

Humanitarian access issues linked to peace processes: advantages, disadvantages and examples

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Question

What literature exists regarding issues of humanitarian access being linked to ceasefires (as part of a political/peace process) and/or peace negotiations? What arguments are made for or against such explicit or implicit linkages (including as confidence building measures); and are there examples and evidence of positive and unintended negative impacts on protection of civilians/humanitarian access?

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1. Summary

Political mediators and humanitarian negotiators both seek to stabilise a conflict situation. However, the goal of political mediators is to build a political consensus to address the causes of the conflict, while the goal of humanitarian negotiators is to address the immediate humanitarian consequences: specifically access to aid and protection of vulnerable populations (Debarre, 2018; Frontline negotiations, 2018). For some humanitarian actors, the humanitarian principles of independence, impartiality and neutrality¹ are non-negotiable (Debarre, 2018). Other scholars and practitioners consider that humanitarian actors have always been embedded in a specific political environment with inherently political processes (Kool et al., 2021; Dieckhoff, 2020).

This report provides a general overview of potential advantages, disadvantages, risks and challenges of linking humanitarian issues to ceasefires and peace processes, based on a range of academic and practitioner literature. This is followed by a case study of Syria, where there is some emergent academic literature that looks at the incorporation of humanitarian access issues in ceasefires and peace processes—and outcomes for civilians, in terms of protection and access to aid. It also takes a brief look at civilian monitoring and recent humanitarian ceasefires in the case of the COVID-19 pandemic.

State of the evidence

Examples and evidence of humanitarian issues linked to ceasefires and peace processes—and the impacts on protection of civilians and humanitarian access—is extremely sparse. This is stated in the literature itself, which covers varying aspects of this research.

- **Humanitarian negotiation:** Despite the increased focus on the crucial role of negotiation in humanitarian settings, there is a lack of scholarship and analysis devoted to this issue (Grace, 2015). There is no system in place that captures past experiences (Debarre, 2018).
- **The impact of humanitarian assistance on peace processes:** Little is known about the role of humanitarian assistance in peace and transition processes (Wise, 2019). There is limited academic literature on the impact of humanitarian provisions on peace duration, apart from a study on the issue of internally displaced persons (IDPs) (Kane, 2019).
- **The impact of peace processes on humanitarian access:** There is a dearth of literature on the subject of peace processes and the extent to which they have benefited humanitarian access (Harmer et al., 2018). Recent research on peace agreements in Syria and how they have influenced access is a start to this evidence base (Harmer et al., 2018).

Potential advantages and benefits of linking humanitarian issues to peace processes

- **Entry point & common ground:** Including a humanitarian agenda within a peace process can help establish common ground among conflict parties, making it easier to deal with more

¹ **Neutrality:** Humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature; **Impartiality:** Humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions; **Independence:** Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented. See: https://www.unocha.org/sites/dms/Documents/OOM-humanitarianprinciples_eng_June12.pdf

contentious issues (Harmer et al., 2018). Humanitarian access issues may thus be adopted by mediators as “entry points” into larger peace negotiations (see Lizzola, 2022; Masoli, 2020).

- **Confidence building:** While humanitarians view humanitarian access as a necessity and legal obligation, it is often regarded as a confidence-building measure in political negotiations (Kane, 2019; Frontline negotiations, 2018). Confidence-building can also be fostered through conflict parties working together to implement humanitarian action (Åkebo, 2019).
- **Expediency:** Including international humanitarian law (IHL) and human rights obligations in ceasefire agreements that are already being negotiated can be less resource-intensive and faster than the adoption of separate, new agreements (Lane, 2016).
- **Link to longer-term processes:** Assistance and protection efforts, if properly designed, can help to support peace efforts by addressing inequities that exacerbate tensions; and improving livelihoods and service delivery (Debarre, 2018).

Potential disadvantages, risks and challenges of linking humanitarian issues to peace processes

- **Politicisation and use of humanitarian action as a tool:** Conflict parties can manipulate humanitarian access and deliveries in order to achieve their political and security objectives (Frontline negotiations, 2018). In many cases, it is not clear if the purpose communicated by the parties in a ceasefire is indeed the “true” underlying purpose (Clayton et al., 2021).
- **Disconnect between humanitarian access and negotiations:** Although political agreements often have provisions on access, political actors may not understand humanitarian dynamics (Frontline negotiations, 2018). Anecdotal evidence reveals that such agreements do not have a bearing on the access situation (Harmer et al., 2018). A disconnect between humanitarian actors willing and unwilling to delve into politics can also result in conflict parties playing humanitarian actors against one another (Kool et al., 2021).
- **Local dynamics:** In many cases, local humanitarian negotiations—and the creation of humanitarian “micro-spaces”—has become prevalent in the absence of national agreements (Kool et al., 2021). This can increase the risk of aid delivery becoming a deliberately political effort, requiring an understanding of and negotiation with a range of local actors and governance structures that can influence access (Sosnowski, 2018).

Case study: Syria

The Syrian civil war, which began in March 2011, involves an evolving and constantly shifting conflict environment. Humanitarian considerations have been part of the political negotiations between the Syrian government and opposition groups from the start (Dieckhoff, 2020).

- **Entry point & common ground:** Attention to the dire humanitarian situation served as a common area of concern for the conflict parties, despite the different political agendas, offering an entry point for higher-level political negotiations (Dieckhoff, 2020).
- **Confidence-building:** Recent research on local-level talks in the city of Homs and its Al-Waer suburb finds that even if an agreement is not reached, the process of local talks and engagement among conflict parties can lead to significant improvements—evident in a marked reduction in the level of violence, fatalities and an improvement in the standard of living at the local level (Turkmani, 2022).

