



ETA's disarmament in the context of international DDR guidelines

Lessons learnt from an innovative Basque scenario

Basque Permanent Social Forum



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About the author:

The Permanent Social Forum was founded in June 2016, and is an umbrella body comprised of 17 Basque civil society organisations, including labour unions, NGOs active in the fields of conflict resolution, human rights and memory work, and prisoners support associations. Furthermore, 14 individuals participate in their private capacity without affiliation to any of the member organisations. The main goal of the Permanent Social Forum is to promote the 12 recommendations of the first Social Forum held in March 2013, which was organised by the former organisation Lokarri and the civil movement Bake Bidea from the North Basque Country (which now is one of the members of the Permanent Social Forum). Its members are united by their strong belief (a) that the Basque conflict is in dire need of a just and comprehensive settlement, and (b) that a settlement will not be possible without social reconciliation, which requires the engaged and active participation of civil society. The Permanent Social Forum also aims to reflect on various conflict resolution processes around the world; to advocate for inclusive and comprehensive peacebuilding approaches; to facilitate dialogue between the political parties and other actors involved in the resolution of the Basque conflict. The Permanent Social Forum has been one of the agents driving the disarmament process of ETA that culminated in the Disarmament Day on 8 April 2017 in Bayonne.

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Foreword

This report presents a unique perspective on a unique experience that can inspire local and international peacebuilding practitioners in many parts of the world where armed conflicts are still raging or where peace processes are grappling with the intricacies of disarmament, demobilisation and reintegration (DDR) processes.

In the Basque Country, where the armed organisation ETA has been active for half a century, only the first D of DDR has been resolved so far. But the scenario that has unfolded over the last few years, culminating in the decommissioning of 3.5 tons of arms, explosives and ammunitions on 8 April 2017 to the French authorities by an unofficial international body, with the support of 172 civil society volunteers deployed across eight arms dumps, offers a remarkable lesson on the processes enabling armed groups to develop the readiness and the readiness to voluntarily remove their own capacity to engage in armed rebellion.

In a previous research project coordinated by the Berghof Foundation, we highlighted the security, political and socio-economic challenges faced by armed groups undergoing DDR processes (Dudouet, Giessmann and Planta 2012, 2012a). We also stressed the need for postwar arms management schemes to comply with the principles of inclusivity, comprehensiveness and ownership, and to be verified by independent monitoring bodies.

What this report demonstrates is that the decommissioning of ETA was fully aligned with these principles, even if it took place unilaterally by one party to the conflict, outside the framework of a peace process with the respective government, but with the active participation of local institutions and civil society. The unilaterality of the process and the direct involvement of Basque society indeed represent the two main features of the Basque disarmament model explored in this publication. The perspective offered here represents the voice of the Permanent Social Forum, which has played a driving role since 2013 in the Basque 'unilateral peace process' by convening regular conferences on the main 'consequences' of the 50-year old conflict (i.e. DDR, transitional justice and human rights), debating and formulating proposals towards the main parties, and building an inclusive, multi-partisan, civil society network.

This report is published within the framework of the Berghof Transition Series. Initiated in 2008, it originally included case studies produced for a research project on "Resistance/Liberation Movements and Transitions to Politics: Building a Network of Experience". It has provided a unique space for "insider experts", i.e. stakeholders in past and ongoing peace processes around the world, to reflect critically on their own experience in conflict transformation. Although the views expressed are those of the authors and contributors, and do not necessarily reflect the opinions of the Berghof Foundation, we deliberately seek to give a voice to the perspectives of those actors who are in the driving seat of conflict transformation. Even though every conflict setting is unique, we strongly believe that such experiential knowledge can help other peacebuilding stakeholders worldwide to learn from the failures and successes of their 'peers' in the various contexts explored in this publication series.

While we published in 2010 a first case study report (see www.berghof-foundation.org/publications/transitions-series/) on the Basque peace process, this new study takes into account more recent developments since the unilateral ceasefire declared by ETA in January 2011, and focuses solely on the topic of arms management. It draws some important parallels between the Basque disarmament scenario and the international guidelines developed by the United Nations and the Stockholm Initiative on DDR, which depict disarmament as a technical endeavor with strong symbolic and political implications. It also demonstrates how such a sensitive process, usually exclusively managed by a handful of military leaders and security experts, became owned not only by its primary protagonists but also by a group of Basque nonviolent activists, the so-called 'Artisans of Peace'. Through these civil society representatives,

ETA allowed the very society in whose name it (allegedly) took up arms to become the main agents of the decommissioning process.

Our deepest hope is that the resolution of the arms issue will unlock the keys to solve the other security and 'humanitarian' dimensions of the peace process – such as the dismantling of the (formerly armed) organisation, the reintegration of its militants, prisoners and refugees, the implementation of transitional/restorative justice measures for victims and other affected individuals and groups – and to finally address the political, cultural, historical and socio-economic root causes of the conflict.

