he was probably better suited to the role of mediator rather than monitor.[53]

Once the government of South Sudan knew Mogae could be intimidated, its fear of the JMEC's power waned, and steadily, many of the provisions to make the JMEC a more inclusive institution were co-opted or resisted. For example, in an effort to suppress critical voices and boost the number of meeting attendees in favor of government views, numerous attempts were made to replace independent civil society representatives with individuals more sympathetic to government positions. Similarly, acquiescing to demands from some IGAD member states that certain positions in the secretariat were to be held by individuals they favored or wished to reward meant that JMEC lost much of the potential to be internally coherent. With many of the donor nations agreeing only to second personnel rather than let the JMEC hire its own senior experts, institutional loyalties and lines of reporting were divided rather than flowing unequivocally to the institution's chair. Overall, as one former representative to the commission put it, with the JMEC there was always "a persistent sense of missed opportunity."

Findings and Recommendations

Each of these case studies shows the potential of MOMs, often beyond the formal mandates laid out in their founding peace agreements. In Sierra Leone, the CCP provided a formal role for civil society to continue to express its concerns even after the peace talks were over, and it was able to convene former combatants in a way few had thought possible. In Aceh, the AMM oversaw some demilitarization and decommissioning of arms, as required by the Helsinki Agreement. In Sudan, the AEC played a de-escalatory role in several crises during the CPA, and ultimately the agreement held for the full six years required. In South Sudan, the JMEC played a key role in establishing the foundation for new peace talks and helped mediate a revised peace agreement.

But the case studies also show the deficiencies and weaknesses of such institutions in practice. In Sierra Leone, Aceh, and South Sudan, each of the MOMs retreated from its formal mandate, either because of a lack of resources (Sierra Leone), or because of political sensitivities (Aceh, South Sudan), or because of the character, capabilities, or deliberate judgment (or some combination of these three factors) of the institutional leadership (all cases). In Sudan, the lack of specificity in the oversight role of the AEC meant it was relatively limited in how much it could do to shape events, but its full-time leadership meant strong relationships could be built over time. In Aceh, too, impressions of the AMM leadership were largely positive, although the brevity of the mission detracted from its achievements. In Sierra Leone, the membership of the commission, rather than its chair, was its strength, although ultimately the partisanship of its top official limited its potential for effectiveness. In Sierra Leone and South Sudan, broad mandates for the MOMs did not prevent the peace agreements from failing, nor were they sufficient for either the CCP or the JMEC to mitigate its respective crises.

While the nature and practice of inclusion varied across all four cases, with Sierra Leone and South Sudan both formally including civil society in their commissions, while Aceh and Sudan did not, the presence or absence of formal civil society representation did not necessarily have a decisive impact on the trajectory of any case. Where resistance to inclusion did occur, such as in the JMEC, it was only one of numerous challenges that arose.[54] Where inclusion did make a positive difference, perhaps, was in encouraging broader consultation outside the walls of the respective commission, though in the cases of Aceh and Sudan, it was incumbent on the largely international staff of the commissions to undertake inclusion, and the results were mixed. However, there are also potentially negative aspects to inclusion, including greater vulnerability to political or factional influence from other parties, as happened in South Sudan, and when inclusion is understood as code for political accommodation, as happened for some in Sierra Leone.

Determining whether an oversight mechanism is successful is inextricably linked to the broader course and fate of the peace process. Sufficient political will and the interests of the parties to a conflict to honor their commitments remain paramount. In isolation, the performance of a MOM will rarely be a decisive factor in the consolidation of peace or a return to conflict. However, better-performing institutions—as in Aceh— are more likely to make a lasting contribution to an effective peace process, and poorly performing institutions may only worsen the prospects for lasting peace. At the same time, even when MOMs perform well, their overall contribution may be limited if the environment in which they operate is unsupportive. If a MOM's recommendations for corrective action are made but not

Indonesian president Susilo Bambang Yudhoyono (center), his deputy Jusuf Kalla, (right), and the Parliament Speaker Agung Laksono (left), watch the tele-vised signing in Helsinki of the peace agreement between the government and Acehnese rebels on August 15, 2005. (Photo by Dita Alangkara/AP)

pursued by the parties or supported by the regional and international community, the MOM is likely to be weakened. If robust support is not forthcoming when the work of a MOM is deliberately undermined or obstructed by the parties, the MOM will be diminished, as the case of the JMEC demonstrates.