- **Politicisation and use of humanitarian action as a tool:** Research on the Astana peace process finds that the establishment of de-escalation zones appears to be politically motivated and have not resulted in less violence or more access to humanitarian aid (Dieckhoff, 2020). Other research finds that the acceptance of humanitarian actors by local communities is determined primarily by their political position toward the Syrian government (Kool et al., 2021).
- **Local dynamics:** In the absence of a nationwide ceasefire or peace agreement, there has been a substantial rise in local processes and the negotiation of humanitarian micro-spaces. This in turn, has increased the level of politicisation and influence of existing local power structures (Kool et al., 2021; Dieckhoff, 2020). The ability to provide humanitarian relief has become a source of power and legitimacy for local actors (Sosnowski, 2018).

Civilian monitoring

Civilian monitoring mandates linked to a ceasefire or peace agreement, with provisions on the protection of civilians, can support peace negotiations by reinforcing confidence in parties' mutual commitment to the peace process (Pinaud, 2021b; Krause & Kamler, 2022). An analysis of the civilian monitoring network, which operated in Kachin State, Myanmar, in 2015–2018 finds that despite the failed ceasefire, the development of civilian capacity and civilian monitoring networks had some limited positive impact on civilian protection in Kachin State (Krause & Kamler, 2022).

COVID-19 humanitarian ceasefires

On 1 July 2020, the UN Security Council (UNSC) unanimously approved Resolution 2532 in support of a 90-day global humanitarian pause to enable humanitarian assistance related to COVID-19 (see Wise et al., 2021). Advantages and benefits that can come from such humanitarian ceasefires in relation to peace processes and humanitarian action include:

- **Entry point & common ground:** Vaccination ceasefires may serve as a functional substitute for a framework of talks, providing an entry point to arrangements to reach vulnerable populations, particularly children, in war-affected areas (Russell et al., 2021). They can also help to sustain peace processes: in Cameroon, a ceasefire offer by separatist groups was initially rejected. However, after Resolution 2532, the government of Cameroon reciprocated the call (Thompson, 2020).
- **Confidence-building:** Resolution 2532 also provides for attention to various measures to address the COVID-19 pandemic, ranging from support in the areas of humanitarian access and sanctions to arms control and related confidence-building measures (Yazgi et al., 2020). These security-related measures can help to build confidence and contribute to the short- and long-term success of peace processes (Yazgi et al., 2020).
- **Link to longer-term processes:** Although there is limited evidence to date, humanitarian ceasefires have the potential to contribute to longer-term peace processes when their implementation requires or leads to cooperation on the ground and gives the conflict parties and the population a “taste” of what is possible (Amaral, 2022; Wise et al., 2021). Humanitarian ceasefires, and the COVID-19 ceasefires, in particular, have had the most significant impact on peace negotiations where a peace process was already in place (Amaral, 2022).

2. Background

Peace agreements are ‘formal agreement[s] between at least two opposing primary warring parties, which addresses the disputed incompatibility, either by settling all or part of it, or by clearly outlining a process for how the warring parties plan to regulate the incompatibility’ (Högbladh, 2012; cited in Clayton et al., 2021). Ceasefires, instead, are concerned largely with the regulation of violence, and tend not to include provisions to address the ‘underlying incompatibility’ (see Clayton et al., 2021).

The insertion of humanitarian goals into peace agreements is well established: of the 1,500 peace agreements made available on Peace Agreements Database², about 150 reference humanitarian goals (Harmer et al., 2018). These may include reference to respecting and ensuring respect for IHL and humanitarian principles and/or focus on protecting civilians (Harmer et al., 2018). Peace agreements, since 2010, have also started to explicitly reference the need for parties to facilitate rapid and unimpeded humanitarian access³ (Harmer et al., 2018). While provisions for humanitarian assistance have been agreed alongside other issues in peace agreements, conflict parties also reach stand-alone agreements that focus solely on humanitarian issues (Wise et al., 2021).

Ceasefire agreements may include additional prohibitions and provisions, alongside the commitment to cease direct hostilities, such as providing for aid access (Clayton et al., 2021). Humanitarian ceasefires often have short-term goals and concrete provisions, such as: to allow civilians access to life-saving goods and services or safe passage; to hold elections or allow religious celebrations; or to conduct immunisation campaigns (Clayton et al., 2021; Pinaud, 2021a; Thompson, 2020).

Ceasefire and peace agreements may also include provisions concerning IHL. The 2005 Sudan Comprehensive Peace Agreement (CPA), for example, has provisions that prohibit violations of humanitarian and human rights law, hostile propaganda and media warfare, espionage, and recruitment of child soldiers (Clayton et al., 2021). The 2002 ceasefire agreement between the government of Angola and rebel group UNITA also included agreement by both parties to guarantee the protection of persons and their property, and not to conduct forced movements of the civilian population, commit acts of violence against the civilian population, or destroy property (see Sosnowski, 2020a).

Ceasefires can form part of the longer-term goal of contributing to peace negotiations (Clayton et al., 2021; Pinaud, 2021a). In this context, ceasefires are not agreed upon solely to allow for humanitarian access or to promote adherence to IHL, but the suspension in fighting aims to support peace negotiations and progress toward a political settlement (Clayton et al., 2021; Pinaud, 2021a). The premise is that ceasefires can build confidence between the parties or establish an early basis for security cooperation, which in turn can create political space for substantive negotiations (Clayton et al., 2021; Thompson, 2020).