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Introduction

The purpose of this report is to analyse the disarmament of the Basque armed group *Euskadi Ta Askatasuna* (ETA), in the context of the guidelines and principles for the disarmament, demobilisation and reintegration (DDR) of armed groups as established internationally, with particular emphasis on the United Nations Integrated DDR Standards (UNIDDRS) and the Stockholm Initiative on DDR (SIDDR). This review aims to identify relevant lessons that could inform the study of DDR processes around the world, especially with regards to the disarmament of armed groups. The analysis of ETA's disarmament process is based on its media coverage and documents produced by parties involved in the process, as well as references to the available literature. It also draws on comparative references to other DDR processes such as the decommissioning of the Irish Republican Army (IRA) or the Moro Islamic Liberation Front (MILF) in Mindanao. The report highlights the unique characteristics of the Basque disarmament process, focusing more particularly on the use of unilateralism as a political tool and on the crucial role of civil society participation.

1 Disarmament: a key component of DDR within a wider peace process¹

Disarmament, Demobilisation and Reintegration (DDR) is defined in peace and conflict research as a process that contributes to “security and stability in post-conflict environments, so that recovery and development can begin.” It is a “complex process, with political, military, security, humanitarian and socio-economic dimensions” (Knight 2012, 18). Today's most comprehensive tool for defining DDR, and one which is generally used as the international standard, is promoted by the UN, as set out in the Integrated Disarmament, Demobilisation and Reintegration Standards (IDDRS) from 2006. The IDDRS provide practical guidelines to those participating in the preparation and implementation of DDR programmes, and offer lessons learned and best practices for DDR, including information on concepts, policies and strategies, management, monitoring and evaluation (ibid., 17-18).

Another key policy document on DDR from 2004 is the Stockholm Initiative on Disarmament, Demobilisation and Reintegration (SIDDR), an initiative of the Swedish Government that brought diverse actors together to identify weaknesses in planning, coordination and implementation of DDR processes, and to put forward a series of recommendations.

These two policy documents as well as subsequent analyses highlight the political nature of DDR processes. As acknowledged in a UN Briefing Note for Senior Managers, DDR should be seen essentially as a politically-driven process, and many DDR programmes experience delays or are only partially implemented because of the political climate (UN 2006b, 3). The implementation of DDR is strongly conditioned by the

¹ This section is largely based on a book chapter by senior DDR expert Mark Knight reviewing DDR as a conventional approach to international peacebuilding assistance (Knight 2012).

political will of those sides involved in the conflict as well as by the general course of the peace process, facts that should be taken into consideration during the analysis (Berdal and Ucko 2009). The Stockholm Initiative also suggests that DDR should be viewed primarily as a political undertaking; and the structures and processes utilised during implementation should recognise and reflect this reality. Thus all parties involved should accept DDR as a political effort, and engage with the process based on that understanding. Indeed, the success or failure of a DDR process is not only determined by “the ‘will’ to enter the process” but also “the ability of the parties engaged, and the structures established, to maintain their political will” (Knight 2012, 20).

Disarmament is usually viewed as the first step of a DDR process. It is defined as “the act of reducing or depriving of arms” according to the IDDRS (UN 2006, 300). The aim of a disarmament process is “to contribute to the establishment of a secure environment” and “to ease the way for demobilisation and reintegration” (ibid.). Concretely, disarmament refers to “the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and often also of the civilian population” (Knight 2012, 18).

Although this is a very technical aspect of the DDR process, it has strong political implications. Moreover, it also has a “highly symbolic character in the ending of an individual’s active role as combatant” (UN 2006, 300). It is not only relevant for combatants and armed groups but also the society within which they are operating. Doubtlessly, the relevance of setting up a secure environment through the elimination of arms, explosives and ammunition is very significant, but it is evident that today obtaining ammunition for armament and explosives is not an insurmountable obstacle for armed groups. The relevant factor, therefore, is the decision to disarm in itself, and it has symbolic nature as an expression of the will to put a permanent end to armed action.

Based on the aforementioned international guidelines on DDR, here are ten guiding principles for an effective, orderly, inclusive and secure disarmament process:

1. **Disarmament should be planned as a key component of broader peacebuilding and recovery work.** The aim of disarmament is, above all, to promote confidence in the peace process, increase security and prevent a return to armed conflict. According to the SIDDR, “DDR in itself can be a confidence-building measure (as in Aceh or Northern Ireland), helping the peace process to move forward” (Folke Bernadotte Academy 2007, 21).
2. **Disarmament primarily aims at reducing or controlling the quantity of arms in the hands of combatant organisations prior to their demobilisation.** Weapons that are handed-in must be collected, recorded, stored, and afterwards, destroyed. Or, if the main interested parties have so agreed, the weapons can be redistributed to the (new) government in order to be used by national security forces. The main objective of disarmament is “to voluntarily remove from a non-state armed group its capacity to engage in armed rebellion” (Knight 2012, 17). Other long-term objectives should be to reduce the possibilities of a large-scale return to armed violence and conflict, thus contributing to a more secure environment.
3. **Comprehensiveness:** The importance of full disarmament during DDR programmes cannot be overstated. The existence of easily accessible arms represents a serious threat to peace, especially in fragile post-conflict environments, and undermines recovery and development. This can happen, for example, when news about heavy arms trafficking is widely spread among the population. According to SIDDR, “[i]n no single one of the situations where the follow-up project has been involved, has DDR been able to completely eliminate the flow of arms and ammunition” (Folke Bernadotte Academy 2007, 20). Thus, a key lesson is the necessity of ensuring the long-term sustainability of the disarmament process.
4. **National ownership:** National governments have both the right and the responsibility to apply their own domestic regulations to all disarmament operations within their territory, but they must act in accordance with international arms control conventions and agreements. Ultimately the main responsibility for disarmament and the collection of arms falls on the involved state’s government, according to the UNIDDRS.

