

## **Peacebuilding between State and Non-State Actors: A Comparative Case Study of Afghanistan and Colombia**

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### **Abstract**

Peace negotiations between state and non-state actors can produce impacts which persist in a country for years to come. Using a comparative case study, the determination of successful peace negotiations can be outlined. This paper seeks to answer the question: why have peace negotiations in Colombia been relatively more successful than negotiations in Afghanistan? Violence from non-state actors has plagued weak states like Afghanistan and Colombia. Although both states are different in the social, political, and economic form, groups like the Taliban and the FARC have used similar approaches to intimidate and dominate. At first, the main weapon against both non-state actors were military operations, but there was a shift towards peace negotiations in the past few decades. However, Afghanistan and Colombia have had different outcomes in their peace negotiations. Two peace talks have been examined from both states at the climax of the conflict. In addition, Nepal and Northern Ireland have also been included to provide supporting evidence. There are four variables which will be constant through the examinations: the inclusion of human rights, reintegration programs, political participation, and transitional justice. The peace talks will be split into categories of success and failure. Afterward, the variables which assist in a successful peace negotiation will be visible. Framing the question through a neopositivist lens suggests that a lack of human rights and transitional justice mechanisms included in the peace negotiations in Afghanistan has emboldened the Taliban to act more aggressive. With that mindset, peace negotiations have failed and made matters worse in Afghanistan. The lack of credibility and legitimacy of the Afghan government has dramatically decreased and even been shut down by leaders of the Taliban due to a lack of norms and values between the state and non-state actors.

**Keywords:** Afghanistan, Colombia, Negotiations

### **1. Introduction**

The interactions between state and non-state actors are crucial to the development and stability of a state. For instance, peaceful interaction between the two parties may result in a comprehensive plan to promote social welfare and protect the country's interest through political foundations. On the other hand, a negative interaction that is not well-prepared may result in aggressive tendencies and hostile mindsets for future interactions by both actors.

In several cases, once a government is met with an armed non-state actor, they choose to follow these two likely options: open dialogue with the non-state actor or respond violently. The dilemma becomes two-fold: 1) a legitimate state does want to concede to a non-state actor as it may legitimize them, and 2) no state wants to antagonize an armed non-state actor as it may promote more terror on their citizens.

## 1.1. Scope of Examination

I examined two prominent armed non-state actors in two crisis countries: the Taliban in Afghanistan and the FARC in Colombia. The examination of the armed non-state actors will be done in two varying manners due to the difference in outcomes. For instance, in Colombia, the FARC will be followed from the peak of their violence and influence until the end of their campaign. On the other hand, in Afghanistan, the end of the Taliban's campaign will not be highlighted due to the existence of the Taliban as an armed non-state actor in the status quo. I looked at how the governments in both countries responded to the influence of the armed non-state actors through means of negotiation. At the current moment, there are on-going talks between the Taliban and the US but that will not be presented due to the absence of the Afghan government.

I chose to examine the FARC in Colombia and the Taliban in Afghanistan mainly due to their key similarities and emphasized differences. For instances, Colombia and Afghanistan operate differently politically, economically, and socially. However, there are a few key comparisons to how the two non-state actors (the Taliban and the FARC) operated within those two countries. Both countries were met with resistance from the non-state actors, the non-state actors wanted to overthrow the formal government and implement their own, and both non-state actors meddled with the drug trade to finance their operations.

## 1.2. Research Question

The scope of the puzzle is narrowed to observe possible similarities and differences in both regions. The main difference between the two countries is that peace negotiations have been possible in Colombia while Afghanistan still lacks such development. To figure out why this is the case, I want to answer a broader phenomenon: why do peace negotiations fail between state and non-state actors? This question carries a lot of weight as the failure of a peace process may produce instability on the fronts of social movements, political resolve, and economic development. It also destroys the balance of power between states since non-state actors question the legitimacy of the formal government.