Ceasefires can serve multiple purposes simultaneously: e.g. a humanitarian ceasefire can also build confidence among conflict parties (Thomson, 2020). Local peace agreements may

² <https://www.peaceagreements.org/>

³ These include agreements established for Sudan/Darfur, South Sudan, Syria, Somalia and Yemen.

also serve a variety of purposes. In Syria and Yemen, for example, a number of local peace agreements were used as tactical tools to manage the conduct of warfare, in order to improve outcomes for certain groups within the broader peace settlement (Wilson et al., 2020). As such, the agreements could be regarded as crucial steps for the broader peace process (Wilson et al., 2020). In some cases, local peace agreements may also have positive knock-on effects: by helping to contain violence in some areas, they may inspire peacemaking in neighbouring areas, or even improve conditions for brokering peace at the national level, such as in South Sudan (Wilson et al., 2020). In other cases though, such as in parts of Syria and Yemen, local agreements, which provided for a cessation of hostilities in one locale, displaced warfare to another area (Wilson et al., 2020).

3. Humanitarian issues in peace processes: advantages and disadvantages

Political mediators and humanitarian negotiators both seek to stabilise a conflict situation. However, the goal of political mediators is to build a political consensus to address the causes of the conflict, while the goal of humanitarian negotiators is to address the immediate humanitarian consequences of the conflict (Frontline negotiations, 2018). From such a perspective, humanitarian negotiations are geographically and symbolically situated far away from high-level international negotiations carried out by actors representing political institutions (Dieckhoff, 2020). UN guidelines have described the goal of humanitarian negotiation as to arrive at the best humanitarian outcome (see Debarre, 2018).

Humanitarian action has two dimensions: assistance and protection. Assistance refers to: ‘the provision of goods and services to meet the physical, psychosocial, and socioeconomic needs of affected persons’ (Herrero, 2014). Protection focuses on ensuring that the behaviour of parties to the conflict is consistent with obligations under international law (Herrero, 2014).

The aim of humanitarian negotiations is to obtain access to and enhance the protection of vulnerable populations (Debarre, 2018). The roles of humanitarian actors can differ depending on whether the primary focus of negotiations is protection or assistance. In the case of protection issues, there is a positive obligation on the parties to the conflict, and the boundaries for negotiation are formed by international law, with limited room to manoeuvre (Herrero, 2014). As such, the role of humanitarian actors typically entails monitoring compliance, raising awareness, and building the technical capacity of the parties so that they can fulfil their obligations (Herrero, 2014). In the case of assistance, **although international law also requires parties to allow access to humanitarian assistance to reach populations in need, in practice this obligation has been subject to a broad scope of interpretation** (Herrero, 2014).

For some humanitarian organisations and negotiators, the humanitarian principles of independence, impartiality, and neutrality are non-negotiable (Debarre, 2018). Médecins Sans Frontières (MSF), for example, argues that in order to be recognised as impartial, neutral and especially independent, humanitarian organisations must avoid being involved in politically motivated processes (Frontline negotiations, 2018). Such organisations and negotiators view any negotiation of humanitarian action in political mediation processes as a high risk to the principles: rather, **access to humanitarian aid should be a clear non-negotiable ‘red line’ within political processes** (Dieckhoff, 2020; Frontline negotiations, 2018).

To minimise the influence of political interests on humanitarian negotiations, **humanitarian organisations have sought to conduct negotiations separately from political negotiations** (Harmer et al., 2018). When the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) took part in political negotiations during the Astana talks on Syria, MSF and other humanitarian NGOs were reluctant, claiming that it could jeopardise their neutrality and that humanitarian access should be granted without negotiations (Lizzola, 2022).

Others scholars and practitioners consider that humanitarian actors have always been embedded in a specific political environment (Dieckhoff, 2020). Under such a perspective, while humanitarian actors are prescribed to act in apolitical ways, **the inherently political processes within which they operate transform their working conditions** (Kool et al., 2021). In Syria, for example, aid actors have had to collaborate closely with the conflict parties that control target territories, which challenges the principle of ‘neutrality’ (Kool et al., 2021). Very few humanitarians and organisations, aside from the International Committee of the Red Cross (ICRC), have adequate bargaining power to enforce the conditions for humanitarian access (Kool et al., 2021). The ability to gain humanitarian access relies instead on continuous negotiation and trust-based networking with local and national actors (Kool et al., 2021). Besides neutrality, maintaining impartiality has also become challenging since organisations may need to make decisions on with whom they will and will not cooperate (Kool et al., 2021).

Practitioners’ experience demonstrates that the principles are applied in a pragmatic way: they are employed when useful but are not enforced dogmatically, which has led to the blurring of red lines (Kool et al., 2021). The view here is that while humanitarian principles should guide and frame negotiation, there should be some degree of flexibility and compromise (Debarre, 2018). In the case of the Astana process in Syria, the ICRC participated as a ‘measure of last resort’, when the humanitarian space was seen to be shrinking—engaging with the political space in order to gain influence (Lizzola, 2022).

3.1 Potential advantages and benefits

Entry point & common ground

A recent scoping study on humanitarian access in conflict finds that **having a humanitarian agenda within a peace agreement or ceasefire can help to establish common ground** among the parties involved. This, in turn, **can make it easier to deal with more contentious issues**, such as the mechanics of establishing and maintaining a ceasefire (Harmer et al., 2018). The establishment of humanitarian corridors, for example, that enable the safe passage of food, supplies, and personnel—and the fulfilment of these obligations that serve civilians’ immediate needs—can be a starting point in broader peace negotiations (Matyas, 2022). Discussing measures to restrain the use of force and protect civilians, including ceasing to use landmines, are also potential entry points for engaging non-state armed groups (NSAG) (Maspoli, 2020).

Humanitarian issues may thus be adopted by mediators as “entry points” into negotiations (see Lizzola, 2022). Conflict parties are often not ready to discuss a fully-fledged peace process, but may be open to short-term steps such as humanitarian access (Masoli, 2020). Raising attention to a humanitarian crisis can also be a useful tool to highlight the urgency of a peace agreement in which the parties should address the root causes of the conflict (Lizzola, 2022).