The expression “national ownership” implies an understanding that DDR processes should not only be owned by governments, but should also involve a wide range of institutional and social actors (Knight 2012, 21). For SIDDR “strong national ownership does not automatically provide legitimacy and leadership that includes the entire population. Ideally, a political negotiation and peace process should leave room for an increased number of stakeholders over time” (Folke Bernadotte Academy 2007, 25).

All key stakeholders involved in a peace process should be involved in disarmament coordinating bodies. Civil society organisations that are rooted in local communities should also be considered stakeholders in the policy development and planning phases of DDR (Knight 2012, 22). Certain individuals such as religious leaders, who are knowledgeable of local languages, traditions and history, can make a positive impact on the process. Likewise, support of provincial and local authorities for the planning and implementation of DDR programs allow also for greater flexibility and responsiveness to regional conditions and dynamics as well as improving the chance of effective and sustainable reintegration (ibid., 21).

5. **Independent verification and monitoring mechanisms:** The national military and police are considered as fundamental stakeholders in the planning and implementation of DDR (ibid.). However, when it comes to the verification and monitoring of arms management, it must be highlighted that armed resistance and/or liberation movements often reject the control of the state over such processes. Instead, these groups regularly insist upon the importance of their own agency by being in charge of decommissioning their own troops, or they may prefer to entrust the task of overseeing the process of arms management to a neutral third-party body such as international monitors (Dudouet, Giessmann and Planta 2012b, 236-237). We must keep in mind that disarmament as part of a DDR process does not mean surrender, and that any attempt to present it as such would not be accepted by parties that are not contemplating surrender or do not feel that they are surrendering; such an attempt would seriously affect the overall peace process.
6. **Capacity development:** The strengthening of national, state and non-state bodies’ abilities is essential for their empowerment and for the effective and successful continuity of future disarmament programmes.
7. **DDR processes are context-specific:** Because the actors, as well as the situations and politics, involved with DDR processes are different from one country to another, the processes themselves will also be different. This includes terminology and procedures. According to SIDDR, therefore, DDR processes must be approached in a much more flexible and careful way, allowing for specific arms issues to be dealt with in a locally-built language with a series of mutually-accepted meanings and actions. Such processes should be integrated in specific local and national conditions.

For instance, in the case of the Moro Islamic Liberation Front (MILF) in the Philippines, disarmament was seen as tantamount to surrender. Given that there was no clear winner in the conflict, simply giving up their arms was not considered an option. It seemed difficult to introduce even the term ‘reintegration’ into the seminars. For MILF especially, terms such as ‘demilitarisation’, ‘economic mainstreaming’, ‘normalisation’ and ‘self-transformation’ were much more acceptable than the conventional terminology of DDR. Even though different terms were used, the core message remained the same as in DDR terminology (Folke Bernadotte Academy 2007, 17-19).

In the peace process in the North of Ireland, a key point was that arms would become “permanently inaccessible or permanently unusable”. The specific dismantling process undertaken in this case is an example of creative process management. The International Commission for Decommissioning played a crucial supervisory role and was able to ensure that the agreements had been implemented, even though not all of the armaments had been publicly destroyed. The stalemate between the parties was broken when a compromise was found that allow both sides’ concerns to be met. As a result, “decommissioning in Northern Ireland certainly included the concept of DDR, though not in its literal sense and order” (Folke Bernadotte Academy 2007, 19).

8. For disarmament to be an effective, efficient and secure process, it should generally consist of four main phases:

- a) Data gathering and operative planning
- b) Weapons collection or recovery operations
- c) Stock management
- d) Destruction or disposal of armaments

A precise and detailed investigation of weapons is essential for the drawing up of efficient plans for disarmament in a DDR programme. The more precise and verifiable the initial data on specifically identified groups involved in the conflict is, the better. A wide range of available methodologies for research into arms such as military intelligence or media information allows thorough preparation.

- 9. Safety:** The protection of those at greater risk is a basic objective of disarmament programmes. The humanitarian principles of neutrality, impartiality and humanity must be applied at all times. The security of the personnel involved in such processes is also fundamental, as they undertake direct contact with armed forces and groups who may not necessarily respect the laws of armed conflict or the Geneva Conventions. The organisation in charge of the implementation of disarmament must also ensure that it will diligently comply with its duty of care regarding the safety of the local civil population.
- 10. Inclusivity:** Finally, non-discrimination and fair and equitable treatment are basic principles both in the design and in the implementation of DDR, particularly in terms of guaranteeing equal rights for women, minorities, youth, elderly, etc. to take part in DDR processes.

