I. Tracking armed conflicts and peace processes in 2017

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Some of the main consequences of armed conflict in 2017

Contemporary armed conflicts tend to be concentrated in urban areas and to affect civilians: according to Action on Armed Violence, in the first 11 months of 2017 at least 15 399 civilians were killed by explosive weapons, the vast majority in cities, an increase of 42 per cent compared to 2016.[1] One important and new aspect of that data is that air strikes (and thus states) were responsible for over 50 per cent of the deaths from explosive weapons for the first time since such data has been recorded.[2] The use of explosive weapons in populated areas—especially explosive weapons with a large destructive radius, an inaccurate delivery system or the capacity to deliver multiple munitions over a wide area—is a growing concern and part of ongoing humanitarian arms control efforts.[3] Accounting for civilian casualties in conflict continued to be controversial in 2017, with official estimates often under-reporting casualty numbers.[4]

Sexual violence is widely perpetrated in war and in the case of women is an extension of the violence that they face in the absence of armed conflict. In a 2017 report the United Nations Secretary-General listed the rise of violent extremism, hybrid criminal networks, mass migration and cultures of impunity as critical risk factors contributing to conflict-related sexual violence.[5] The conviction in 2017 in the Democratic Republic of the Congo (DRC) of 12 members of a militia group for sexual violence crimes represented a potential historic milestone in the fight against impunity for such offences (see section VI).

Armed conflict is a major driver of food insecurity and displacement, as civilians are forced to escape violence and persecution.[6] The number of

[1] Organization for Economic Cooperation and Development (OECD), *States of Fragility 2016: Understanding Violence* (OECD: Paris, 2016); Anthony I, 'International humanitarian law: ICRC guidance and its application in urban warfare', *SIPRI Yearbook 2017*, pp. 545–53; International Committee of the Red Cross, 'War in cities', [n.d.]; and Action on Armed Violence, 'First 11 months of 2017 sees 42% increase in civilian deaths from explosive weapons compared to 2016', 8 Jan. 2018.

[2] Action on Armed Violence (note 1).

[3] See chapter 9, section I, in this volume.

[4] On casualty recording see Giger, A., 'Casualty recording in armed conflict: Methods and normative issues', *SIPRI Yearbook 2016*, pp. 247–61. See also e.g. Khan, A. and Gopal, A., 'The uncounted', *New York Times Magazine*, 16 Nov. 2017; and Cockburn, P., 'There's no such thing as precise air strikes in modern warfare—just look at the civilian casualties in Iraq and Syria', *The Independent*, 1 Dec. 2017. Khan and Gopal conclude that 1 in 5 air strikes caused civilian deaths, a rate more than 31 times higher than the US-led air coalition in Iraq acknowledged.

[5] United Nations, Security Council, Report of the Secretary-General on Conflict-Related Sexual Violence, S/2017/249, 15 Apr. 2017.

[6] See Grip, L., 'Coping with crises: Forced displacement in fragile contexts', *SIPRI Yearbook 2017*, pp. 253–83.

forcibly displaced people worldwide at the end of 2016 was 65.6 million, and it seems likely that these record numbers continued into 2017.[7] A new displacement crisis occurred when 580 000 Rohingya refugees fled violence in Myanmar (see section III), while protracted displacement crises continued in many other places, including Afghanistan, the DRC, Somalia, South Sudan, Syria and Yemen. Many displaced people crossed international borders in search of protection and assistance as refugees, although the majority were displaced within their own countries.[8]

Finally, armed conflicts contributed to increased food insecurity in 2017, with seven countries recording crisis or emergency levels of food insecurity in at least a quarter of their people. In Yemen 60 per cent of the population (17 million people) faced acute food insecurity, while in South Sudan the proportion was 45 per cent (4.8 million people). The other countries ranked as having the highest proportions of people with food insecurity were Syria, Lebanon, the Central African Republic, Afghanistan and Somalia.[9]