Implications of peace negotiations may be political, social, and economic, which highlights the importance of examining them. The research will focus on why peace negotiations have been relatively more successful with the Colombian government and the FARC more so than the Afghan government and the Taliban. Explaining this phenomenon can help me better understand which variables worked in Colombia and failed in Afghanistan to find a universal factor which can be applied to different peace processes. Attempting to answer this question on the cases of Afghanistan and Colombia will pave the way for the broader phenomenon in the cases of other interactions between states and non-state actors.

## 2. Literature Review

Both Colombia and Afghanistan have endured decades of violence with their respective armed non-state actors. Throughout the years, the formal governments have interacted with the armed non-state actors to produce a policy which would invite them to a peace negotiation.

However, peace practitioners and historians have seen the downfalls of each negotiation and what exactly it was missing. In some cases, it emboldened the armed non-state actor which created a long time delay for another peaceful interaction. Delving into the nuances of certain peace deals can formulate the approaches to success or failure.

### 2.1. Hypocrisy and Asymmetric Information

In the past, when approaching the situation in Colombia, scholars have devoted time to observing it from the perspective of the FARC and the different administrations in power. Several talks have taken place but each time it has failed for different reasons. For instance, in the late 1980s, the talks failed because they did not incorporate civil liberties and human rights which would promote societal justice<sup>1</sup>. Since both the non-state actor and the formal government committed human rights violations, the Colombian government looked weak and hypocritical in condemning the actions of the FARC while they committed similar actions.

The basic measure of failure happened with leverage as the Colombian government lost most of it. In addition, some scholars would define that a loss of legitimacy comes at the cost of losing support from the citizens as they might transfer to the side of the non-state actor<sup>2</sup>. In other instances, towards the end of the twentieth century, the government of Colombia entered several international human rights accords which prevented them from making the same mistake again. They were able to convince the FARC to pursue a peaceful negotiation but held back an important detail which was the reintegration of the FARC members<sup>3</sup>.

The Colombian government did not outline how exactly the members would be disarmed or demobilized which brought a lot of fear and doubt in the armed non-state actor. Towards the end of the peace process, trust decreased due to the lack of transparency. Some scholars believe that letting the other actor know about your military capabilities and intentions will develop positive impacts rather than negative ones<sup>4</sup>.

For example, Serkan Yarali examined the Turkish government's engagements with the PKK over three years. He specifically wanted to look at peace talks and found that diplomatic success is harder once the actors are not aware of each other's military capabilities. "Information asymmetries and commitment problems are usually more severe in intrastate conflicts because it tends to be more difficult to obtain information about the military capabilities of non-state armed groups and there tends to be larger power asymmetries between states and non-state actors"<sup>5</sup>.

In Afghanistan, the same problem has occurred several times with the leverage and legitimacy of the formal government. Peace practitioners have pointed out that Afghanistan commits human rights violations which decrease their credibility in the eyes of the Afghan people and the Taliban<sup>6</sup>. The civil liberties of society are not being upheld which promotes regressive policies and makes not only the citizens question who should be in charge, but also the non-state actor. "Values like human rights, women's rights, transitional justice, fair investigation of past crimes committed by the Taliban and other conflict parties, democracy and the protection of vulnerable groups are the most basic elements of peace-building and seem to be absent in the ongoing efforts of peace talks in Afghanistan"<sup>7</sup>. The crisis in Afghanistan centers around violence which harms the citizens and the structure of the country. At the moment, the formal government cannot guarantee complete peace due to the uncertainty of the Taliban doing the same. Also, their radical differences are not discussed which does not give way to a compromise. Rather, it sheds light on their disagreements which produce no agreement<sup>8</sup>.

## 2.2. Barriers of Peace

Zuleta and Mnookin looked at what exactly are the barriers of peace which may contribute to the failed negotiations in both countries. Both of the authors agree that the main aspects start with the state and non-state actors. Zuleta extends this theory of power asymmetry in his piece when he discusses the possibilities of a ceasefire and a rejection of truce in conflicts and negotiations between states and non-state actors.