2 The Basque case: ETA's disarmament

The disarmament process of the organisation ETA in the Basque Country was unprecedented in many respects. One of its most distinct singularities was the refusal of the Spanish Government, headed by Prime Minister Mariano Rajoy (Popular Party), to participate in or facilitate the development of a peace process. This is a unique case in which, contrary to all previous DDR experiences, the central government firmly rejected any form of contact with ETA to deal with the 'consequences' of the conflict² after the organisation announced the definitive cessation of its armed activity. If anything characterises the Basque disarmament case, it is that it happened unilaterally, in spite of the Spanish Government, and after coping with a series of obstacles and impediments set up by central state authorities. This leads us to analyse the main steps of ETA's disarmament with a new perspective, in light of the criteria set by international standards for an effective DDR process, and underlining both the positive and negative elements of the Basque model.

a. International verification of the ceasefire and an end to all armed activity

As is the case with many such processes, ETA's disarmament was preceded by a ceasefire declaration in January 2011, which was presented as "unilateral, permanent and verifiable" and which, after several bouts of consultation for clarification, was also defined as "unconditional". A few months later, the ceasefire became a "declaration of cessation of armed activity". Especially the verifiable and permanent nature of the ceasefire is of importance here. It was announced in response to the request by the signatories of the "Brussels Declaration" (29 March 2010),³ promoted by the International Contact Group (ICG) headed by the South African lawyer Brian Currin,⁴ that appealed to ETA to "[declare] a permanent, fully verified ceasefire", in order to ensure such a ceasefire would suffer no breaches that could be blamed on ETA.

In response to ETA's declaration, the International Contact Group promoted the establishment of an International Verification Commission (IVC), whose first mission would be to verify that ETA fully complied with the terms of the ceasefire. This commission, formed of individuals of international relevance in the security and military domains, went on to verify the implementation of the ceasefire with the cooperation of Basque political parties, social actors (e.g. the church, civil society, the business world) and institutions. Furthermore, the IVC obtained guarantees of the unconditional and unilateral nature of the ceasefire. Although this commission received the support of a majority of Basque social, political and institutional actors due to its professionalism and impartiality, it was rejected by the central government that did not recognise it. The IVC's attempts at a rapprochement were fruitless. Nonetheless, the IVC played a very relevant role, assuring Basque society on the permanent, and later on, definitive, nature of the end of ETA's armed activity, including a confirmation of the termination of the "revolutionary tax" (ETA's wording)

² As defined by the civil society-led Social Forum for peace in the Basque Country, there are four main issues pertaining to the consequences of the conflict which need to be addressed for a sustainable solution: dismantling and decommissioning, reintegration of prisoners and refugees, human rights, truth and memory. See www.basquepeaceprocess.info/2013/05/31/weekly-bulletin-n%C2%BA128/

³ See www.basquepeaceprocess.info/2011/01/07/brussel-declaration-statement-by-international-leaders-in-conflict-resolution-and-peace-processes/. The Brussels Declaration was signed by a number of international Nobel Prize winners and experts in peace processes.

⁴ The International Contact Group (ICG) was established in 2010, to "expedite, facilitate and enable the achievement of political normalization in the Basque Country". It is comprised of six international experts in peace processes. See www.basquepeaceprocess.info/wp-content/uploads/2011/01/MANDATE-AND-ROLE-OF-THE-INTERNATIONAL-CONTACT-GROUP.pdf

imposed on Basque entrepreneurs.⁵ It was an important step forward. This process of ceasefire verification without state participation would prove itself useful in the future.

b. Inventory and sealing of arms, ammunition and explosives as a pre-disarmament step

As laid down in the DDR principles and criteria for disarmament, the inventory and control of arms, ammunition and explosives usually represents the preliminary stage of every process of destruction, laying-down or decommissioning of weapons. For example, in the North of Ireland, the IRA agreed with the Decommissioning Committee, headed by Chairman John de Chastelain, to allow the inspection of several arsenals under its control by jointly-agreed personalities (Cyril Ramaphosa, a South African political and business leader, and Marti Ahtisaari, former President of Finland). In that case, no public information was given on either the quantity of arms inspected or the control mechanisms set up. A similar procedure was adopted at a later stage when the IRA carried out a certain decommissioning act and the only information given was the fact that it had taken place, yet no details were given on the number of arms, etc. This was very much criticised by the Unionist forces, who questioned the fact as no images were taken as evidence of the decommissioning.

In the Basque case, and in view of the repeated refusal of the Spanish Government to engage in a consensual or agreed-upon process of disarmament, the IVC and ETA agreed on launching a process of the inventory and sealing of the armed organisation's arsenals. In April 2013, the mandate of the IVC was extended to include the verification of "the unilateral process of sealing and operative disabling of ETA's arms, ammunition and explosives".

