



Situation Report

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Darfur and the Battle for Khartoum

Introduction

Sudan's western region of Darfur has frequently featured in the headlines since the outbreak of major violence there in 2003. Indeed, it often seemed that international interest would remain focused upon Darfur, given the scale of human suffering and the immensity of the challenges facing the African Union's (AU) peacekeeping operations in that vast area. It was little surprise, then, that the signing of the Darfur Peace Agreement (DPA) on 5 May this year between the Government of Sudan and the Minni Arkoi Minnawi faction of the Sudan Liberation Movement (SLM) was greeted with such relief in the media.

Developments since the signing of the DPA, however, suggest that the political commitment to implementing its terms remains extremely weak, and there is a continued polarisation of affected ethnic communities, particularly within displacement camps, sometimes with fatal consequences. This has happened despite the appointment on 7 August of Minni Arkoi Minnawi, as the Special Assistant to the Sudanese President. Moreover, the period between May and July 2006 has seen the highest number of fatalities among aid workers since the beginning of 2003.² This is quite aside from the continuing killing of Darfurians on a daily basis. In this unpredictable environment, the local population has become increasingly cynical of the potential peacekeeping role of the African Union Mission (AMIS) deployed to observe the implementation of the 2004 ceasefire agreement. A growing number of fatalities suffered by AMIS troops themselves in Darfur suggests that the African Union's role as mediator and guarantor for the implementation of the DPA is being overtly challenged.

In the public media, the Darfur crisis has been viewed largely through the prism of tribalism and pastoral conflict or as a reflection of the consequences of ecological degradation and consequent resource pressure. This coverage has been accompanied by an emphasis on international humanitarian efforts as a response to the crisis. Needless to say, each of these elements have contributed to, and are a part of, the tapestry of tension in Darfur. This paper, by contrast seeks to locate the debate about peace in Darfur within the context of the battle for power in Khartoum. It is argued that the Darfurian insurgency represents a challenge to the hegemony of Khartoum because of its intimate links to the argument about the shape of the modern Sudanese state. In essence, the Darfur conflict emanates from weak and unaccountable governance that affects the entire Sudan.

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Darfur has a strong history of independence and political organisation as a region distinct from neighbouring areas. The name Darfur translates as the “home of the Fur”, referring to the Fur people who form the ethnic majority in the region, which has a population of some seven million people. Although there is no physical basis for the current Arab-African divide in terms of race, the Fur are considered to be of “non-Arab” origin. In addition to the Fur, non-Arabs include numerous other groupings such as the Zaghawa, Masalit, and Midon. The other principal ethnic group considered as “Arab” is made of a conglomeration of peoples known as Baggara Arabs, a term which refers to their main livelihood as cattle-breeding nomads.

Except for the Fur, who are have traditionally only located in Sudan, many Darfurian tribes are kin to their Chadian neighbours, which has added to the complexity of politics in the Sudan-Chad borderland.

This region, as Douglas Johnson argues, was the “site of independent sultanates until the Turco-Egyptian conquest of the late 1870’s, when it rallied early to the Mahdiyya in the 1880’s and subsequently fostered a counter-Mahdiyya opposition when control from Omdurman became too oppressive.”³ Towards the end of the 19th Century Darfur was administered by the Anglo-Egyptian Condominium, which allowed autonomy to a certain extent, until World War 1 when the Sultanate was incorporated fully into Sudan in 1916.

It is also significant that there are more than 100 local languages in Sudan, although Arabic is widely spoken. As Jack Kalpakian notes in his analysis of the “*War over Identity*” in Sudan, “it is important to remember that there are Arabic speaking Christians and Dinka Muslims in the country. What often seem to be clear dividing lines is often a spectrum of shades instead. It should also be noted that distinguishing between the communities of Sudan for the purposes of exposition should not be regarded as advocacy for separatism.”⁴

The incorporation of an independent Darfur into the Sudan marked a turning point in the political consciousness of the region for two main reasons. Firstly, the centralisation in Khartoum of power over the entire Sudan brought with it administrative changes that would fundamentally alter the traditional mechanism of governance so key to maintaining community relations, introducing over time the politicisation of authority through patronage. Secondly, the new configuration of Darfur as a state within Sudan meant that populations in the newly acquired areas had to be won over in order to bolster the legitimacy of central government. Indeed, the Darfurians sought to align themselves with successive regimes in order to gain access to power at the centre, and the region was well known as a recruitment area for the national army. For instance, Sadiq Al-Mahdi, sometime prime minister of Sudan, leader of the Ummah party and a descendant of General Gordon’s nemesis, had a strong following in Darfur among the Fur, Southern Baqqara and Northern Darfurian tribes.