The circumstances of every conflict and peace process will be different. However, for mediators and negotiators seeking to design future MOMs, there are at least six cross-cutting issues to consider.

First, leadership matters. A credible, competent senior leader with integrity, one who is present full time, is needed to drive the institution forward. Partisan leadership, as in Sierra Leone, will make it difficult for the institution to gain credibility, and part-time oversight is likely to be less effective, as in South Sudan.

Second, preparations need to begin before the agreement is signed. It is notable that the rapidity with which the AMM was established was a key factor in sustaining both the momentum of the Helsinki Agreement and the sense that the situation on the ground was truly changing, and in communicating that the AMM was serious about its work. It is critical that monitoring and oversight institutions get off to a good start, to show that they have clear intent and purpose and sufficient resources to truly monitor the agreement of concern and, if necessary, to help keep it on track. The delays in establishing the JMEC in South Sudan and the lack of resources available for the CCP in Sierra Leone meant that each institution struggled to leave its mark from the outset of the peace agreement's implementation, and by the time they were operational, they struggled to catch up, if indeed they ever did.

Third, MOMs benefit from continuity with the mediation that came before them. It is much more challenging to start from scratch. In the cases of Sierra Leone, Aceh, and South Sudan, intimate knowledge of the mediation process was an aid to the establishment of the follow-on mechanisms and, to a degree, to their ongoing work. The leadership of the AEC largely lacked this institutional memory, which made implementation and understanding of the highly complex CPA even more difficult, particularly as the signatories had greater knowledge of the intent and nature of the provisions than did those who were charged to monitor them.

Fourth, realistic mandates matter. While broad and expansive mandates may be appropriate in some cases, without a concomitant matching of expertise, capacity, and resources, such mandates are unlikely to be achieved. It is even more crucial that the parties to the agreement accept the powers of the MOM. This is a point for negotiators to focus on before the agreement is concluded rather than haggling over it during implementation. At the same time, an overly limited or ambiguous mandate can devalue the purpose of monitoring and oversight. Retreating from certain points of an institutional mandate as prescribed by a peace agreement may also be problematic, particularly in the early stages of implementation. With the knowledge that many peace processes do falter, it seems logical that mediators and peacemakers should attempt to design and include institutions that have the power to take corrective action during the implementation period, when warranted, while recognizing that these institutions cannot solve every problem.

Fifth, there need to be clear lines of accountability. It should be clear to whom MOMs are responsible, both internally and externally. The institution's chair should have sufficient autonomy to take action, particularly in the matter of independent reporting. At the same time, lines of reporting should not be interwoven when multiple and potentially overlapping institutions are being established, both within the set of transitional arrangements initiated by a peace agreement and within the broader international institutional architecture. This may be particularly important in countries where a UN peacekeeping mission is operating concurrently (as was the case in Sierra Leone, Sudan, and South Sudan).

Finally, accept a long-term commitment. As has also been observed with regard to ceasefire monitoring, the success of broader monitoring and oversight may require that these institutions and their backers have a lengthier involvement.[55] The work of these commissions is unique and does not necessarily end with the calendar end of the agreement, even if that is the point at which an official mandate is extinguished. While a formal exit plan for the MOM may be possible to devise and agree on in some circumstances, thinking about the post-agreement phase is necessary in all cases. In some situations, a formal follow-on mechanism may be appropriate and possible. In others, the monitoring body could consider transferring certain aspects of reporting and monitoring to civil society. It could aid whatever monitoring efforts or intentions already exist by formally securing the consent of the relevant parties to, and supporters of, the agreement to such future activity. Such planning must be adaptive and should consider how institutional memory and documents can be appropriately saved and made accessible for future mediators and negotiators, as well as citizens, particularly when the risk of conflict recurrence remains high.