As was the case in the North of Ireland, very little is known about the method and mechanisms of inventory and sealing set up by the IVC and ETA, except for a first act of a symbolic nature during which members of ETA and the IVC recorded a small quantity of arms, making those images public on 21 January 2014. Then, the IVC certified that ETA had sealed and rendered non-operational a specific quantity of arms, ammunition and explosives. At the same time, the commission ascertained that it was the first step in a process that would in time lead to the operative deactivation of all arms, ammunition and explosives possessed by the organisation.⁶

Although this major step ushered in a new stage in the process of disarmament, along the conventional steps recommended in international guidelines on DDR, it was neither reported as such by various media outlets, nor was it well understood by some sectors of Basque society. As Teresa Whitfield (2014) argues in her book "Endgame for ETA", the abundant previous rumours about an imminent total disarmament provoked such an anti-climax, that what was objectively a necessary step forward was then perceived as frustrating. As commented by Jonathan Powell, former UK chief negotiator in the peace process in the North of Ireland, "ETA allowed the process to be filmed – something the IRA always refused – and broadcast on the BBC. The group made clear that it was taking this step unilaterally and unconditionally, and not in response to any promises from governments" (Powell 2014). That act of inventory and sealing was acknowledged by international figures such as former Presidents Bill Clinton and Lula Da Silva.

⁵ The IVC reports are available at: <http://ivcom.org/en/international-verification-commissions-ivc-report/>

⁶ See <http://ivcom.org/en/statement-of-the-international-verification-commission/>

c. International verification under the scrutiny of the Spanish State

The Spanish government's reaction clearly revealed its disposition to not only refuse to contribute to the process, but even to hinder it. Thus, the public prosecutor endorsed a request by COVITE (*Colectivo de Víctimas del Terrorismo*, The Basque Victims of Terrorism Association), that the IVC members be called to testify before the *Audiencia Nacional* (National High Court). The aim of such a decision was clear: to discredit both the IVC and the unilateral process. Not only was the Spanish government unwilling to embrace and support ETA's disarmament process, but, by taking such a measure, it signalled that no progress could be made against its will. Furthermore, government representatives insisted on the need for ETA to 'surrender', with references to the handing over of their arms to Spanish security forces – despite the clear rejection of such models by international experts, as highlighted in Section 1. The Spanish Government's attitude was severely criticised by Basque society; the *Lehendakari* (president) of the Basque Government himself accompanied the IVC on the day of the hearing in the *Audiencia Nacional*. Jonathan Powell (2014) referred to the hearing as “bizarre”. The Spanish Government's provocative and reckless attitude seemed to encourage a stalemate in the peace process, or, even worse, risked that ETA would reconsider its decision to undergo disarmament. There is no other precedent in the world for what happened in the Basque Country, whereby an armed organisation was ready to take unilateral steps towards disarmament and the government concerned was set against it.

Despite all this, as eventually became known, the inventory and sealing process together with the IVC continued, even though more slowly and with greater difficulties than would have been desirable. The IVC itself (December 2014) as well as ETA's spokesperson David Plá (18 February 2017)⁷ confirmed this. By the end of 2016, ETA had completed the task of the inventory and sealing of arms and explosives (at least as far as technically possible) and was ready to move forward with the disarmament stage.

d. Unequivocal commitment, in spite of arrests and seizures

In addition to its attitude towards the verifiers, the Spanish government maintained a policy of arrests, detentions and arms seizures that extended to ETA members involved in the inventory and sealing process, as well as to persons designed by ETA as contact persons in the peace process. Likewise, materials that had already been inventoried and sealed were seized.

Nonetheless, all of this governmental activity affected neither the decision that ETA took nor its control over its own chain of command and weapons. It can be pointed out, in comparative terms, that it is not unusual in this kind of process for armed organisations to undergo splits and/or loss of materials – as happened with the Real IRA, which secured some of the IRA's arsenals, and the subsequent attack in Omagh,⁸ or the more recent cases of armed desertions and splits in the Colombian guerrilla group FARC. Such has not been the case in the Basque Country; ETA retained control over its structures. It must also be kept in mind that there were other, more dangerous options open to ETA for getting rid of this material: selling it, handing it over to third parties or leaving it where it was. Any of these possibilities could have been quite negative in terms of security for not only the Basque population, but also for people all over Europe. However, ETA decided to go ahead with an orderly and controlled disarmament process, in spite of the objective difficulties. On 19 July 2014, it announced that it had completed the “dismantling of the logistic and operative structures” of what it described as “activity of armed struggle”,⁹ thus complying with international DDR standards that advocate for the demobilisation of armed organisations.

⁷ See www.deia.com/2017/02/19/politica/euskadi/el-presos-david-pla-asegura-que-eta-dice-mantiene-en-firme-su-decision-del-desarme

⁸ See www.irishtimes.com/news/crime-and-law/gardai-say-weapons-seized-in-dublin-were-stolen-from-provisional-ira-1.1460608

⁹ See www.bbc.com/mundo/ultimas_noticias/2014/07/140719_ultnot_anuncio_eta_en_espania_bd

e. A civil society active in debating and designing proposals

The participation of civil society, with its specific proposals and debates on the design of disarmament options, has greatly helped this process to move along as it has, and constitutes one of the major innovations of the Basque disarmament process.

