Introduction

The project title Human Rights and the Conflict Cycle reflects the notion that human rights concerns may differ according to the phases of conflict. Significantly, the concept of conflict phases, also described as life cycle of conflict, or conflict cycle, has been developed primarily in the context of what will be called here conflict and conflict resolution research, and human rights literature appears largely to disregard the complexity of the debate and especially the models developed. While human rights literature, particularly in the post-Cold War era, does provide insight into the role that human rights play in conflict, it largely uses a simple three stage model of conflict (conflict escalation or intensification, armed conflict and conflict de-escalation or post-conflict stage) or even no model at all. This raises the question of whether the human rights field would not benefit from the concepts and models of the conflict cycle that conflict resolution experts have developed.

On the other hand, it is acknowledged that the conflict cycle models developed by the conflict resolution community suffer from a number of shortcomings. These shortcomings include the fact that there is no clarity on some basic terms used, that conflicts are not linear and that there is no automaticity in moving through the different stages of conflict. These issues will be addressed in this chapter. The shortcomings beg the question of whether the conflict cycle models should be adopted uncritically by the human rights
community, or whether there are any elements that might be useful.

This chapter will thus look at the concept of the conflict cycle and present a variety of models developed. It will also analyse corresponding notions of stage of involvement or intervention in conflict, which are particularly useful for the conflict resolution practitioner, but also for human rights experts. Furthermore, it will consider difficulties in defining stages of conflict and shortcomings of the models developed. Finally, it will consider the ways in which human rights literature could be enriched by taking into account the work undertaken on the conflict cycle by conflict resolution experts.

The Conflict Cycle

The first step towards understanding and thence addressing a conflict is to be able to define the structure of the conflict and its dynamics. Much attention has been devoted in this context by academics and also conflict resolution practitioners to the notion of the life cycle of a conflict, or conflict cycle. A conflict is a dynamic situation and the intensity of conflict changes over time. Arguably, the concept of the conflict cycle helps to understand this dynamic.

In literature on conflict, when the conflict cycle or phases are addressed, the level of complexity of models differs depending on the purpose of the writers, but most of them acknowledge, at least implicitly, the notion of a circular pattern to conflict. Significantly, some see the circular pattern simply as a repeated pattern of escalation and de-
escalation and others refer to the fact that escalating from stability to crisis and war and de-escalation back to that situation creates a circle. The proposition that conflict cycles are recurring is strongly supported by empirical research and work of numerous scholars. In addition, some claim that once a conflict has taken place, the probability of conflict re-occurring becomes significantly higher.

Stages of conflict in human rights literature

Most of relevant human rights literature focuses on one stage of conflict, most often the stage of negotiating or implementing peace agreements\(^\text{14}\). Some authors focus on conflict transformation, the stage of moving from violence to sustainable peace\(^\text{15}\). Much attention is also paid in human rights literature to truth commissions, which are associated with the stage following armed conflict.\(^\text{16}\) Some of the writers do acknowledge that ‘human rights violations are causes and consequences of armed conflict’\(^\text{17}\), which in a sense provides for a division of conflict into two phases.

If human rights literature uses a model of conflict or focuses on several stages of it, more often than not it is a

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very simple model of conflict. For example Julie A. Mertus and Jeffrey W. Helsing in their book ‘Human Rights and Conflict’, divide their work in three stages to a conflict: the conflict intensification stage, the armed conflict stage and the post-conflict/post crisis stage. Each of them has specific characteristics. The conflict intensification stage is *inter alia* marked by human rights violations as root causes of conflict, and failure to address human rights issues hinders conflict prevention efforts. During the armed conflict stage, competing factions take up arms and human rights abuses are both a common by-product of the violence and a component of wartime strategy, while human rights norms and concerns inform efforts for international intervention. During the post-conflict/post crisis stage violent conflict ceases and efforts at rebuilding begin. Here human rights considerations play a role in peace agreements, the treatment of refugees, civil society building efforts, human rights education campaigns and the creation of truth commissions and other efforts to hold perpetrators of human rights abuses accountable. The authors indicate that this third stage can lead to a new round of intensified conflict.\(^{18}\)