The specifics become simple as Zuleta points out that if the costs become too high for both sides, then the likelihood of both sides attempting a ceasefire increases. On the other hand, having different perceptions about the strength of the other actor increases rejection of truce. This may occur if the state or non-state actor perceives the other actor as weaker than they are which promotes aggressive actions<sup>9</sup>. This is tied in with what Yarali discussed with information asymmetries so both scholars agree that lack of knowledge about the other side's military decreases chances of peace.

Furthermore, if the non-state actor derives a majority of their income from other illegal activity, they are less likely to engage in a ceasefire due to their belief that they can sustain themselves. Zuleta examined Colombia and showed how these factors kept the FARC from producing a ceasefire with the Colombian government<sup>10</sup>.

Robert Mnookin extends Zuleta's explanation of failures in negotiations. Mnookin talks about are the strategic barriers, the agent/principal problem, cognitive barriers, and the reactive devaluation of compromises and concessions. The first barrier deals with the inability for actors to fully gain their desires in negotiations which sways them away from coming to the table due to concessions<sup>11</sup>. The agent/principal problem deals with representation and how if the actors are not directly meeting with one another, then the likelihood for miscommunication increases as it may derail the entire process.

The third barrier, cognitive, talk deeply about the risk aversion which is prevalent in individuals in situations of negotiations. Actors will most likely go down a certain path rather than going for a gamble even though the gamble may have a higher payoff if it is to work. This is also connected with Yarali and Zuleta's information asymmetry as states are not sure if the non-state actor will not attack, so they preemptively act aggressively. The final barrier pertains to the uncertainty in negotiations from actors as they might believe a proposal from the other side is done with sinister intentions which creates doubts from the beginning of the interaction<sup>12</sup>.

## 2.3. Bargaining Theory

In addition to historians and practitioners, scholars of diplomatic thought have also examined violent conflict through the lens of bargaining theory. Muthoo and Schelling agree on the complexities of negotiations. Bargaining theory takes into account seven main principles which are patience, a risk of breakdown, outside options, inside options, martial bargaining, commitment tactics, and asymmetric information<sup>13</sup>.

All of these factors determine which course of action a certain actor will take to maximize benefits and minimize harm for him or herself. For instance, patience during the process of negotiations confers bargaining power, while risk aversion affects it adversely. Moreover, a player's outside option enhances her bargaining power if and only if it is attractive and therefore credible<sup>14</sup>. These two principles can be directly connected to how states view non-state actors and what they chose to offer in the negotiation.

Schelling furthered the point of bargaining theory to specify the actions of a state rather than an average actor. In his piece, Schelling pointed out the difference between brute force and latent violence which occurs when aggressive measures are heightened during negotiations between actors. Brute force is simply the act of committing violence against an individual or group and latent violence is the threat of committing violence<sup>15</sup>.

In diplomatic exchanges, latent violence is a form of coercive diplomacy. In terms of brute force, the actor who finds the pain unendurable first loses. In terms of latent violence, whoever possesses a greater threat can force concessions out of the other actor. This can be connected to Muthoo's examples of patience and outside options which increases chances of brute force being used by the state which may derail negotiations.

When examining the interactions between these two states, the perspectives of theorists, practitioners, and historians need to be evaluated to be able to test the variables outlined in each case. However, in these scholarly articles, there seems to be missing universal variables which can be applied to multiple cases. The research is limited because the variables only apply to certain countries with certain non-state actors. My research will contribute a multi-faceted approach which outlines strategic measures to achieve peace and answer for why peace negotiations fail across space and time in multiple cases rather than one.

## 3. Methodology

Gathering information through the examination of peace deals will demonstrate a comprehensive understanding of what exactly occurred during the negotiations. I will be including four variables which have been promoted by scholars to be essential in successful peace deals. The independent variables will be able to give me a better understanding of its impact of the outcome on the peace negotiation.

### 3.1. Framework

My research will be based on the framework of assessing quantitative and qualitative data to reach a logical conclusion to explain a broader phenomenon. I will be conducting a comparative case study of two states (Afghanistan and Colombia) and their respective domestic non-state actors (the Taliban and the FARC).