Through the Social Forum For Peace organised in 2013, in presence of international experts who shared their experiences of other DDR cases,¹⁰ Basque society opened up to a debate that, until then, had been relegated to the primary actors directly involved in the process. The forum played a key role in putting disarmament on civil society's agenda.

In its final recommendations, the Social Forum promoted the design, development and implementation of a controlled, orderly and agreed process for the dismantling of structures and the disarming of ETA. The forum considered that it should take place in a reasonable timeframe and with the intervention and collaboration of independent facilitating bodies that would give assurances to the relevant states, institutions and society at large on what was being done.¹¹

On the other hand, in the North (French part) of the Basque Country (called *Ipar Euskal Herria* or *Iparralde*) a wide consensus was being reached among the majority of political and social forces, which was reflected in the Bayonne Declaration. This declaration was promoted by the International Contact Group among others as well as by the association Bake Bidea, also a member of the Social Forum. Regarding disarmament, the declaration called for a jointly-agreed process between France and ETA with international engagement.

That broad consensus was echoed in the Humanitarian Conference for Peace in the Basque Country that took place in Paris, on 11 June 2015, with the participation of prominent persons from the French social and political sphere. The final declaration, signed by over a hundred personalities, called for “the establishment of an adequate space guaranteeing that such disarmament is carried out in a coordinated and controlled manner”.¹²

In January 2016, the Social Forum went a step further by convening a new meeting with the aim of “channelling civil society's contribution to establishing a framework for an organised disarmament process and looking for ways to overcome the blockade from the Spanish and French states, so that ETA will be able to complete the disarmament process within a reasonable timeframe”.¹³ As the conclusion of that meeting, the Social Forum presented a document setting out the criteria on which a process of disarmament and the destruction of material should be based, in accordance with international experience: security for the population, complete control of arms and explosives, the maximum transparency possible, sustainability, a secure environment for parties and persons involved, legitimacy of the involved actors, consent of the directly affected, international monitoring for a neutral development of the process and participation of the affected civil society.¹⁴

In addition to establishing the basis on which disarmament should happen, the Social Forum carried out broad consultations with political and institutional actors. In an event held at the Aiete Palace on 22 October 2016, the newly-restructured Permanent Social Forum¹⁵ expressed its conviction that there was sufficient consensus on the need to move forward in a process of complete disarmament through the destruction of ETA's arsenals. The Social Forum believed that the process should take place in a reasonable

¹⁰ The Social Forum held in Bilbao and Pamplona on 14-15 March 2013 sought to strengthen the role of Basque society in the peace process and to generate new ideas on key conflict-related challenges. For more information, see Rios (2013).

¹¹ See www.basquepeaceprocess.info/2013/05/31/weekly-bulletin-n%C2%BA128/

¹² See www.basquepeaceprocess.info/wp-content/uploads/2015/06/Declaration-eng.pdf

¹³ See www.basquepeaceprocess.info/2016/02/10/3rd-social-forum-civil-society-has-to-find-solutions-to-overcome-the-blockade/

¹⁴ See www.basquepeaceprocess.info/2016/03/01/conclusions-of-the-social-forum-held-in-gernika/

¹⁵ After holding a series of public events on the main themes pertaining to the resolution of the Basque conflict, the Basque Social Forum for peace decided to convert itself into a permanent working network. The Permanent Social Forum is currently composed by 17 civil society entities (including several trade unions and NGOs) and 14 personalities representative of Basque society. See www.basquepeaceprocess.info/2016/10/21/the-permanent-social-forum-promotes-decommissioning/

period of time and with an agreed timeframe, and that it should be internationally verified, assuring the Basque society of its completion.

f. A civil society ready to become involved and take risks

One of the great contributions to the Basque disarmament process has been the direct involvement of sectors of civil society, beyond the Social Forum's constructive role in convening debates and formulating proposals in support to the process.

Prominent civil society representatives from the North of the Basque Country (*Ipar Euskal Herria or Iparralde*), active in the fields of environmental activism, agriculture and local development, showed their readiness to collaborate and participate in the disarmament of ETA as an explicit contribution to peace in the face of the political stalemate.