The local political configuration of Darfur was also altered to suit Khartoum’s interests rather than those of the local population. In 1994, it was divided into three states: North, South and West Darfur. Indeed the return to a single region of Darfur has been one of the main political demands of the rebel groups, particularly that of the Justice and Equality Movement (JEM).

The redrawing of the Sudanese map in 1994 followed changes made in 1989 that divided the 9 states into 26 regions in addition to the creation of 72 provinces from the original 18 provinces. The International Crisis Group has argued that this slicing up of authority, rather than devolving authority to the grassroots as was claimed, “stretched the state’s meagre resources thinly over a much inflated public sector that was unable to deliver basic social services.”⁵

Douglas Johnson explains that this event was to consolidate the “divide and rule” strategy with the legalisation of paramilitary forces with a Pan-Arab orientation in 1989. It must also be remembered that this period of Sudanese history was strongly

tied to the contest between the United States and Libya, mainly through proxies, for spheres of influence in the region, which had the effect of internationalising local civil conflict. Thus, Darfurian politics is as much an issue of regional hegemony as of Sudan's cohesion. Johnson emphasises that "as the war in Chad spilled over into Darfur, it sharpened the divide between 'Arabs' and 'Blacks' (*Zuruq*) with the Sudanese Islamist parties now equating Islam with Arabism".⁶

In many respects Darfur is not unlike other marginalised and peripheral areas of Sudan, which include the South and East and even large parts of the extreme North bordering Egypt. All of these areas continue to experience disproportionately lower rates of development compared to Khartoum state. But this reality is also directly tied to the historical trajectory of the Sudanese state preceding the rise of the National Islamic Front (NIF) and even the independence of Sudan in 1956. The creation of Khartoum elites is intimately linked to a British colonial policy that sought to legitimate itself through the use of tribal and religious leaders as political allies. It can be argued that the political rise of the two dominant families affiliated to Sufi religious orders, the *Khatmiyya* and the *Ansar* has more to do with the nature of colonial governance than with indigenous tribal loyalty. In their contextualisation of the current crisis in Darfur, John Young *et al* explain that "in the hand of these social groupings rested authority and political influence in the post-independence era. This aggravated the already existing disparities in development within the North as well as between North and South."⁷

Resentment of the dominance of Khartoum's elite over periphery areas has a long and fraught history in Sudan. But what is significant about the current Darfurian challenge to the NIF regime, in contrast to the war with the South, is that for the first time it is a part of the "North" and is a fellow Muslim community that has raised the standard of rebellion. And significantly the Darfur insurgents (despite their internal differences) have exploded onto the scene largely couching their grievances in the language of Islam. This is the same discourse that was used previously to build a common constituency between the rebels and the Islamic movement. In this respect the proliferation of rebellions in Darfur represents a far more threatening prospect to the Khartoum regime than that presented by the Southern civil war.

The details of Sudan's national inequalities are meticulously documented in the JEM's *Black Book*, which uses Qura'nic language to oppose such marginalisation. For example, on the question of the agricultural policy, the book uses the concept of *I'mar Alarad* or land development to argue that such development should be entrusted to the governing authority. The importance of this challenge to authority highlights the fallacy of situating the conflict within a wholly racial paradigm of "Arab" versus "African" interests. By moving beyond this dichotomy we see that the centralisation of political power by Khartoum has had manifest implications on local conditions in Darfur, which led later to the polarisation of communities on an ethnic basis.

Indeed, the weakened capacity of regional authorities to deal with practical realities has been a major contributing cause of the uprising. Increasing desertification of the area coincided with both the reduction of arable land and rainfall, and the emasculation of administrative structures to mediate sedentary and nomadic people of Darfur. Authoritative commentators have argued that the current conflict in Darfur has its origins in the devastating famine of the 1983/84, which took the lives of some 175,000 people, and the failure of governing structures to mitigate the impact of this livelihood challenge in the long term. The result was that a large number of nomadic people from Northern Darfur and Chad settled in the central farming belt area traditionally dominated by agricultural populations. In 1971, incumbent President Jaffer Nimeiri abolished the "native administration" system responsible for maintaining tribal relations, allocating of land for agriculture or grazing purposes and administering local courts as centres of conflict resolution, and replaced them with regional, district and area councils. The eradication of this tribal tier of governance meant that there was no credible authority in place to

intervene in the complex and growing socio-ecological crisis in Darfur, leaving the path open to the militarisation of groups to defend their interests.