Confidence-building

Humanitarian access can have a dual character: while humanitarians view it as a necessity and legal obligation, it is also often regarded as a confidence-building measure in political negotiations between conflict parties; and as an early peace dividend for conflict-affected populations (Kane, 2019; Frontline negotiations, 2018).

Confidence-building can also be fostered through conflict parties working together to enable and implement humanitarian action (Åkebo, 2019). Ceasefire agreements, for example, can introduce organisational bodies and mechanisms with the objectives of cooperating on the monitoring of ceasefire implementation; facilitating dispute resolution; and cooperating on humanitarian relief and the reconstruction of conflict-affected areas (Åkebo, 2019). In Aceh, the Indonesian government and Gerakan Aceh Merdeka (GAM) introduced, as part of the ceasefire structure, a joint committee on humanitarian action to assess the needs of humanitarian assistance and coordinate and guarantee its delivery to populations in Aceh (Åkebo, 2019). Such **organisational structures can be regarded as forums for conflict parties to interact non-violently**, which can facilitate the implementation of the ceasefire (Åkebo, 2019).

Mine action⁴

Mine action is only occasionally included in ceasefire and peace agreements.⁵ However, it can be used as an entry point to engage conflict parties and build their confidence in the process (Maspoli, 2020). These measures have a concrete impact on the ground and are often closer to the groups' daily concerns (Maspoli, 2020). In addition, mine action is often less politically sensitive because it addresses the impacts of armed violence and not its root causes (Maspoli, 2020). **If mine action activities are undertaken jointly by conflict parties (e.g. conducting surveys, marking and eventually clearing contaminated land), mine action can help to build trust** between and among conflict parties (Maspoli, 2020).

In the Philippines, progress in the peace process is attributed in part to the confidence-building generated by joint mine action activities (Maspoli, 2020). The government of the Philippines and the Moro Islamic Liberation Front (MILF) signed the Comprehensive Agreement on the Bangsamoro (CAB) in 2014. A government official claims that joint mine action activities, related to the Deed of Commitment banning anti-personnel mines, including training on mine action, played a key role in moving the peace process forward (Maspoli, 2020). Similarly, during the **2015 Colombian peace negotiations, agreement on the joint clearance of mines** by the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) and the government **was considered to be a strong confidence-building measure** (Maspoli, 2020; Yazqi et al., 2020). When the final agreement was signed in 2016, it included provisions that the FARC-EP contribute to mine action to improve the safety and security of communities and allow for humanitarian access (Maspoli, 2020; Yazqi et al., 2020).

⁴ The objective of mine action is to identify and reduce the impact and risk of explosive hazards to a level where people are safe. It entails more than removing landmines from the ground. It includes high impact efforts aimed at protecting people from danger, helping victims become self-sufficient and active members of their communities and providing opportunities for stability and sustainable development. <https://peacekeeping.un.org/en/mine-action>

⁵ A 2016 study found that 35 of 807 agreements studied include provisions on mine action (see Maspoli, 2020).

Expediency

Including IHL and human rights obligations in ceasefire agreements that are already being negotiated can be less resource-intensive and faster than the adoption of separate, new agreements specifically for the imposition of obligations under international law (Lane, 2016). Ceasefire agreements often include humanitarian considerations relating to economic, social and cultural rights (e.g. provisions relating to the delivery of aid) (Lane, 2016). The agreement between the Government of Nepal and the Communist Party of Nepal, for example, provides an expansive list of human rights obligations for both parties, ranging from the right to life and the prohibition of torture to the right to food and the right to health (Lane, 2016). Making the human rights aspects of these provisions explicit could be a reasonable and expedient way of placing more direct human rights obligations on NSAGs (Lane, 2016). From the perspectives of states, such agreements may be more palatable than negotiating the adoption of a more general agreement imposing human rights obligations on NSAGs (Lane, 2016).

Link to longer-term processes

The growing prevalence of protracted conflicts has produced increasing connections between the humanitarian field and more political peacebuilding efforts (Debarre, 2018). Policymakers have long been discussing ways of strengthening the humanitarian-development-peace nexus (Debarre, 2018). **Assistance and protection efforts, if properly designed, can help to support peace efforts by addressing inequities that exacerbate tensions** (Debarre, 2018). Humanitarian action can improve livelihoods; and help not only to deliver basic services such as healthcare, water, or sanitation, but also support lasting solutions for people to access these services (Debarre, 2018). Humanitarian action can also address conditions that threaten peace, such as the suffering of those who have missing family members, or the grievances of prisoners confronted with inhumane detention conditions and practices (Debarre, 2018).

Mine action can also support other programmes that are often addressed in peace agreements, serving as an entry for greater progress in peacebuilding (Maspoli, 2020). Mine action can contribute to disarmament, demobilisation and reintegration (DDR) by training and employing former combatants as de-miners (Maspoli, 2020). It can also serve as a vector for advocating for human rights, by adopting a human-rights-based approach as it concerns the right to life, security and an adequate standard of living, among other social and economic rights (Maspoli, 2020).

3.2 Potential disadvantages, risks and challenges

Politicisation and use of humanitarian action as a tool

Having a humanitarian agenda within a peace agreement or ceasefire has risks (Harmer et al., 2018). A report on a meeting of frontline humanitarian negotiators highlights that even if humanitarian negotiators think they are not political actors because they don't have political intentions, **other parties can manipulate humanitarian access and deliveries in order to achieve their political and security objectives** (Frontline negotiations, 2018).