Lutz, Babbitt and Hannum too suggest that:

> ‘violent conflict and other circumstances in which massive violations of human rights are occurring can be divided roughly into three stages: the period before violence breaks out when prevention is possible; the violent conflict period; and the period after the conflict ends or the human rights violation cease.’\(^{19}\)

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These authors warn that the phases often blur. Michelle Maiese also writes that:

‘many conflicts are sparked by a failure to protect human rights [...] As conflict intensifies, hatred accumulates and makes restoration of peace more difficult. In order to stop this cycle of violence, states must institute policies aimed at human rights protection’\(^\text{20}\), thus also implicitly subscribing to a three-stage model.

The three stage model is parsimonious, but it does not adequately reflect the work undertaken by the human rights community on conflict as, for example, it does not give sufficient attention to root causes of conflict and thus does not lend itself to reflections on early warning, and to the post-conflict situations, in which human rights abuses often continue or in some cases even increase. It would appear that literature on conflict and human rights would benefit significantly from more differentiated attention to the stages of conflict.

Models of conflict cycle in conflict resolution literature

More differentiated models have been developed by conflict resolution experts. Although the various efforts towards defining conflict cycles are not necessarily contradictory, they differ significantly in terms of their complexity. Thus, while some writers put forward a very simple model with three stages, others add on features and work with models with several more stages or even several

parallel sub-conflicts, defined by issue area rather than geographically, and each of them with different dynamics.

Many writers include in their models the escalation and de-escalation phases, thus being able to present them as graphs, mostly in curve or, more correctly, wave form. Still others divide the escalation and de-escalation parts into phases. Finally, the more complex models reflect the fact that a conflict will consist of several waves, one after another. Here the presentations will differ, with more complicated approaches drawing the waves in different sizes and acknowledging that each wave may reach different levels of intensity. The most complex models view conflict as a series of such graphs on top of each other, arguing that any conflict will consist of numerous sub-conflicts. Indeed, the latter approach, while cumbersome, also suggests that it is possible to approach the subconflicts separately, which may be helpful in efforts to de-escalate a situation.21

The Conflict Prevention Network of the European Commission has identified four stages of the conflict cycle: stable peace, unstable peace, high tension and open conflict. In this approach, pre-conflict and post-conflict phases are opposed directions of the linear approach, in that in post-conflict situation the conflict intensity diminishes from open conflict to high tension and so on, to stable peace.

‘Each of these stages differs in terms of the kinds of causes that are present, their associated features, the turning points or thresholds that mark the transition from one phase

to another, and the type of international engagement that is most emphasised.\textsuperscript{22}

This approach does not specifically analyse the role of human rights, but they are present throughout in the analysis. Other models distinguish several other conflict stages.\textsuperscript{23}

One important difference in the various definitions of the conflict cycle is whether scholars include in it the stage of peace and stability initially and after the conflict. In other words the difference is whether scholars consider the absence of conflict as a stage of conflict cycle, or whether they start looking at the situation when tensions arise, and abandon its study before peace and stability have been achieved. This is not just a rhetorical difference. For some it is a philosophical difference, and they see the study of peace as a distinct discipline from the study of conflict and war. For others it is also of key significance whether a peaceful


and stable situation should be watched for any signs of tensions arising and, therefore, early warning can be given, or whether the work of conflict resolution and human rights experts starts when tensions and hostilities emerge.

The larger issue here is whether, as happens often in real life, efforts to address conflicts begin after escalation has taken place and mistrust between the parties has been built-up. In these cases any effort is likely to be costly and difficult. The other option is that intervention could start much earlier when, in principle, the parties are likely to be much more accepting of them.

Additionally, it is worth noting that literature on the conflict cycle, and efforts to develop conflict cycle models, in particular those that do not include the early warning stage, do not focus on the root causes of conflict. Instead, they focus only on the intensity level of the conflict and its duration. This evidently is a shortcoming, one which could possibly be bridged by linking the conflict cycle literature to work undertaken on root causes of conflict and, in particular, on the significance of human rights, and on early warning indicators.