Those who would come to be known as 'Artisans of Peace' became directly involved in order to break the blockage the Spanish state had imposed on the disarmament process by means of continuing arrests of involved persons, arms seizures and the collaboration of the French state in all these procedures. The Artisans of Peace conducted an exchange of opinions and proposals with ETA, which they later on made public, which is quite significant. Such involvement created a momentum that made it possible for the French government to shift away from the Spanish government's positions. It is also true that ETA acted flexibly, accepting that the disarmament process be managed by members of civil society, once it obtained guarantees that it would not include acts that could be perceived by the armed group as humiliating. On 15 November 2016, and by means of a letter, ETA informed certain members of Basque civil society that it had taken the following decisions:

- ≡ To open the disarmament phase, once the task of inventory and sealing of arms and explosives (at least as far as technically possible) had been fulfilled;
- ≡ To request help from international agents in order to engage in this stage, by asking the IVC to change its mission, expanding it so as to become involved in the disarmament and to be able to testify to the process;
- ≡ To place the political and technical responsibility of disarmament in the hands of civil society;
- ≡ To declare ETA a non-armed organisation in the shortest possible time.¹⁶

From the exchange of letters between ETA and the Artisans of Peace, one can derive a number of salient observations. On the one hand, these members of civil society saw themselves as intermediaries, and proposed to ETA the transferring of the political and technical responsibility for armament destruction to Basque society. They were not bound to ETA; their commitment was founded on support for peace, nonviolence and democracy. On the other hand, ETA's reply was also clear: its interest in moving from inventory and sealing to disarmament, and the willingness to accept civil society's involvement in collaboration with the IVC and with the support of Basque institutions. ETA only stressed one point, and that was that any model adopted by civil society that could be perceived by anyone as a victors-vanquished narrative should be avoided.

The depth and importance of the Artisans' commitment came to light in December 2016, when they were arrested by the French authorities as they were preparing to take control over 15% of ETA's arsenal in the presence of the Irish reverend Harold Good (a key actor in the Northern Irish peace process) who was to be a witness to the event. The intention was to render those arms unusable and transfer them to the French authorities, so as to convince them of the need for adequate dismantling. The Artisans of Peace were freed

¹⁶ See www.bakebidea.com/wp-content/uploads/2016/04/Correspondance.pdf (French original).

on bail, but the arrests created such a commotion in the Basque Country and in sectors of French society that the need to find a comprehensive solution to ETA's disarmament became very evident.

g. Local and regional institutions ready to support initiatives for disarmament

The support of various Basque institutions for this process must also be acknowledged. Back in the time of Lehendakari Patxi Lopez's government (2009-2012), the IVC had a connection to and contact with the Basque Minister of Interior, Rodolfo Ares, and Commissioner Jesús Loza, both of whom acknowledged the work done by the group. Subsequently, the IVC gained the endorsement and support of both the Basque Government headed by Lehendakari Iñigo Urkullu from 2012, and its Secretary for Peace and Coexistence, Jonan Fernandez. In January 2014, the Basque Government recognised that first step of inventory and sealing as "a small step, insufficient, that covers the first necessary stage of disarmament".¹⁷ This support was made visible when both Urkullu and Fernandez accompanied IVC members to give evidence to the *Audiencia Nacional* in Madrid. As a matter of fact, the Basque government has made public contributions to disarmament, such as the statement issued in December 2014 in favour of a rapid, viable and effective disarmament.¹⁸ Accordingly, it condemned the arrests of the Artisans of Peace and collaborated through dialogue with the IVC and the Artisans so as to achieve a definitive and orderly disarmament.

For its part, the Navarre Regional Government, headed by Uxue Barkos, backed the IVC's moves, as was certified by the trilateral meeting held by the Commission with the Basque Government, the Navarre Government and the Mayor of Bayonne (the main city of *Ipar Euskal Herria*), Jean-René Etchegaray, who is also president of the newly-formed regional institution for the North of the Basque Country. Local institutions of *Ipar Euskal Herria* also worked in support of the process, as was clearly seen through their massive support for the Artisans of Peace and by the fact that Jean-René Etchegaray himself convened all parties to attend the final act of disarmament. Furthermore, a series of private dealings with French authorities helped to pave the way.

Finally, the endorsement given by the Basque and the Navarre Parliaments to the disarmament process and the work of the IVC was highly significant, for it endowed the Commission with sufficient symbolic mandate for it to act. In conclusion, we can see that the disarmament process had the support and involvement of all representative Basque institutions, granting it more than sufficient legitimacy.

h. Public, institutional and international involvement to overcome the obstacles

A new atmosphere crystallised on 8 April 2017, named "Day of Disarmament" by the Artisans of Peace. In the preceding days, numerous multilateral meetings were held between the Artisans and all involved actors, including the French government, to ensure a positive outcome.

If we look at the choreography of the event, we can appreciate how the arms arsenals were controlled by civil society, as 172 of the Artisans of Peace spread out to control them before the French authorities

¹⁷ See <http://ecodiario.economista.es/politica/cronicas/4632/02/14/EN-DIRECTO-Siga-aqu-las-reacciones-al-anunciado-desarme-parcial-de-ETA.html>

¹⁸ See www.irekia.euskadi.eus/es/news/23825-gobierno-vasco-hace-publica-una-propuesta-para-desarme

arrived to remove them from eight caches located across *Ipar Euskal Herria*. We note that any attempt at an image of victory/surrender was carefully avoided in those images. It was rather an act of decommissioning (i.e. withdrawal of armament). A relevant point is the absence of any Spanish police authority, contrary to what usually happened at other times.