Defining armed conflict

Determining the existence of an 'armed conflict' within the framework of international law differs according to whether the armed violence is fought between two or more states (interstate armed conflict) or between a state and one or more organized non-state armed groups (non-international or intrastate armed conflict). The Uppsala Conflict Data Program (UCDP) has identified 280 distinct armed conflicts in the period 1946–2016.[10] According to UCDP data, a significantly higher number of armed conflicts occurred in 2014–16 (averaging 47 per year) than in any three-year period in 2007–13 (averaging 35 per year); the vast majority of these occurred within states.[11] While intrastate conflicts are by far the most common form of armed conflict today, the threshold that distinguishes situations of internal political violence or tensions from those of intrastate armed conflict is a major polit-

[7] 2016 is the most recent year for which figures are available. UN High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2016* (UNHCR: Geneva, 2017).

[8] UN High Commissioner for Refugees (note 7).

[9] Food and Agriculture Organization of the UN (FAO) and Word Food Programme (WFP), *Monitoring Food Security in Countries with Conflict Situations*, Report for the UN Security Council, issue no. 3 (FAO/WFP: [Rome], Jan. 2018). On the relationship between conflict and food insecurity see Food and Agriculture Organization of the UN (FAO), International Fund for Agricultural Development (IFAD), UN Children's Fund (UNICEF), World Food Programme (WFP) and World Health Organization (WHO), *The State of Food Security and Nutrition in the World 2017: Building Resilience for Peace and Food Security* (FAO: Rome, 2017).

[10] Sollenberg, M. and Melander, E., 'Patterns of organized violence, 2007–16', *SIPRI Yearbook 2017*, pp. 25–46.

[11] Sollenberg and Melander (note 10).

ical and legal issue, not least since it is the trigger for the implementation of humanitarian law.[12]

Two fundamental criteria normally dictate whether an intrastate armed conflict exists under international law: the intensity of the violence and a minimum level of organization of the parties (such as a command structure for non-state groups). Sylvain Vité, a legal advisor of the International Committee of the Red Cross, argues that these two components cannot be described in abstract terms and must be evaluated on a case-by-case basis by weighing up a range of indicative data. This might include, for example, the duration of the conflict, the frequency of the acts of violence and military operations, the nature of the weapons used, displacement of civilians, territorial control by opposition forces and the number of victims (dead, wounded, displaced persons, etc.).[13]

In addition, intrastate armed conflicts often have significant international dimensions and risk spilling over into bordering states. Hence, many intrastate armed conflicts have become 'internationalized': they involve troops, armed groups or another form of military-related intervention (such as arms transfers and training) from other states (or armed groups or private actors in neighbouring states) on the side of one or more of the warring parties. In 2016 UCDP categorized about a third of the 49 armed conflicts as internationalized.[14]

In short, armed conflicts are increasingly complex with multifaceted actors at various levels and with diverse objectives. Such complexity is a major challenge to the conceptual-legal categorization of armed conflict, as well as thinking on conflict resolution (via peace processes) and prevention.[15] This chapter takes as its starting point the armed conflicts described in the UCDP database and then casts the net a bit wider to include cases of confrontation and criminal violence, both of which are sometimes precursors or products of armed violence. Key examples are selected for discussion based on a combination of relevant literature, reports, media and conflict-related data in 2017.[16]

[12] See e.g. Bouchet-Saulnier, F., Medecins Sans Frontieres, *The Practical Guide to Humanitarian Law*, 3rd edn (Rowman and Littlefield: Lanham, MD, Dec. 2013), 'Non-international armed conflict'; and Odermatt, J., 'Between law and reality: "new wars" and internationalised armed conflict', *Amsterdam Law Forum*, vol. 5, no. 3 (summer 2013), pp. 19–32.

[13] Vité, S., 'Typology of armed conflicts in international humanitarian law: Legal concepts and actual situations', *International Review of the Red Cross*, vol. 91, no. 873 (Mar. 2009).

[14] Sollenberg and Melander (note 10).

[15] This complexity is captured in United Nations and World Bank, *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict* (World Bank, Washington, DC, 2018).

[16] UCDP Georeferenced Event Dataset (GED).