In many cases where ceasefires are negotiated, it is not clear if the purpose communicated by the parties is indeed the 'true' underlying purpose, or whether a conflict party intends to gain some military advantage (Clayton et al., 2021). A ceasefire might have multiple purposes, due to

actors having more than one purpose in mind (e.g. humanitarian and maintaining the status quo); or due to the evolution of conflict dynamics. While parties may enter the agreement aiming for conflict resolution, they might start using it for military gains if peace negotiations stall (Clayton et al., 2021). While a series of ceasefires in Sudan between 1995 and 1999 was established in order to distribute polio vaccines and humanitarian aid, for example, it was also used by the conflict parties to rearm and subsequently escalate the conflict (Clayton et al., 2021).

Disconnect between humanitarian access and negotiations

Given the linkages and potential overlaps in the humanitarian and political sphere, it is important for political mediation and humanitarian negotiators to be aware of the dynamics of the other sphere in order to effectively function in their own sphere (Frontline negotiations, 2018). Humanitarian practitioners find that there are situations in which humanitarian negotiators have a good understanding of the political environment and are able to use such understanding to their advantage. (Frontline negotiations, 2018). However, they also note that when humanitarian actors look to the political sphere to support principled humanitarian action, there is often a lack of effective engagement in favour of the humanitarian agenda (Frontline negotiations, 2018).

While there are many cases in which political agreements have some provisions on humanitarian access, it does not necessarily mean that political actors understand humanitarian contingencies and dynamics (Frontline negotiations, 2018). There is anecdotal evidence that such agreements do not have a bearing on the access situation, including because, at times, the signatories to agreements are not those causing the access constraints (Harmer et al., 2018).

In order to correct for inadequate understanding between the political and humanitarian spheres, discussants at the annual frontline humanitarian negotiators conference recommend attention to confidence-building between humanitarian negotiators and political mediators through regular exchanges and informal discussions (Frontline negotiations, 2018).

A disconnect and lack of coordination among humanitarian organisations and negotiators themselves can also be problematic. **While one humanitarian organisation may be unwilling to cross a particular red line, another may be willing to do so** (Kool et al., 2021). The resultant ability of conflict parties to play humanitarian actors against one another **can give conflict parties significant leverage and bargaining power** to dictate the terms under which humanitarians can operate (Kool et al., 2021).

Local dynamics

Ceasefires do not necessarily apply to the whole conflict area but can be limited in the area covered, typically concluded as an initial confidence-building measure (Clayton et al., 2021). **Partial ceasefires may, however, produce adverse spillover effects e.g. the escalation of violence in areas not covered** by the arrangement (Clayton et al., 2021).

Peace agreements are also often concluded in relation to a sub-national level. The effectiveness of such local peace agreements are often analysed in relation to the comprehensive peace at the national level, in terms of whether they support a national peace process and whether they can

be scaled up (Pospisil, 2022). This type of analysis, however, can miss important insights into these agreements and processes independent from national-level politics (Pospisil, 2022; Turkmani, 2022). Rather than classifying local peace agreements as peace ‘from below’, recent research on such agreements finds that just like national or international peace agreements, they are political products negotiated within a particular conflict environment (Pospisil, 2022).

Recent cases such as Syria, Libya, South Sudan and Yemen demonstrate that the likelihood of **stable, national ceasefires that could provide for an overarching humanitarian space is declining** (Kool et al., 2021). In such a context, the localisation of aid delivery and **the need for local humanitarian negotiations—and the creation of humanitarian ‘micro-spaces’—is inevitable** (Kool et al., 2021). This, in turn, renders aid delivery into a deliberately political effort; and requires developing techniques such as humanitarian mediation and the analysis of local conflict management mechanisms (Kool et al., 2021). It is necessary to be aware of and knowledgeable about the **range of local actors and governance structures beyond armed groups (e.g. tribal leaders, local councils) that could be influenced by humanitarian aid and can support and/or control access** (Sosnowski, 2018).

For discussion on the benefits, risks and challenges of local talks, localised ceasefires and peace agreements in relation to humanitarian access in Syria, see the [Syria case study](#) in section 4.

4. Humanitarian issues in peace processes: examples and evidence

There is limited research on the empirical impact of humanitarian provisions on peace duration (Kane, 2019). A study on the relatively few cases in which provisions for IDPs were included in comprehensive peace agreements, signed between 1989 and 2007, finds that **peace agreements with a higher number of provisions addressing IDP issues are more likely to endure**: on average successful peace agreements contain three times as many IDP provisions as compared to peace agreements that failed to prevent a resumption of conflict (Anderson-Rogers, 2015; cited in Kane, 2019). The implication is that **humanitarian action can serve as an important confidence-building measure between formerly conflicting parties and produce an early peace dividend for conflict-affected populations** (Kane, 2019).

There is also a dearth of research on the degree to which peace processes have proved valuable for humanitarian access (Harmer et al., 2018). Scholars and practitioners have recently begun to explore this issue in relation to the protracted conflict in Syria (Harmer et al., 2018).

4.1 Case study: Syria

The Syrian civil war, which began in March 2011, involves an evolving and constantly shifting conflict environment—with a multiplicity of alliances and actors—and a very fragmented and controversial humanitarian space (Dieckhoff, 2020). **Humanitarian considerations have been part of the political negotiations between the Syrian government and opposition groups from the start**, and political and humanitarian spaces have been under constant (re)negotiation (Dieckhoff, 2020). Internationally brokered agreements and resolutions by the United Nations

(UN) Security Council on the Syrian civil war almost always address humanitarian concerns⁶, although in different jargon and according to different objectives compared to local agreements (Kool et al., 2021). National-level agreements primarily refer to the importance and necessity of aid delivery in general terms and the issue of IDP return. **References to humanitarian action in these international and national agreements are broad and non-binding, however, and are thus rarely able to establish or sustain humanitarian spaces** (Kool et al., 2021).

