'Predictable Unpredictability': Catalysts, Challenges and Areas of Contention in Renegotiating Interim Governance in Peace Processes

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Interim Governance in Peace Agreements

• Between 1990 to 2015:
  • 40 conflict zones
  • 87 documents
  • 6% of 1518 known peace agreements (PA-X 2018).

• Interim/transitional governance part of larger sequence
  • Ceasefire > interim government > (legislative/constituent assembly elections) > (national dialogue) > constitutional reform > constitutional referendum > elections (UN 2015)
Content Comparison: Peace agreements with and without interim governance arrangements

- State Definition
- Political Institutions
- Elections
- Constitutional Reform
- Judicial Reform - Courts
- Political Powersharing
- PS - State level
- PS - Executive
- Democracy (General)
- Human Rights (General)
- Development
- TJ - National Reconciliation
- Media
- Women
- Civil Society
- Security Guarantees
- SSR - Police
- SSR - Armed Forces
- Enforcement

% in Peace Agreements (General) vs % in IGAs

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<table>
<thead>
<tr>
<th>Sequecing/Timeline Rigidity</th>
<th>Arrangement Comprehensiveness</th>
<th>Minimalist</th>
<th>Maximalist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strict</td>
<td></td>
<td>Comoros, Agreement for Management of Interim Phase, 2010</td>
<td>Burundi, Arusha Accords, 2000</td>
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<td>Philippines, Annex to FAB, 2014</td>
<td>Iraq, TAL, 2003,</td>
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<td>Gabon, Accord de Paris, 2004</td>
<td>Sudan, CPA, 2005</td>
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<td>Liberia, Cotonou Agreement, 1993</td>
<td>Yemen, GCC Implementation Mechanism, 2011</td>
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<td>Kenya, Collective Transitional Documents, 2008</td>
<td>South Sudan, Areas of Agreement, 2015</td>
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<td></td>
<td>Togo, Inter-Togolese Dialogue, 2006</td>
<td>Lebanon, Doha Agreement, 2008</td>
<td>Sierra Leone, Lomé Accords, 1999</td>
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GCC Initiative, 2011

SSR
(Form review Committee
(Day 5)

Transitional Government (Day 14)

Elections (Day 90)

Transitional Government

Elections

Security Track

Political Track

Constitutional Track

National Dialogue (Day 270)

Constitution Drafting

Referendum

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## Countries with re-negotiated Interim Governments

<table>
<thead>
<tr>
<th>Country</th>
<th>Time Periods</th>
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<tbody>
<tr>
<td>Afghanistan</td>
<td>1992-1993</td>
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<tr>
<td>Angola</td>
<td>1994-1998</td>
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<tr>
<td>Burundi</td>
<td>1994-2000</td>
</tr>
<tr>
<td>Central African Republic</td>
<td>2012-2016</td>
</tr>
<tr>
<td>Comoros</td>
<td>1997-2010</td>
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<tr>
<td>Liberia</td>
<td>1989-2003</td>
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<tr>
<td>Libya</td>
<td>2011-Ongoing</td>
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<tr>
<td>Madagascar</td>
<td>2009-2013</td>
</tr>
<tr>
<td>Mali</td>
<td>2012-2015</td>
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<tr>
<td>Bougainville (Papua New Guinea)</td>
<td>1992-2005</td>
</tr>
<tr>
<td>Somalia</td>
<td>1991-Ongoing</td>
</tr>
<tr>
<td>South Sudan</td>
<td>2013-Ongoing</td>
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<tr>
<td>Yemen</td>
<td>2011-Ongoing</td>
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</tbody>
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Why is interim governance renegotiated?

• Commitment problems (Svensson 2007)
  • Security dilemmas
  • Loss of negotiation leverage and revenue.
  • Implementation delays

• Emergence of new veto players (Cunningham 2006, 2013)
  • Factionalisation and proliferation
  • Consolidation of underestimated groups
  • Mobilisation of new groups

• Legal issues
  • Blocked peace agreements by state institutions such as parliament or constitutional courts.

• Consolidation of the incumbent
  • State as a spoiler.
Areas of Contention during Renegotiation

• Two threads:
• Affirmation of these as elite agreements
  • The executive - powersharing
  • Ability to contest elections
  • Checks and balances on powers of different offices.
  • Powersharing complexity > sub-state level.
  • Power to amnesty
• Attempts at broadening inclusion?
  • Human rights and tj > generic
  • Women, CSOs > increase in contestation during round two...?