Some interesting efforts have been undertaken to highlight the role of early warning and to develop indicators for conflict. One such example is work undertaken by the Stockholm International Peace Research Institute (SIPRI), which identifies a category of early warning indicators, ‘justice and human rights’, as the first on a list of several categories.24 There are numerous such efforts. Certainly

patterns of rights violations, including minority rights are also recognised in the context of the work of NGOs and international organizations such as the UN and the OSCE as an important early warning of conflict.

Stages of involvement or intervention in conflict resolution literature

The division into stages or phases and the understanding of conflict as circular is the starting point for research on conflict prevention, management and resolution. It also helps the practitioner, whether governmental, intergovernmental or NGO to decide when and how to get involved in addressing a conflict. However, in order to make the notion of conflict cycle more relevant in the study of reactions to conflict and to provide guidance to practitioner, parallel conceptions of the conflict cycle, which focus on the stages of involvement, have been developed. At its simplest, and corresponding to the simple conflict cycle model delineated above, it has three stages – conflict prevention, crisis management, and post-conflict rehabilitation. However, much more complex models have been developed.

Michael Lund and Susan Votaw West, in their article on ‘A Toolbox to Respond to Conflict and Build Peace’, attempt to provide policy-makers and practitioners with a set of consistent terms pertaining to intervention that integrate the phases of conflict and policy interventions.

They identify conflict prevention (preventive diplomacy, preventive action, crisis prevention, preventive peace-building), crisis management, conflict management (conflict mitigation), peace enforcement, conflict termination,
peacekeeping, conflict resolution (post-conflict peacebuilding). This, while useful is, however, more of a comprehensive list than a model.

However, some organizations and authors, especially those focused on conflict prevention, rightly add early warning, and argue that the most important step is from early warning to early action. Some acknowledge that conflict prevention has two stages: structural and operational prevention (also called primary and secondary prevention, or direct and structural prevention) applicable at different stages and directed respectively at issues with longer-term perspective and shorter term perspective. Others distinguish between preventive diplomacy and conflict prevention. These early stages of early warning and different stages of conflict prevention do require significant attention because, clearly, this is the most adequate, least costly and most effective point in time to react to a developing crisis. It is surprising to see that much of the work undertaken on the stages of involvement or intervention does not include early warning. One could speculate why this is so. The most convincing reasons may be the fact that so much information is available in the interconnected and globalised world that early warning becomes irrelevant. However, one must add that in particular with large amounts of information, analysis and interpretation become the key. Another reason may be that the conflict resolution community is exactly what it is called – a set of experts that get interested and/or involved when there is a conflict that needs resolving. A final reason that may be of relevance could be the issue of visibility of

both the problems that are to be addressed and efforts to resolve them – or as is being said sometimes, the lack of visibility of early warning and conflict prevention efforts.

An additional difficulty in the context of defining the stages of involvement and intervention is the multitude of terms used to describe the forms of intervention, and in addition the fact that different communities may use different terms for similar forms of engagement. To give an example, Michael Lund refers to two roughly parallel series: the p and the c series, whereby the p refers to preventive diplomacy, peacemaking, peace enforcement, peacekeeping and peace-building used in the UN context, and c to terms such as conflict prevention, crisis management, conflict management, conflict mitigation, conflict termination, and conflict resolution which he describes as used in academic literature on the subject. Even this is a simplification, as often the terms are mixed.

To give an example, the Conflict Prevention Centre of the Organization for Security and Co-operation in Europe, a regional organization under the UN Charter, uses in its work a conflict cycle definition which includes early warning, conflict prevention, crisis management, and post-conflict rehabilitation, and not the p series. The emphasis of the Organization is on conflict prevention, and occasionally it is acknowledged that conflict–prevention and post-conflict rehabilitation may in some cases be very similar in terms of aim (preventing conflict or recurrence of conflicts) and tools available to achieve this aim. In turn some academics use the

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27 See for example website of the OSCE Conflict Prevention Centre (n.d.). [Internet] Available from: <http://www.osce.org/cpc/>
p series rather than the c series to speak of stages of involvement.

The differences are not just cosmetic or linguistic. It appears that unlike in the human rights literature, the literature on conflict cycles and on conflict resolution does not have an agreed upon vocabulary. While some authors have attempted to produce glossaries of terms\(^\text{28}\), the discourse is not very accessible, and human rights experts (who in principle deal with a subject much better delineated and defined) may shy away from dealing with it.