Research on humanitarian micro-spaces in Syria finds that of the 91 agreements analysed, 43 are limited ceasefires and truces, often with substantial humanitarian implications (Kool et al., 2021). **Some local ceasefire agreements refer to humanitarian issues in concrete and specific terms, in contrast to international and national agreements** (Kool et al., 2021). For example, they address: the free movement of people and goods, often combined with the opening of roads and the handling or even dissolving of checkpoints; relief and the delivery of medical and humanitarian aid; prisoner release and prisoner exchange; and the exchange of bodies (Kool et al., 2021). While humanitarian actors play a role in brokering these agreements through humanitarian mediation, humanitarians rarely appear in the agreements, due to an effort to adhere to the principle of neutrality (Kool et al., 2021).

The following are some of the potential advantages and disadvantages related to the negotiation of humanitarian issues linked to ceasefires, peace agreements and peace processes in Syria.

Entry point & common ground

During the Geneva conference held in early 2014, the Syrian government negotiated for the first time with representatives of the opposition. **Although the two parties were unable to find a consensus on the parameters of a political transition, some humanitarian issues and solutions were discussed**, such as government agreement to allow women and children to leave the opposition-held central neighbourhood of Homs, besieged for a year by pro-government forces (see Dieckhoff, 2020). **Attention to the dire humanitarian situation was a common area of concern** for the parties, despite the different political agendas (Dieckhoff, 2020). In such a context, considering humanitarian concerns can be seen as a **precondition for starting negotiations aiming at a high-level political resolution of the conflict**—demonstrating the linkages between political and humanitarian negotiations (Dieckhoff, 2020).

Confidence-building

Recent research on six years of local-level talks in the city of **Homs and its Al-Waer suburb** finds that **even if an agreement is ultimately not reached, the mere process of local talks, and engagement among conflict parties, can lead to significant improvements at the local level**, when talks at higher level fail to deliver such results (Turkmani, 2022). In particular, the peaceful periods, when local talks were ongoing, resulted in a **marked reduction in the level of violence, fatalities and an improvement in the standard of living at the local level**: people

⁶ Humanitarian considerations were included in the six-point plan proposed by Kofi Annan, the joint Special Envoy of the UN and the League of Arab States. After the first point of the plan calling for “an inclusive Syrian-led political process,” the following two points were asking for a cease-fire between the parties as well as measures to ensure the “provision of humanitarian assistance” and to “accept and implement a daily two hour humanitarian pause” (UN Security Council, 2012; cited in Dieckhoff, 2020).

were 26 times more likely not to be killed and 31 times more likely not to be injured as a result of violence; and service restoration and aid delivery were 16 times more likely to take place (Turkmani, 2022).

Politicisation and the use of humanitarian action as a tool

Recent research on the Astana peace process, starting in 2017 and led by Russia, Iran, and Turkey, finds that it provides a notable example of the **strategic politicisation of humanitarian action** (Dieckhoff, 2020). The negotiation process led to a Memorandum in May 2017 aimed in part at “improving the humanitarian situation”—by guaranteeing humanitarian access and the rehabilitation of infrastructure, for example—and calling for the cessation of hostilities between selected anti-government groups and government forces in four **de-escalation zones (DEZ)** located in opposition-held areas of the country (see Dieckhoff, 2020). The research makes the observation that the DEZ are **politically motivated and have not resulted in less violence or more access to humanitarian aid** (Dieckhoff, 2020). **Where measures to improve the humanitarian situation** (e.g. urgent entry of food and medicine relief; evacuation of injured people to Syrian or Russian hospitals) **in ceasefire areas have taken place, other research finds that they are not neutral actions, but are seen as political power-plays** within the wider conflict setting (Pospisil, 2022). Further, local councils and fighters in various suburbs often only agreed to local ceasefires because the regime had blocked all access to food (Ghanem, n.d.). While ceasefires were supposed to restore food access, they did not impede the regime’s ability to restrict it again at any time (Ghanem, n.d.).

Other research also finds that **peace agreements (in areas controlled by the opposition, by the government and by the Islamic State-ISIS) demonstrate a negligible influence on humanitarians’ ability to gain access** (Kool et al., 2021). Rather, agreements are negotiated solely in the interests and for the gain of the conflict parties, failing to benefit the affected population (Kool et al., 2021). In addition, local communities’ acceptance of humanitarian actors **is determined primarily by their political position toward the Syrian government** (Kool et al., 2021). Humanitarian organisations operate in government-held areas based on a memorandum of understanding with the Syrian government that prohibits those operating in opposition-held areas from working in government-held areas and vice versa (Kool et al., 2021).

With little or no space to negotiate, humanitarian organisations have expanded activities in government-controlled areas, making food availability a key pull for the flows of IDPs towards these areas (Böttcher, 2017). Civilian residents often do not have a choice over whether to stay or to leave in a forced evacuation deal, thus amounting to forced displacement (Böttcher, 2017). At the same time, areas controlled by the opposition have been underserved or out of reach, including locations where residents were starving to death, making the regime “the only reliable sources of life-sustaining food” (Böttcher, 2017). The regime also tailors its service provision to citizens in areas that have signed a local ceasefire agreement in order to make sure they are dependent on the government to provide them with the little that they do (Sosnowski, 2020b).

In ISIS-controlled areas, neither the humanitarian principles nor peace agreements provided humanitarians with any significant leverage as ISIS indicated no interest in impartiality or neutrality (Kool et al., 2021). Although ISIS ultimately determined which organisations were granted access and under what conditions, once the local community granted access, the acceptance became pivotal to maintaining legitimacy (Kool et al., 2021).