Young *et al* emphasise that the Local Government Act that entrenched the new regional system in effect meant that a “locality belonging to one tribe could be controlled by another, which generated more than 16 border disputes in Southern Darfur alone, for example between the Fellata and Gimr, and Mahariya and Rizeigat. The government had thus promoted tribal competition”. Moreover, it was the “change of emphasis from their previous judicial role to an administrative role” that was the cause of the fundamental weakness of the new regional system. Contrary to the expected modernisation of political affiliation in Sudan, the emasculation of tribal authority on a local level led to what has been termed “vertical ethnic expansion”, where the struggle for power is now expanded from the local level to the regional and even national level.⁸

Unsurprisingly the main criticism of Minni Minnawi for signing of the DPA is that the deal failed sufficiently to address the demands for substantive power and wealth sharing at a national level, and was not representative of the myriad constituencies within Darfur.

The reactions of the Justice and Equality Movement (JEM) and the SLM (Abdel Wahid Nour faction), which overtly reject the agreement, highlight the lack of legitimacy of the DPA and also the essentially national dimension of the Darfur rebellion. Moreover, the fact that the JEM under the leadership of Khalil Ibrahim has close historical links to Dr Hassan Al-Turabi, the architect of modern Islamism in Sudan, has added to the complexity of their disaffection with the DPA.

A prolific scholar and intellectual, Turabi has been a major player in Sudanese politics since the 1960s as a member of the Islamic Charter Front, an organisation that took its inspiration from Egypt’s Muslim Brotherhood and which first proposed the drafting of an Islamic constitution for Sudan.

In its early days the Islamic Charter Front was composed largely of riverine Arabs and Darfurians. Known for their devout loyalty to Islam, Darfurians saw the association with Turabi as the convergence of issues of identity with an opportunity to make gains on the national political front. For his part, Turabi sought to unify the Darfurians against the monopolisation of state politics by the two Sufi order families, the Khatmiya and Ansar, in a way that would isolate their economically powerful elites and provide him with a constituency.

The Darfurians thus perceived the Islamist movement as a “route to forging links to the centre and enfranchisement, while Turabi saw Islam as a means of building a constituency in Darfur”.⁹ Since this time Turabi has been involved to a great extent in the shaping of the Nimeiri, Mahdi and NIF regimes and as a mentor to President Omar Al-Bashir and now Second Vice President Osman Ali Taha, he has made an indelible mark upon Sudan’s ideological landscape.

But his ideas subsequently became particularly threatening for the stability of the new political elite, particularly as they related to the power-sharing or federal system of government in Sudan. Not only would such a system undermine the power of the centralised ruling clique, it would also compromise their economic interests as beneficiaries of large-scale state-funded agricultural and industrial schemes. (It should also be remembered that oil has only begun to play a major role in the Sudan since the late 1990s, and the country remains in large part dependent on agricultural activity.) By 1999, however the hope in the Islamist Movement as a form of enfranchisement was shattered, although it continued to have a great effect on the social-political situation.

One of the other major factors in regional administrative politics in Darfur dating back to the British administration was the phenomenon of “exported members – parliamentarians from Khartoum that represented Darfur in the National Assembly

but had little concern for the region.”¹⁰ This was countered by the formation of the Darfur Front in 1965, by a group of educated Darfurians who aimed at redressing the economic and educational disparities in the region. One of the members of this committee, Dr Ali El Haj, a deputy to Dr Turabi, later became the Darfurian Minister of Federal Affairs and in 1994 was responsible for dividing Darfur into the three states of North, South and West Darfur. Looking at Darfur as a metaphor for political instability in Africa, Chidi Anselm Odinakalu argues that the “reform” of the state in 1994 produced two significant results. Firstly, “it split the Fur, the largest nationality in Darfur, across each of the three states” and secondly, it “made them minorities in each State, and advanced the Arabisation of state positions in Darfur by promoting Arabs over politicians and leaders from the region”.¹¹

Exacerbating these cleavages was the change in power balance in Khartoum following the death of the first Vice President, Lt Gen Al Zubair Muhammad Saleh, in a plane crash in February 1998. Lt Gen Muhammad Saleh was widely regarded as the “crucial link” between the Sudanese army and the National Islamic Front. His death left a vacuum in this key position and in doing so raised some serious questions about the inner circle of the NIF. At the time Turabi believed that Dr El Haj, as a highly regarded Darfurian, would be the appropriate person for the post of Vice President. It was also believed that such an appointment would signal a move towards improving the distribution of top posts with representatives from across Sudan.

President Bashir did not share Turabi’s view and disregarded the suggestion, nominating instead the Minister of Foreign Affairs, Osman Ali Taha, a fellow “Northerner” into the post. The tussle for power between the North and the periphery within the government itself was becoming increasingly public.