Clearly, the starting point for any efforts to define the stages of involvement or intervention must be an understanding of the stages of the conflict cycle. Thus, even though some charts and models only accommodate the stages of intervention, one can only hope that behind such efforts there is some sound reference to the conflict cycle. Only an understanding where the conflict is at allows the practitioner to decide when and in which way to become engaged.

Some models integrate the stages of conflict with stages of involvement, creating an analytical model (admittedly a simplified construction) that may be of use to both theoretical and practical approaches to conflict. Examples of such integrated charts can take either a wave form or a circle form.\(^\text{29}\)

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Albrecht Schnabel presents in his chapter an integrated model of peace and conflict dynamics, which he co-developed for a UN System Staff College, and which aims at overcoming some of the difficulties that other models have in addressing the impact of various events and efforts.

Problems of defining stages of conflict and stages of involvement

No agreed upon vocabulary

As has been noted above, the conflict resolution field is not based on an agreed set of terms and definitions. This reflects the fact that it is a cross-disciplinary field, as much as the fact that it is not based on some universally accepted documents (although one could for example argue that UN Security Council resolutions could in principle provide such a basis). Consequently, as has been argued in this chapter, the human rights field may find conflict resolution research and discourse not accessible and confusing.

Conflicts not predictable

One of the difficulties in defining what are the various stages of conflict is that all of these models are idealised. Conflicts usually do not follow a linear or predictable path. They evolve in fits, which mark progress and setbacks towards resolution. Because violent conflicts are non-linear and contingent upon events, models cannot be used mechanically. Transitions from one stage to another may differ in terms of form and speed. Escalation may resume after stalemate or negotiation. Escalation and de-escalation
may alternate. Negotiations may take place in the absence of a stalemate. If one accepts the proposition that there are several sub-conflicts in any conflict, and their dynamics are different, than it becomes even more difficult to define the stages of conflict.

It is worth underlining that transition from stage to stage in the direction of peace requires effort. In particular, there is no automaticity in the transition from war to peace – many intervening factors can change the course of things but, even more significantly, much work has to be invested in such a development. The conflict cycle models that do not include references to such work (or involvement or intervention), may be misleading.

**End of conflict often does not translate into drop in structural violence and of human rights infringements**

As work on post-conflict situations indicates, de-escalation and end of armed violence mostly does not have the effect of ending structural violence and human rights violations. Significantly, as Albrecht Schnabel argues in his chapter, for instance small arms violence against women tends to increase after wars. Others indicate that levels of domestic violence increase after conflicts. As a World Bank publication on the subject of gender and conflict indicates, ‘with the transition from conflict to peace, a shift in GBV [gender based violence] seems to take place from the public to the private domain through an increase in domestic violence’.\(^{30}\) Martina Vanderberg, writing about the situation

of women in Tajikistan after the civil war, also argues that ‘as in many post-conflict societies, domestic violence appears to have spiked upward after the official cessation of hostilities.’ In fact, arguably, it is all vulnerable groups such as women, children, minorities and refugees that often experience discrimination and/or violence in post-conflict societies. Thus, models of the conflict cycle seldom accommodate such specificities of post-conflict situations, and thus may not be entirely adequate for the use of the human rights community.

Models do not reflect subjective perceptions of conflict stages

An additional difficulty that needs to be highlighted here is the following: models do not necessarily take into account the subjective perceptions of where a conflict is at. Views of whether a conflict is escalating and at which pace will, for example, differ between those close to events and those further away, and those within the country and outside of it.

Perceptions may vary according to the amount and kind of information available about the situation. The key role here is played by media reporting. As many have observed, television images often tend to distort perspectives. To give an example, a localised violent demonstration, which finds itself played and replayed on international news channels can give the impression of a massive crisis affecting a country, at the same time when inhabitants of the same city report of not noticing anything themselves. Some refer to violence-

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centred way of reporting. Rabea Hass writes for example that ‘reports about victims and violence are usually a guarantor for a high circulation, since sensationalism sells.’