In total, I will be assessing four different actors from the peak of the non-state actors' existence to present-day time. Since I will be observing the phenomenon of failed peace negotiations by a small-N analysis, this research will be done through a neo-positivist lens.

Moreover, including more independent variables will allow me to disprove some factors in having a significant weight on the peace process. I will be able to falsify certain variables which would only push me closer to finding a few or numerous independent variables which have the most impact on the negotiation process between the two actors.

In abstract terms, the small-N analysis of two countries is beneficial since I will be comparing two different outcomes at first which have had similar approaches by the non-state actors at certain points in time. Due to the differences in outcome, the analysis may be used to explain the broader phenomenon of failed peace negotiations in other states with similar circumstances.

Success will be measured by an increase of stability in the country by a direct cause from the negotiation and failure will be measured in terms of a decrease of stability in the country. Stability will be defined, in this context, as the absence of mobilization and violence by the armed non-state actor towards the formal government and/or people. The quantitative data will be measured by the number of terrorist attacks during and after the peace proposal.

In terms of data collection, I will be answering my question by assessing peace negotiations from the two countries. For instance, for Colombia, I will be looking at one peace deal which has failed and another successful one. I am doing this to distinguish the success and failure of Colombia.

For Afghanistan, since there has not been a successful peace deal as of yet, I will be looking at two peace negotiations which have failed. I will be including variables which are usually prevalent in peace negotiations. I will use these variables to examine the emphasis placed on them during the peace talks. There will be a measurement from 'low', to 'medium', and to 'high'. I will log which variables exhibited which measures in certain peace talks. Also, if there is no sign of any emphasis on a specific variable, then it will be logged as 'low'. I will be holding those specific variables in control to limit cherry-picking so each country will be assessed the same with the same criteria.

Afterward, I will be determining whether stability existed after the peace negotiations. This will be used to further determine the success or failure of the peace process. If I can find certain variables which were prevalent in successful peace negotiations and those same variables were not emphasized upon during the failed talks, then that will help the support the idea of which variables are significant in the possible success of the peace process.

The main comparisons will be made between the successful peace deal with Colombia, and the failed deal in Colombia cross-referenced with the failed deals in Afghanistan. The variables which set off stability within the country will be found to serve as the most likely strategic measures to use in peace negotiations. The comparative study will explain the research question between Colombia and Afghanistan and the inclusion of the two other countries will serve to support the theory of the broader phenomenon.

### 3.2. Independent Variables

The first two variables I want to highlight are the inclusion of human rights and transitional justice. Referring back to Hussain's analysis of the failed peace talks in Afghanistan, there is a lack of human rights and transitional justice which diminishes the credibility of the state and brings into question the authority of their rule by the people. Felice Gaer found that a lack of human rights in peace talks prolong conflicts as it gives the non-state actor more mobility to terrorize. In addition, including those two variables creates an impartial force which brings the interests and dialogue of the two actors closer together<sup>16</sup>.

The third variable is the creation of a reintegration program. Quie discusses the factor of a reintegration program and how non-state actors move away from a peace process since they are not guaranteed safety. Without a reintegration program, it gives the state the ability to continue to marginalize the members of the opposition by continuing to exclude them<sup>17</sup>. Finally, the last variable is political participation which is an extension of a reintegration program. Gross found that political participation is a useful bargaining chip states can use to push the non-state actors to accommodate. He discovered this to be the case in India, the Philippines, Nepal, Sri Lanka, and Israel<sup>18</sup>.

## 4. Case Studies

When assessing every study, I will be holding the four variables constant: the inclusion of human rights, reintegration, political participation, and transitional justice. The first variable tests the hypocrisy and legitimacy of the state. The solvency of this variable impacts the civilians and how the members of the armed non-state actors are treated after the fact. The second variable is directly tied to the aftermath of the peace process and what exactly happens to the members of the armed non-state actors. Is there an institution which will oversee their reintegration back into normal society? Will they be allowed to enter society or will they be imprisoned? The third variable begs the question of whether the peace process has a caveat of whether the armed non-state actor can participate in politics. Can members hold office? Are they allowed to run for office? Will their voices be heard?