Notes

1. Roger Mac Ginty, "No War, No Peace: Why So Many Peace Processes Fail to Deliver Peace," *International Politics* 47 (2010): 145–62; Jasmine-Kim Westendorf, *Why Peace Processes Fail: Negotiating Insecurity after Civil War* (Boulder, CO: Lynne Rienner, 2015); Stefan Wolff, "The Making of Peace: Processes and Agreements," *Armed Conflict Survey* 4, no. 1 (2018): 65–80; and Stephen John Stedman, Donald Rothchild, and Elizabeth M. Cousens, eds., *Ending Civil Wars: The Implementation of Peace Agreements* (Boulder, CO: Lynne Rienner, 2002).
2. Scott Sagan, "Why Do States Build Nuclear Weapons? Three Models in Search of a Bomb," *International Security* 21, no. 3 (1996): 74.
3. Wilton Park, "Report on Wilton Park Conference 597: Monitoring and Verifying Peace Agreements," Wilton Park Paper no. 151, 2000; and Jane Boulden, "The Verification and Monitoring of Peace Accords," *Disarmament Forum* 49 (2000): 45–52.
4. Aly Verjee, "Ceasefire Monitoring in South Sudan 2014–2019: 'A Very Ugly Mission,'" Peaceworks no. 150, United States Institute of Peace, August 2019, www.usip.org/publications/2019/08/ceasefire-monitoring-south-sudan-2014-2019-very-ugly-mission.
5. Boulden, "The Verification and Monitoring of Peace Accords," 45.
6. Michaela Mattes and Burcu Savun, "Information, Agreement Design, and the Durability of Civil War Settlements," *American Journal of Political Science* 54, no. 2 (2010): 511–24.
7. Madhav Joshi, SungYong Lee, and Roger Mac Ginty, "Built-in Safeguards and the Implementation of Civil War Peace Accords," *International Interactions* 43, no. 6 (2017): 995.
8. Borja Paladini and Sean Molloy, "More Inclusive Monitoring of Peace Agreement Implementation: Barometer Initiative in Colombia," in "Navigating Inclusion in Peace Processes," ed. Andy Carl, *Accord* 28 (March 2019), www.c-r.org/accord/inclusion-peace-processes/more-inclusive-monitoring-peace-agreement-implementation-barometer.
9. Corinne von Burg, "On Inclusivity: The Role of Norms in International Peace Mediation," Swisspeace, March 2015 , www.swisspeace.ch/publications/essentials/on-inclusivity-the-role-of-norms-in-international-peace-mediation; Thania Paffenholz, "Can Inclusive Peace Processes Work?," Inclusive Peace & Transition Initiative and the Graduate Institute of International and Development Studies, April 2015, www.inclusivepeace.org/sites/default/files/IPTI-CCDP-Can-Inclusive-Processes-Work.pdf; Colette Rausch and Tina Luu, "Inclusive Peace Processes Are Key to Ending Violent Conflict," Peace Brief no. 222, United States Institute of Peace, May 5, 2017, www.usip.org/publications/2017/05/inclusive-peace-processes-are-key-ending-violent-conflict; and United Nations, "Guidance for Effective Mediation," July 2012, http://peacemaker.un.org/guidance-effective-mediation.
10. Véronique Dudouet and Stina Lundström, "Post-War Political Settlements: From Participatory Transition Processes to Inclusive State-Building and Governance," Berghof Foundation, December 2016, 9–10, www.berghof-foundation.org/fileadmin/redaktion/Publications/Papers/IPS_Synthesis_Report_web.pdf.
11. Roger Mac Ginty, *No War, No Peace: The Rejuvenation of Stalled Peace Processes and Peace Accords* (New York: Palgrave Macmillan, 2006).
12. Joshi, Lee, and Mac Ginty, "Built-in Safeguards," 1001.
13. Nick Ross, "Civil Society's Role in Monitoring and Verifying Peace Agreements: Seven Lessons from International Experiences," Inclusive Peace & Transition Initiative, January 2017, 9–10, www.inclusivepeace.org/content/civil-society-monitoring-verifying-peace-agreements-seven-lessons.
14. Arist von Hehn, *The Internal Implementation of Peace Agreements after Violent Intrastate Conflict* (Leiden: Brill, 2011), 96.
15. Mac Ginty, *No War, No Peace,* 96.
16. The UN Mission in Sierra Leone was mandated to cooperate with the government of Sierra Leone and the other parties to the peace agreement in the implementation of the Lomé Agreement. The UN Mission in Sudan had a mandate to support implementation of the Comprehensive Peace Agreement, and also reported on the status of implementation of the agreement. The UN Mission in South Sudan saw its mandate revised to require it to support the Joint Monitoring and Evaluation Commission (JMEC), and it sat as a member of the JMEC.