Peace processes and the reversal of peace

Peace processes can involve a wide range of activities—from a ceasefire achieved by negotiations, via signing of peace agreements, to disarmament, demobilization and rehabilitation of former combatants and state-building—designed to bring about a negotiated and lasting settlement between warring or disputing parties.[17] Multilateral peace operations, including those mandated by the UN, may also be part of a peace process.[18]

Peace processes are one of many tools used by local intra- and inter-community actors, non-state armed groups, states and the international community to realise peace.[19] Not all peace processes lead to a sustainable peace, however. Many have produced only a temporary peace or cessation in hostilities, where an inconclusive political settlement, a failure to address the root causes of the conflict, or ongoing insecurity and tensions eventually led to a recurrence of the armed conflict.[20] In Northern Ireland, for example, the peace process involved several key stepping points, including the Downing Street declaration (1993) and a ceasefire by the Irish Republican Army (1994), before the Good Friday Agreement (1998) finally delivered peace—although the situation still remains tense two decades later (see section IV). Similarly, the 2016 Colombia peace agreement has brought many short-term benefits, but considerable challenges remain (see section II).

Since the mid-1990s most armed conflicts have been recurrences of old conflicts rather than new conflicts, and of the 216 peace agreements signed during 1975–2011, 91 were followed by a resumption in violence within five years.[21] Nonetheless, this would indicate that although peace is difficult, and peace processes are complex and multifaceted, more agreements succeed than fail to terminate armed conflicts. The following sections seek to develop a narrative of trends and events in 2017 affecting all the key armed conflicts and peace processes associated with those armed conflicts. Exam-

[17] A peace agreement is a political settlement whose objective is to manage the risks of violence and reach some form of stability. See United Nations and World Bank (note 15), p. 144. For a database of documents that can be understood broadly as peace agreements see the United Nations Peacemaker website.

[18] On peace operations see chapter 3 in this volume.

[19] On various interpretations of the term 'peace' as well as other tools for realizing peace see 'Sustaining peace and sustainable development in dangerous places', *SIPRI Yearbook 2017*, pp. 211–52; and United Nations and World Bank (note 15).

[20] Bell, C. et al., *Navigating Inclusion in Peace Settlements: Human Rights, and the Creation of the Common Good* (British Academy: London, June 2017); and Bell, C. and Pospisil, J., 'Negotiating inclusion in transitions from conflict: The formalised political unsettlement', *Journal of International Development*, vol. 29, no. 5 (July 2017).

[21] Högbladh, S., 'Peace agreements 1975–2011: Updating the UCDP Peace Agreement Dataset', eds T. Pettersson and L. Themnér, *States in Armed Conflict 2011*, Department of Peace and Conflict Research Report 99 (Uppsala University: Uppsala, 2012), pp. 39–56; and von Einsiedel, S. et al., *Civil War Trends and the Changing Nature of Armed Conflict*, UN University Centre for Policy Research, Occasional Paper no. 10 (UN University: Tokyo, Mar. 2017).

ples of lower levels of intrastate violence (i.e. violence that potentially falls below the legal intrastate armed conflict threshold) are also discussed, but mainly in the context of political violence in South America (section II).[22]

To gain the 'bigger picture'—for example, as to whether the trends in armed conflict in recent years have led to a 'reversal of peace'—the developments discussed in the following sections should be read in conjunction with some the data sets on various forms of violence and conflict, including the Armed Conflict Location and Event Data (ACLED) project, the Global Terrorism Database (GTD) and the UCDP Georeferenced Event Dataset (GED).[23]

[22] The chapter is complemented by the chronology of events in annex C in this volume.

[23] On whether the trends in armed conflict in recent years indicate a reversal of peace see Melander E. and Svensson I., 'A reversal of peace? The role of foreign involvement in armed conflict: A case study on East Asia', *SIPRI Yearbook 2016*, pp. 220–35. For an overview of the major advances in the collection and availability of armed conflict data see Brzoska, M., 'Progress in the collection of quantitative data on collective violence', *SIPRI Yearbook 2016*, pp. 191–200.