The last variable has to deal with accountability and transparency and whether the state will prosecute those who committed human rights violations before the peace talks<sup>19</sup>. This variable is set to protect the interests of the people and to make sure human rights abuses are not legitimized in the eyes of the state because of a peace deal. I will be testing two peace deals in Afghanistan and Colombia and assess the success or failure of the aforementioned peace deals.

Table 1. Peace Negotiations in Afghanistan and Colombia

Case	Human Rights	Transitional Justice	Reintegration	Political Participation	Success/Failure
Afghanistan: The 2005 Allegiance Program	Low	Low	High	Low	Failure
The DDR Program of 2007	Low	Low	High	High	Failure
Colombia: The 1991-1992 Talks	High	High	Medium	High	Failure
The 2016 Peace Agreement	High	High	High	High	Success

The 2005 Allegiance Program was initially created to reconcile old members of the Taliban within the normal civil society. However, although some members did agree with the deal, the majority of the Taliban members wanted to keep fighting until they lost because they knew the government would allow for them to reintegrate<sup>20</sup>. That was the biggest problem as there was no reassurance of human rights protections or accountability for the members of the non-state actor. In a sense, there were no consequences if they were caught alive or choose to give up. Moreover, since political participation was not offered, the militants had no incentive to stop their violence which simply perpetuated conflict and developed more confusion.

In addition to that, suicide attacks between this period increased by sevenfold which decreased the overall stability of Afghanistan<sup>21</sup>. The lack of accountability led to a false belief of a “peace” deal which resulted in more violence and chaos within the country.

The same problems occurred in the 2007 outlined plan as those who committed previous acts of human rights abuses were not held accountable<sup>22</sup>. Instead, they were allowed to participate in the political process and hold political posts. To make matters worse, members of the armed non-state actor were given posts if they neglected their military operations.

Once again, the lack of transitional justice lost faith in the civilian population and it did not result in stability. The Taliban, in reality, took advantage of this plan and continued their violence and only some decided to give up their operations. In 2007, suicide attacks increased from the previous year<sup>23</sup>. This plan looked more like a declaration of defeat by the Afghan government which resulted in the state losing more bargaining chips.

Since the Taliban were able to drive the narrative, they gained leverage and were in a position of power. Stability decreased and the population saw the plan as a failure. Both of the peace deals did not focus on protecting the population. Instead, it was geared at conceding to the Taliban to convince them to demobilize. Both plans were counterproductive and did not aim at solving the main issues at hand.

Unlike Afghanistan, the Colombian government made sure they presented themselves from a position of power to address issues with the FARC in the 1991-1992 talks. For instance, the promotion of human rights and justice were emphasized and supported by both groups. This assisted with trying to convince a vengeful population to support the non-state actor.

In terms of peaceful measures, the government had the opportunity to directly charge specific individuals who committed war crimes and human rights violations. This displayed accountability and a mutual mindset with both actors. In exchange, the government stopped their paramilitary operations which resulted in less conflict and shrunk the size of the FARC.

However, there was a big missing piece: the lack of emphasis on a reintegration program. The government had plans to disarm the members and bring them to trial for their war crimes, but they did not express the need for a program which would rehabilitate the members of the non-state actor. Members were able to participate politically but had no idea how exactly the transition would take place.

This brought a lot of fear in doubt throughout the negotiations and the parties could not come to a consensus on a cease-fire<sup>24</sup>. The FARC feared the Colombian government would take advantage of their disarmament which only produced mistrust amongst the actors. This is tied in with asymmetric information and the need emphasis on revealing information about intentions to form a common dialogue. In addition to that, there was an assassination attempt on the President of Congress which only created a longer bridge which resulted in stability decreasing<sup>25</sup>. Without a cease-fire, there was no guarantee of safety from either side.

Finally, the one peace agreement which was successful between these two countries occurred in 2016. In this specific peace deal, every variable was emphasized upon throughout the agreement. Human rights and transitional justice were included to bring a divided country together and provide legitimacy, accountability, and transparency on both sides of the table.