17. The JMEC in South Sudan was reconstituted following a 2018 peace agreement.

18. For further background on the conflict in Sierra Leone, see Arthur Abraham, "Dancing with the Chameleon: Sierra Leone and the Elusive Quest for Peace," *Journal of Contemporary African Studies* 19, no. 2 (2001): 205–28; Abiodun Alao and Comfort Ero, "Cut Short for Taking Short Cuts: The Lomé Peace Agreement on Sierra Leone," *Civil Wars* 4, no. 3 (2001): 117–34; Yusuf Bangura, "Strategic Policy Failure and Governance in Sierra Leone," *Journal of Modern African Studies* 38, no. 4 (2000): 551–77; Ismail Rashid, "The Sierra Leone Civil War and the Remaking of ECOWAS," *Research in Sierra Leone Studies* 1, no. 1 (2013); and Helga Malmin Binningsbø and Kendra Dupuy, "Using Power-Sharing to Win a War: The Implementation of the Lomé Agreement in Sierra Leone," *Africa Spectrum* 44, no. 3 (2009): 87–107.

19. "Peace Agreement between the Government of Sierra Leone and the RUF (Lomé Peace Agreement)," July 7, 1999, https://peacemaker.un.org/sierraleone-lome-agreement99.

20. "Lomé Peace Agreement," art. 33.

21. Chris Mahony and Yasmin Sooka, "The Truth about the Truth: Insider Reflections on the Sierra Leonean Truth and Reconciliation Commission (TRC)," in *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone*, ed. Kirsten Ainley, Rebekka Friedman, and Chris Mahony (New York: Palgrave Macmillan, 2015), 241–64.

22. Dennis Bright, "Implementing the Lomé Peace Agreement," Accord 9 (September 2000), www.c-r.org/accord/sierra-leone/implementing-lom%C3%A9-peace-agreement.

23. Jeremy Levitt, *Illegal Peace in Africa: An Inquiry into the Legality of Power Sharing with Warlords, Rebels and Junta* (Cambridge: Cambridge University Press, 2012), 82.

24. Abraham, "Dancing with the Chameleon"; and David Francis, "Torturous Path to Peace: The Lomé Accord and Postwar Peacebuilding in Sierra Leone," *Security Dialogue* 31, no. 3 (2000): 363, 365.

25. Mahony and Sooka, "The Truth about the Truth," 38.

26. Bright, "Implementing the Lomé Peace Agreement," 38.

27. For further background on the conflict in Aceh, see William C. Younce, *Indonesia: Issues, Historical Background and Bibliography* (New York: Nova Science, 2001), 19–23; Kirsten E. Schulze, "The Free Aceh Movement (GAM): Anatomy of a Separatist Organization," Policy Studies no. 2, East-West Center, 2004, www.eastwestcenter.org/publications/free-aceh-movement-gam-anatomy-separatist-organization; Patrick Barron, Samuel Clark, and Muslahuddin Daud, "Conflict and Recovery in Aceh: An Assessment of Conflict Dynamics and Options for Supporting the Peace Process, Social Development Notes no. 22, World Bank, 2005, https://openknowledge.worldbank.org/handle/10986/11220; and Edward Aspinall, *Islam and Nation: Separatist Rebellion in Aceh, Indonesia* (Stanford, CA: Stanford University Press, 2009).

28. Edward Aspinall, "The Helsinki Agreement: A More Promising Basis For Peace in Aceh?," Policy Studies no. 20, East-West Center, www.eastwestcenter.org/publications/helsinki-agreement-more-promising-basis-peace-aceh.

29. Pierre-Antoine Braud and Giovanni Grevi, "The EU Mission in Aceh: Implementing Peace," Occasional Paper no. 61, European Union Institute for Security Studies, December 2005, www.iss.europa.eu/content/eu-mission-aceh-implementing-peace.

30. Christine Beeck, "Re-paving the Road to Peace: Analysis of the Implementation of DD&R (Disarmament, Demobilization and Reintegration) in Aceh, Indonesia," BICC Brief no. 35, Bonn International Center for Conversion, 2007, 32 , www.bicc.de/uploads/tx_bicctools/brief35.pdf; Patrick Barron and Adam Burke, "Supporting Peace in Aceh: Development Agencies and International Involvement," Policy Studies no. 47, East-West Institute, 2008, 28.