Conversely, when images are not available and information flow is restricted by authorities or circumstances, the real extent of a crisis or conflict can emerge only slowly, if at all. The ‘CNN effect’ also implies that after some days of intense reporting, there is less attention paid to any given conflict, thus giving the impression that it has somehow resolved itself or become less relevant.

Views can differ among individuals, not only because of scope of information available to them, but also because of loyalties, experience, predisposition, interest in certain issues, willingness to listen to information or analyses. The perception of which stage a conflict is at may differ not only from individual to individual, but also from group to group involved. As Eric Brahm argues:

‘...the stage of a conflict is determined subjectively by those involved. Some participants may see the conflict as escalating, while others believe it is de-escalating; one side may perceive itself to be in a hurting stalemate, while the other side believes it can prevail through continued force. Determining each party’s assumptions regarding the stage of the conflict is thus important, before one can design a conflict management, transformation, or resolution strategy.’

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It is worth noting that the sequence of the phases differs from group to group. Moderates, hardliners, spoilers, and various other factions within each camp tend to be in different phases of intractability at any given time. Therefore ‘shifts in the relative size and influence of those factions will produce changes in the conflict’s course.’  

Finally, one can appreciate that there are significant differences if not in perceptions of stages of conflict, then certainly in strategies and tactics for involvement of participants and interveners in the different phases of the conflict. To give an example, while the stage of stalemate may be a signal to a certain set of participants in the conflict that more resources are needed in order to militarily overcome the perceived enemy, for interveners, a stalemate may be a signal that the participants may be ready for mediation.

Thus, interestingly, a practitioner’s needs may not be fulfilled by analyzing where the conflict is at, but also where it is perceived to be by ALL key individuals and groups, as well as what involvement it lends itself to. This is rather difficult to do at distance, hence presence on the ground, ideally in the form of consultants, staff, permanent office or field mission may be needed.

How could human rights literature benefit from a more differentiated view of the conflict cycle?

While many authors argue that it is difficult to reconcile the safeguarding of human rights with conflict resolution or that the human rights community and conflict resolution

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34 Ibid.
community often act in ways which impede each others’ efforts, arguably the human rights community can learn from the more differentiated view of the conflict cycle that the conflict resolution experts provide. It is beyond the scope of this chapter to present the extent and content of tensions between the two communities, and the efforts of numerous writers to bridge the divide. However, the review of respective literature indicates that there are also basic differences in understanding the conflict cycle, with the human rights community paying relatively little attention to the nuances of the various stages of conflict or involvement in conflict. The human rights community would benefit from a more nuanced understanding of the conflict cycle, such as provided by a variety of authors from the field of conflict resolution, in order to be able to adequately reflect on the much differentiated nature of the stages of conflict, and the corresponding, sometime nuanced, link to human rights.

However, the human rights field seems to be more clearly defined than the conflict resolution field, which lacks a framework such as the Universal Declaration of Human Rights, and as this chapter indicates, also clearly defined and agreed upon terms and definitions, which creates difficulties for those who wish to apply the concepts and models developed by it.

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In addition, the conflict resolution field offers many different models of the conflict cycle, with differing complexities. From the perspective of this author, the key aspects to focus on in selecting an appropriate model of the conflict cycle in the context of the discussion of the role of human rights in conflict are those stages of conflict which allow for more focused attention to early warning and conflict prevention, especially structural conflict prevention. Joe Saunders, who writes about bridging the divide between the two communities reflects this in the following way: ‘Human rights work is [...] a tool of analysis and policy formation, as rights violations can be an early warning of escalating conflict. Furthermore, human rights education, promotion, and monitoring can play an important role in preventing conflict and maintaining peace in the long run.’

Similarly, more reflection may be needed on the link between human rights and the post-conflict stages, although here, the concept of conflict cycle and its models may not be entirely helpful to the human rights community because as has been argued above, during these stages trends pertaining to human rights situation and abuses often do not follow the logic of the conflict cycle models.

Arguably, projects such as this one, aimed at bringing together experts working in the different fields and willing to entertain cross-disciplinary approaches, can contribute to cross-fertilisation needed to bring ideas from one field of research to another.

37 Ibid.

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