Political participation was also a key factor as voices needed to be heard from the FARC’s perspective which helped them come to the table in the first place. Finally, a reintegration program was finalized in a deal called Peace Colombia which started with the help of the Obama Administration.

Members were to go through rehabilitation programs to reintegrate back into society. They would learn training skills and embark on education routes to support their communities and the rest of the country.

The Colombian government focused on structural change and allowing the FARC being part of that plan simply gave them more legitimacy and credibility<sup>26</sup>. It also helped the voices of marginalized groups in Colombia which FARC represented. Stability increased as terrorist attacks by the FARC came to a minimum when the official peace deal was ratified.

#### 4.1. Cumulative Analysis

The data indicates that the two variables that have the most impact on the peace process have been the inclusion of human rights and transitional justice. These two factors attest to the fairness and good-will of both the state and non-state actor. In the 1991-1992 Colombian talks, these two factors were included yet the talks still failed. However, I would like to point out that it is because of those variables that brought the FARC to the table in the first place.

We can see why Afghanistan has not had enough success with the Taliban. Simply having a reintegration program with political participation opens the door for the non-state actor to take advantage of the situation and it gives them more power. They do not have respect and do not see the Afghan government as legitimate and credible.

If the Afghan government emphasizes more on human rights in the peace talks and decides not to concede that point, then it will be made known to the Taliban that the Afghan government is interested in protecting the rights and safety of the Afghan people. Thus, they are fighting for the Afghan people rather than being an American puppet and creation. A mutual dialogue can be built from that as interests start to converge.

In addition, having transitional justice guarantees that people who committed war crimes do not get a political post. Offering such a deal in 2007 proved that the Afghan government was coming from a weak position in the peace process which simply made the Taliban stronger in the forces of ideology.

The Colombian government learned from their mistakes of not having a clearly outlined plan and included a reintegration program years later. However, there is a huge difference between the Taliban and the FARC. The latter wanted to come to the table and the former does not show any desire at the moment. The Taliban refrains from talking to the Afghan government and they see themselves as fighting for the liberation of their country. This can be a problem of ideology and radicalism, but the Afghan government can reduce those sentiments by coming off credible. Including human rights and transitional justice within the talks increases the chances of such. The Afghan government needs to understand that peace deals must be comprehensive. There needs to be structural reform to combat the Taliban from the perspective of peace.

Peace negotiations fail because of a lack of credibility to implement and include policies of human rights and transitional justice through the peace process. Colombia was able to do that to attract the FARC to the negotiating table, but Afghanistan still lacks the effort and support.

## 5. Conclusion

The positive impacts of interacting with an armed non-state actor outweigh the negatives. Extending an olive branch opens up pathways for necessary discussions about peace and stability within the country. In some instances, like Colombia and Afghanistan, the armed non-state actor can help the state produce more stability in terms of political, social, and economic.

As a way to not antagonize the armed non-state actor or to come from a weak position in bargaining, states to be able to evaluate their peace deal which they are offering and making sure it fulfills the needs of both parties and has no dead end or missing pieces. They will be able to do this by making sure human rights are included and both parties respect it as such. Without a norm which both parties agree on, the gap between differences in ideology grows.

The state should also make sure that the crimes of the non-state actors and the government should not be forgotten by implementing transitional justice policies. In most cases of rampant terrorism--like the cases which I have examined--both sides committed human rights violations and war crimes in some instances. The peace deal is not for the government or the non-state actor, it is for the people and a better state. That is why norms need to be set amongst the two actors.

My research can be limited in the aspect of variables as I could have looked at more and weighed them heavier. Other variables could have played instrumental roles in the peace process which would have been different in every

case which does limit the capacity of my study. However, the trends I do point out are visible in theory and practice which is why I weighed them the most in my measuring system of stability.

The Colombian government and the FARC were able to successfully negotiate on norms which they established, but the Afghan government and the Taliban have not been able to even agree on human rights and transitional justice. Both actors need to agree on basic necessities for the state and people to make sure the peace negotiation does not fail.

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