31. "Memorandum of Understanding between the Government of the Republic of Indonesia and the Free Aceh Movement," arts. 5.1 and 5.2, https://peacemaker.un.org/indonesia-memorandumaceh2005.

32. Pieter Feith, "The Aceh Peace Process: Nothing Less than Success," Special Report no. 184, United States Institute of Peace, March 2007, www.usip.org/publications/2007/03/aceh-peace-process-nothing-less-success.

33. Kirsten Schulze, "Mission Not So Impossible: The Aceh Monitoring Mission and Lessons learned for the EU," Friedrich Ebert Stiftung, July 2007, http://library.fes.de/pdf-files/id/04786.pdf.

34. Barron and Burke, "Supporting Peace in Aceh," 29.

35. Barron and Burke, "Supporting Peace in Aceh," 27.

36. Sana Jaffrey, "Sustaining Peace: Making Development Work for the Prevention of Violent Conflicts. Case Study: Indonesia," report prepared for the UN-World Bank Joint Study on Conflict Prevention, 2017.

37. For further background on the conflict in Sudan, see Douglas Johnson, *The Root Causes of Sudan's Civil Wars: Old Wars and New Wars* (Bloomington, IN: James Currey, 2016); and Robert O. Collins, *A History of Modern Sudan* (Cambridge: Cambridge University Press: 2008).

38. "The Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army," Machakos Protocol, art. 2.4, https://unmis.unmissions.org/sites/default /files/old_dnn/cpa-en.pdf.

39. John Young, "Sudan IGAD Peace Process: An Evaluation," *Sudan Tribune*, May 30, 2017, 17, www.sudantribune.com/IMG/pdf /Igad_in_Sudan_Peace_Process.pdf.

40. Young, "Sudan IGAD Peace Process," 3.

41. United States Institute of Peace and the Association for Diplomatic Studies and Training, "Sudan Experience Project Interview no. 16," 2006, www.usip.org/sites/default/files/file/resources/collections/histories/sudan/16.pdf.

42. Netherlands Ministry of Foreign Affairs, "Aiding the Peace: A Multi-donor Evaluation of Support to Conflict Prevention and Peacebuilding Activities in Southern Sudan 2005–2010," January 12, 2010, www.government.nl/ministries/ministry-of-foreign -affairs/documents/reports/2010/12/01/summary-aiding-the-peace-a-multi-donor-evaluation-of-support-to-conflict-prevention -and-peacebuilding-activities-in-southern-su.

43. For further background on the conflict in South Sudan, see Alex de Waal, "When Kleptocracy Becomes Insolvent: Brute Causes of the Civil War in South Sudan," *African Affairs* 113, no. 452 (July 2014): 347–69; and Kate Almquist Knopf, "Ending South Sudan's Civil War," Council Special Report no. 77, Council on Foreign Relations, November 2016, www.cfr.org/report/ending-south-sudans-civil-war.

44. For further background on the negotiations of the 2015 peace agreement in South Sudan, see Zach Vertin, "A Poisoned Well: Lessons in Mediation from South Sudan's Troubled Peace Process," International Peace Institute, April 2018, www.ipinst.org /wp-content/uploads/2018/04/1804_Poisoned-Well.pdf; and Sarah M. H. Nouwen, Laura M. James, and Sharath Srinivasan, eds., *Making and Breaking Peace in Sudan and South Sudan: The Comprehensive Peace Agreement and Beyond* (Oxford: Oxford University Press, 2020).

45. "Agreement on the Resolution of the Conflict in the Republic of South Sudan," August 17, 2015, chap. 7, https://peacemaker.un .org/node/2676.

46. After September 2018 and the reconfiguration of Agreement on the Resolution of the Conflict in South Sudan (ARCSS) to become the Revitalized ARCSS, the JMEC was also modified to become the Reconstituted JMEC. All of the provisions concerning the JMEC were retained in the Reconstituted JMEC.

47. JMEC, "JMEC Issues Plan for Implementation of the Peace Agreement," December 16, 2015.

48. Abdeta Dribissa Beyene, who had served as the mediation's chief of staff, was appointed JMEC chief of staff and served in that position from November 2015 to January 2016 before resigning because of intimidation.

49. Government of the Republic of South Sudan, "The Reservations of the Government of the Republic of South Sudan on the IGAD-Plus 'Compromise Agreement on the Resolution of the Conflict in the Republic of South Sudan,'" 6.