Local dynamics

In the absence of a nationwide ceasefire or peace agreement, negotiations concerning the armed conflict in Syria have taken a localised form, with local agreements increasing from only three in 2013 to 28 in 2017 (Kool et al., 2017). These local peacemaking or ceasefire efforts often emerge around humanitarian challenges (Kool et al., 2021). **The rise in local processes and humanitarian micro-spaces has in turn increased the level of politicisation and influence of existing power structures in the negotiations on humanitarian access** (Kool et al., 2021; Dieckhoff, 2020). Negotiating access requires understanding: (and adapting to) the context; the multiplicity of alliances and actors engaged in the humanitarian space; and the changing incentives of the parties involved (Kool et al., 2021; Dieckhoff, 2020).

In Syria, the ability to provide humanitarian relief has become a source of power and legitimacy for local actors (e.g. localised armed groups, members of local councils, the court and tribal leaders) that can support and/or control it (Sosnowski, 2018). **Humanitarian actors have had to navigate this interrelated network of power and legitimacy** between these groups and the people (Sosnowski, 2018). In Dara'a, during the ceasefire for example, the Syrian government specifically targeted local leaders involved with governance efforts through assassinations, rather than indiscriminate aerial bombardment or large ground assaults (Sosnowski, 2018). This resulted in tribal leaders taking on an increasingly prominent role in managing governance institutions (e.g. local councils) (Sosnowski, 2018). Humanitarian organisations have thus been unable to bypass tribal networks (Sosnowski, 2018).

Daraya: The local ceasefire agreement in Daraya, which came after almost four years of a tightening siege by the government and escalating starvation, has not resulted in any notable improvement in living conditions for the residents (Sosnowski, 2019). This is largely due to the **evacuation of the local political leadership, as part of the ceasefire agreement, who were often active in providing and facilitating humanitarian assistance** when it was under rebel control (Sosnowski, 2019). Their exile means that **humanitarian organisations have little to no local partners to implement programmes** (Sosnowski, 2019). Other citizens have also been transported to Idlib, under the terms of the agreement, deemed by many scholars and practitioners as forced displacement, where they continue to face hardship (Sosnowski, 2019). Recent research of ceasefires as part of state-building finds that for the Syrian state, the purpose of the ceasefire agreement has been to rid the rebel-controlled governance institutions that have risen up in Daraya (Sosnowski, 2019). Ceasefires should thus not be seen only as an agreement to place a temporary halt in violence, but as a potential political tool that can influence conflict dynamics and the opposition's attempts at governance (Sosnowski, 2018).

Eastern Ghouta: Eastern Ghouta is one of the DEZ established under the Astana peace process. Despite a ceasefire, strikes and clashes have continued at a low level, but with some of the worst humanitarian conditions in the conflict: the **systematic denial of food and humanitarian assistance has been used as a weapon against besieged populations in the absence of heavy military action** (Beals, 2022). Humanitarian access negotiations, in turn, have been exploited to further military ambitions: on one occasion in eastern Ghouta, aid deliveries were permitted to just half of the enclave, causing in-fighting between the leadership of the two halves and allowing Russia and their allies to seize territory (Beals, 2022).

4.2 Civilian monitoring

Civilian monitoring mandates can serve as a key compliance mechanism linked to a ceasefire or peace agreement with provisions on the protection of civilians. Monitoring can thus encompass not only troop movements that violate a ceasefire but also acts of violence against civilians and human rights violations (Krause & Kamler, 2022). They **can support peace negotiations by reinforcing confidence in parties' mutual commitment to ceasefires and peace processes**; and by preventing violence from spiralling out of control (Pinaud, 2021b; Krause & Kamler, 2022). They can also build confidence between the parties locally by **promoting cooperation on smaller tasks, such as allowing humanitarian access** (Pinaud, 2021b). The adoption of civilian monitoring also aims to ensure **the inclusion of civil society groups in the early stages of the peace process**, in order to increase the likelihood of durable peace (Krause & Kamler, 2022). Empirical research on civilian monitoring is limited, however, resulting in limited knowledge of whether it can positively impact ceasefire durability and peace negotiations or whether such practices can effectively reduce violence against civilians (Krause & Kamler, 2022).

Myanmar: Kachin State suffered one of the highest levels of violence after the collapse in 2011 of a long ceasefire between the Myanmar army and the Kachin Independence Army (KIA) (Krause & Kamler, 2022). A bilateral ceasefire was renewed in 2013 but never implemented. Fighting escalated until the Myanmar army declared a unilateral ceasefire in 2018; and re-escalated in 2021 after the coup (Krause & Kamler, 2022). Civilian ceasefire monitoring networks were established between 2012 and 2015 in support of the bilateral ceasefires and later the Nationwide Ceasefire Agreement (NCA). These agreements did not provide much detail for the monitoring architecture; instead, civilian monitoring emerged through the work of NGOs funded by donors, who recruited and trained monitors (Krause & Kamler, 2022).

An analysis of the largest civilian monitoring network, which operated in Kachin State, for the period 2015–2018, finds that despite the failed ceasefire, **the development of civilian capacity and civilian ceasefire monitoring networks had a positive, albeit limited, impact on civilian protection in Kachin State** (Krause & Kamler, 2022). Monitors adapted external ceasefire monitoring knowledge to their reality. Their embeddedness in communities supported information flow for early warning, humanitarian relief coordination, documentation of human rights abuses, and selected cases of achieving justice (Krause & Kamler, 2022). At the same time, however, conflict conditions were characterised by a lack of commitment to protecting civilians among state military forces. Still, commitment among rebel forces meant that space for a protective civilian agency was severely constrained (Krause & Kamler, 2022). If adequately supported with a view to longer-term impact, civilian monitoring networks could contribute to strengthening a revived peace process due to civilian capacity; and the participation of civil society, including women, in the early stages of peace negotiations (Krause & Kamler, 2022).