The main event of the Day of Disarmament was the meeting organised by the local authorities, represented by the Mayor of Bayonne and President of the new regional institution, Jean-René Etchegaray, with the support of the Autonomous Basque Government and the Regional Government of Navarra. There the Artisans of Peace handed over the data given by ETA on the arms inventory and locations (i.e. GPS coordinates) to the representatives of the IVC and two clerics, Reverend Harold Good, witness to the IRA's disarmament, and Don Matteo Zuppi, Archbishop Cardinal of Bologna and founder of the Sant Egidio Community, who both acted as guarantors. The IVC then transmitted the locations of the armaments to the French authorities, so they could dispose of them.

In sum, the control of the armaments was transferred from ETA to Basque civil society. Almost at the same time, this control was transferred to an international body, and it is this body – not the Basque representatives – who got in touch with the French authorities. This last step had only operative relevance, as all sides accepted that the IVC had neither the capacity nor the legal status to destroy the armaments.

This course of action made it possible to avoid the image of French authorities talking or negotiating with “terrorists” or permitting some breach of law. For its part, Spain did not participate in the process and did not in any way endorse it. Basque institutions were able to declare that they were informed and participated in the process. The public nature of the process, with the direct participation of dozens of Artisans of Peace at the arsenal sites, with thousands of persons filling the streets of Bayonne, and with important personalities of Basque political, cultural and social life hailing the event, made it possible for Basque society to embrace ownership of the disarmament process.

Conclusion

Analysing Basque disarmament in the light of UNIDDRS and SIDDR, we note that the main aims and principles of a disarmament process have been fulfilled, in spite of the unique nature of this process. Objectives such as confidence-building, security enhancement, preventing conflict relapse, as well as reducing the capacity of people to become involved in violence have been achieved. It has been an effective, efficient and secure process, at least in its final stage, in spite of the difficult moments it underwent. Similarly, it complied with the internationally-recognised criteria concerning comprehensiveness, as no one doubts that it has been a total disarmament, except those who may have political interests in maintaining the previous status quo.

The Permanent Social Forum understands that the disarmament process has fully complied with the criteria established by the third Social Forum:

- ≡ It has complied with the principle of security for the population.
- ≡ There has been full control of arms and explosives.
- ≡ There has been transparency, as far as possible.
- ≡ A secure environment for the involved parties was achieved towards the end of the process, even though at a high cost, as several persons were unnecessarily arrested and taken to court.
- ≡ The legitimacy of the involved actors was attained by constant dialogue held during the process.
- ≡ The consent of those directly concerned is apparent.
- ≡ There has been international monitoring and verification of the process, strengthened in the final act by the presence of clerics of recognised prestige and impartiality.
- ≡ The participation of the concerned civil society has been highly significant.

The innovativeness of the Basque model is characterised by its unilateralism, ownership and societal participation, its flexibility and commitment.

The process was spearheaded by ETA's unprecedented decision to direct its unilateral and unconditional disarmament towards Basque society and the international community. Regarding ownership of the process, we can say that, paradoxically, it was a unilateral process of Basque ownership, in terms of the participation of civil society and its main organisations, political forces and institutions. This was so to such an extent that it led some international personalities to even speak of an "act of sovereignty".¹⁹

It was a process adapted to the specificity of the local context, carefully designed to avoid a winner/loser scenario, and characterised by an unusually high direct involvement of civil society, including at the operational level. The flexibility and eminently political insight shown by ETA, enabling the steps to disarmament, must also be mentioned.

The political nature of disarmament processes must also be put forward as one of the lessons of the Basque case. The importance of politics in the process, the relevance of civil society's participation, making those processes as public as possible, and the relevance of international participation are also lessons we can draw from this case.

By contrast, on the part of the Spanish Government and the state security forces, there were proactive attempts to hinder disarmament, as evidenced by the measures taken during those years. Such a negative attitude might be referred to as a Spanish "anti-model" (in contrast to a compromise-seeking negotiation process), whereby a state tries by all means to prevent and avoid any disarmament scheme that would not result in the total surrender of the other party. This is a state that has refused to become involved in a process whereby tons of arms, ammunition and explosives would be adequately decommissioned by

¹⁹ Quote attributed to Alberto Spektorovsky, member of the International Contact Group, in a conversation with the author.

a 50-year old armed organisation.²⁰ It is certainly an unheard-of fact, especially in view of the concerns about security prevailing on the European continent today. This attitude also meant continuing heavy investments in intelligence and security for issues that could very well have been resolved much earlier with just some will.

While the French state was previously falling in line with Spanish policies on these matters, the intervention of the Artisans of Peace, massive backing by Basque society and institutions, as well as the understanding and support of broad sectors of French civil society, made it possible for the Paris government to align with those actors pursuing a viable solution to the arms issue and adopt a more conciliatory policy according to its own national interest.

20 According to reliable sources more than 3.5 tons of arms explosives and ammunition were decommissioned, a fact that was very welcomed by International community during the annual Oslo Forum for peace mediators in June 2017 (www.hdcentre.org/fr/updates/oslo-forum-15th-annual-international-retreat-of-mediators-and-peace-process-actors-in-oslo-norway-13-14-june-2017)

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