50. Knopf, "Ending South Sudan's Civil War," 13.

51. Aly Verjee, "South Sudan's High-Level Revitalization Forum: Identifying Conditions for Success," Peace Brief no. 228, United States Institute of Peace, August 2017, www.usip.org/publications/2017/08/south-sudans-high-level-revitalization-forum.

52. See, for example, JMEC, "Statement by the JMEC Chairperson to the AU Peace and Security Council," January 29, 2016; JMEC, "Statement by H. E. Festus G. Mogae, Chairman of JMEC, to the 31st Extraordinary Summit of IGAD on 12th June 2017," June 12, 2017, www.jmecsouthsudan.com/index.php/jmec-statements/item/146-statement-by-h-e-festus-g-mogae-chairman-of-jmec -to-the-31st-extraordinary-summit-of-igad-on-12th-june-2017; and JMEC, "JMEC Calls On UN Security Council to Revisit 'Consequences' for Ceasefire Non-Compliance," January 25, 2018, www.jmecsouthsudan.org/index.php/press-release/item /252-jmec-calls-on-un-security-council-to-revisit-consequences-for-ceasefire-non-compliance.

53. Mogae stepped down as chair of the JMEC in September 2018.

54. Esra Cuhadar, "Understanding Resistance to Inclusive Peace Processes," Peaceworks no. 159, United States Institute of Peace, March 2020, www.usip.org/publications/2020/03/understanding-resistance-inclusive-peace-processes.

55. Wilton Park, "Report on Wilton Park Conference 597."

ABOUT THE INSTITUTE

The United States Institute of Peace is a national, nonpartisan, independent institute, founded by Congress and dedicated to the proposition that a world without violent conflict is possible, practical, and essential for US and global security. In conflict zones abroad, the Institute works with local partners to prevent, mitigate, and resolve violent conflict. To reduce future crises and the need for costly interventions, USIP works with governments and civil societies to help their countries solve their own problems peacefully. The Institute provides expertise, training, analysis, and support to those who are working to build a more peaceful, inclusive world.

THE UNITED STATES INSTITUTE OF PEACE PRESS

Since its inception in 1991, the United States Institute of Peace Press has published hundreds of influential books, reports, and briefs on the prevention, management, and peaceful resolution of international conflicts. All our books and reports arise from research and fieldwork sponsored by the Institute's many programs, and the Press is committed to expanding the reach of the Institute's work by continuing to publish significant and sustainable publications for practitioners, scholars, diplomats, and students. Each work undergoes thorough peer review by external subject experts to ensure that the research and conclusions are balanced, relevant, and sound.

PEACEWORKS

Almost every modern peace agreement establishes some form of monitoring and oversight mechanism to report on the implementation of and compliance with the deal's provisions. These monitoring committees, commissions, and boards are often key to an agreement's success or failure, yet little comparative analysis of such institutions is available. Drawing on case studies from Sierra Leone, Indonesia, Sudan, and South Sudan, this report offers an assessment of the monitoring and oversight mechanisms established after the peace agreements in these four countries. It describes the strengths and limitations of the monitoring institutions and how each addressed the challenges of inclusion. The reflections of those who served on and closely observed these commissions round out the most important lessons to consider for those designing future monitoring mechanisms.

OTHER USIP PUBLICATIONS

- *Nonviolent Action in Myanmar: Challenges and Lessons for Civil Society and Donors* by La Ring, Khin Sandar Nyunt, Nist Pianchupat, and Shaazka Beyerle (Special Report, September 2020)
- *Curbing Corruption after Conflict: Anticorruption Mobilization in Guatemala* by Walter Flores and Miranda Rivers (Special Report, September 2020)
- *North Korean Phone Money: Airtime Transfers as a Precursor to Mobile Payment System* by Yonho Kim (Special Report, September 2020)
- *Lessons Learned in the Search for COVID-19 Ceasefires* by Tyler Jess Thompson (Special Report, September 2020)
- *How to Engage the Enemy: The Case for National Security Diplomacy with North Korea* by Van Jackson (Special Report, September 2020)

UNITED STATES
INSTITUTE OF PEACE
Making Peace Possible

2301 Constitution Avenue NW
Washington, DC 20037
202.457.1700
www.USIP.org