4.3 COVID-19 humanitarian ceasefires

On 23 March 2020, the UN Secretary General (UNSG) Antonio Guterres called for an immediate global ceasefire to help tackle the threat of COVID-19 rather than compound the risk to those in fragile and conflict-affected areas. In particular, he called for all conflict parties to immediately “silence the guns” in order to “to help create corridors for life-saving aid”, “to open precious windows for diplomacy”, and “to bring hope to places among the most vulnerable to COVID-19” (UNSG 2020; cited in see Wise et al., 2021). On 1 July 2020, the UNSC unanimously approved

Resolution 2532 in support of a 90-day global humanitarian pause to enable humanitarian assistance related to COVID-19 (see Wise et al., 2021).

In response to this call, at least 171 states together with multiple international, regional and local organisations declared their support by June 2020 (Wise et al., 2020). Since the onset of the pandemic, ceasefires have been declared or proposed by some conflict parties in Armenia and Azerbaijan, Afghanistan, Angola, Cameroon, Central African Republic, Colombia, India, Indonesia, Libya, Myanmar, Nigeria, Philippines, Senegal, Syria, South Sudan, Sudan, Thailand, Ukraine and Yemen—although it is not necessarily the case that all of these can be clearly attributed to the UNSG call itself (Wise et al., 2021).

Resistance and Liberation Movements (RLMs) around the world responded to the call by declaring unilateral ceasefires. On 5 May 2020, some members of the RLM network issued the “Urgent appeal for the implementation of the UN calls for a global ceasefire and the release of political prisoners”, calling on the governments in their countries (see Amaral, 2022):

- to reciprocate unilateral ceasefires and/or work towards bilateral ceasefires;
- to immediately release all political prisoners;
- to stop the securitisation and militarisation of the humanitarian need generated by the pandemic;
- engage in meaningful negotiations on the root causes of conflicts;
- urgently provide COVID-19 pandemic assistance and humanitarian aid to local civil society organisations through UN institutions; and
- to protect human rights activists, defenders and members of social justice movements through legal, political and diplomatic means.

The following are some of the advantages and benefits that can come from such humanitarian ceasefires in relation to peace processes and humanitarian action.

Entry point & common ground

Vaccination ceasefires have occurred in Afghanistan, Sri Lanka, and Sudan in the absence of peace agreements (Russell et al., 2021). Vaccination ceasefires may serve as a functional substitute for a framework of talks, providing an **entry point to making arrangements to reach vulnerable populations, particularly children, in war-affected areas** (Russell et al., 2021).

Resolution 2532 can provide a unique framework to help sustain the declaration, monitoring and implementation of global ceasefires and the 90-day humanitarian pause (Yazgi et al., 2020). **In Cameroon, a legitimacy-seeking ceasefire offer by separatist groups was initially rejected. However, after Resolution 2532, the government of Cameroon reciprocated the call, and the parties have been planning to engage in negotiations** (Thompson, 2020). In the Philippines, simultaneous unilateral ceasefires were declared by the government and the New People’s Army (NPA) in response to COVID-19, demonstrating a shared desire to de-escalate violence in the face of the pandemic (Yazgi et al., 2020). Although the initial ceasefires did not last, they did signal a party’s goodwill to facilitate responses to the pandemic; and their willingness to engage in peace negotiations (Yazgi et al., 2020).

Confidence-building

The key purpose of humanitarian ceasefires, including those that allow for the delivery of health services, is to allow humanitarian assistance to reach the areas where it is most needed. However, they also have the potential to work as confidence and trust-building measure among conflict parties, and between armed groups and humanitarian actors, which can benefit the onset of peace negotiations (Amaral, 2022; Wise et al., 2021). Research reviewing the links between health interventions and peace suggests that although there are claims that health interventions can provide opportunities for trust-building and progress in peace processes, there is not adequate evidence on the topic. As such, it is unclear whether humanitarian ceasefires or pauses do lead to comprehensive talks or a reduction in overall violence (Wise et al., 2021).

Embedded within Resolution 2532 is an invitation by the Security Council to the secretary-general to report on **measures** that relevant UN mechanisms—from peace operations to special political missions and UN country teams—have **taken to address the COVID-19 pandemic**. This **ranges from support in the areas of humanitarian access and sanctions to arms control and related confidence-building measures** (Yazgi et al., 2020). Thus, efforts to address COVID-19 can also provide an entry point for arms control in situations of armed conflict that are also affected by the pandemic. In turn, these security-related measures can help to build confidence and **contribute to the short- and long-term success of peace processes**, which often include activities related to regulating weapons and ammunition (Yazgi et al., 2020).

Link to longer-term processes

The potential and challenges of humanitarian ceasefires for longer-term peace efforts need to be better understood (Wise et al., 2021). It may be the case that **humanitarian ceasefires can be beneficial to the longer-term peace-making process when their implementation requires or leads to cooperation on the ground and gives the conflict parties and the population a “taste” of what is possible** (Amaral, 2022). Analysis of ceasefires in relation to COVID-19 finds that there is **limited evidence in the case of health-related (e.g. vaccination) ceasefires making significant contributions to peace in the long-term** (Wise et al., 2021). However, there are some examples of more extended periods of peace emerging from initial vaccination ceasefires (e.g., Sudan, Afghanistan) (Wise et al., 2021).

Humanitarian ceasefires, and the COVID-19 ceasefires, in particular, have had the **most significant impact on peace negotiations where a peace process was already in place** (Amaral, 2022). For example, the unilateral humanitarian ceasefires declared by the Government of National Accord (GNA) and the Libyan National Army (LNA) in March 2020 followed a peace conference held in Berlin earlier that year. A permanent bilateral ceasefire was reached in October and paved the way for the Libyan Political Dialogue Forum (LPDF), convened under UN auspices, which got underway in November 2020 (Amaral, 2022). A four-day LPDF Advisory Committee meeting was then held in January 2021 in Geneva, during which a proposal for the mechanism for selecting a unified executive authority was agreed upon (UNSMIL, 2021).

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