In 2000, a dispute over the question of federal devolution led to Parliament being dissolved by President Bashir, and the following year Turabi and some of his followers were charged and arrested with undermining the state. Shortly after his release in 2003, Turabi was rearrested for encouraging sedition in Darfur. This was followed by another spell in detention in 2004 and 2005.

Since his release in June 2005, Turabi has become a vociferous critic of the current regime. As a scholar who was perceived as a force for progress during the family dominated era of Sudanese politics, Turabi had a significant ideological influence on Darfurians in particular. It is for this reason that his discontent with Khartoum has been associated with the concurrent rise of the Justice and Equality Movement (JEM). Certainly, the conflict in Darfur presents a case study for what many observers see as the battle for the soul of political Islam in Sudan.

The rebellion against Khartoum, which had once counted the Darfurians among its allies, exploded in February 2003 with the first attacks on government forces the Northern Darfur Capital, El Fasher. The rebel group, the Sudanese Liberation Movement (SLM), previously known as the Darfur Liberation Front, issued a statement on the 14 March demanding the restructuring and devolution of power in Sudan. It was joined subsequently by the Justice and Equality Movement (JEM), a militarily smaller, but ideologically potent, group with similar aims. For a time these two groups cooperated in confronting the government, but before long internal disagreement and personal rivalry emerged. The fighting in Darfur spread across the region as the government and its militia allies (such as the *Janjaweed*) and the rebel movements waged a war in which the civilian populations were the principal victims. Indeed the level of violence was such that there are few villages left in Southern Darfur, with much of the population now herded either into towns or displacement camps.

The involvement of Chad, Eritrea, China and the United States through their association with the various belligerents has added to the complexity and internationalisation of this conflict. Certainly, the coincidence of the Darfur hostilities with the final stages of the Naivasha talks on the Comprehensive Peace

Agreement (CPA) with the South was no coincidence. It has become clear that Dr John Garang's Sudan People's Liberation Movement (SPLM) were involved in encouraging the creation of the SLA. The suggestion has been made by senior SPLM representatives that this was motivated by Garang's vision of a "New Sudan" which would seek to unify all opposition to Khartoum under the SPLM umbrella. Although the vision was ideologically fragile it would have offered a powerful interim opposition to the hegemony of the NCP.

From September 2003 on there were several rounds of negotiations between all the Darfurian rebel groups and the government, initially mediated by Chad and later by the African Union in Abuja. After four rounds of talks the Ndjamena Humanitarian Ceasefire Agreement was signed in April 2004 by all the parties. This agreement made provision for a Joint Ceasefire Commission to be composed of observers and troops and paved the way for the AU Summit decision in July 2004 to deploy the first African Union troops to Darfur, with a mandate to verify and ensure the implementation of the rules and provisions of the ceasefire.¹²

According to the AU Peace and Security Council mandate, the Mission's forces were to contribute to a secure environment for the delivery of humanitarian relief and for the return of IDPs and refugees to their homes, and to contribute to the improvement of the security situation throughout Darfur. Their presence was also meant to deter armed groups from continuing to commit hostile acts against civilians, and to monitor and report on the effective service delivery of the local police.

Under the more recent Darfur Peace Agreement, these functions are significantly expanded to include monitoring and verifying compliance with the disarmament process and well as the establishment and enforcement of buffer zones, requiring the "robust protection by AMIS of civilians, humanitarian organisations and humanitarian supply routes."¹³

Numerous challenges to the capacity of AMIS, and its consistent under-resourcing, have rendered it incapable of implementing this mandate effectively. Moreover, the polarisation of IDP communities between the two factions of the SLM has heightened security needs in and around IDP camps, another reason why the scaling down of the AMIS presence is of concern.

Beginning with an initial deployment of 310 protection troops, the current AMIS force stands at 6,171 military personnel and 1,560 civilian police. The AU's commitment to extend the mission to the end of 2006 is contingent upon its "re-hatting" as a United Nations mission, an issue that is proving highly contentious between the Sudanese government and the United Nations.

By the seventh round of the Abuja talks, there were clear indications of fragmentation and dissent within the rebel groups, and in 2005 the SLA split into a faction under military commander Minni Minnawi and another under Abdel Wahid Nour. The latter largely held sway among the Fur people, and it was from this perceived position of strength that he declared the end of a "coordinated negotiating position with the SLA/MM faction and JEM".¹⁴ This decision was not widely supported by his own followers, however, and weakened his faction further, a situation exacerbated by Minnawi's success in winning the support of most military commanders after the Haskanita Conference that had confirmed Minnawi as the head of the SLM.

The many lost opportunities and blunders on the part of the Nour faction and the impatience of the international community to achieve results from the expensive but dilatory Abuja process led to a shift in focus in the negotiations to the security aspects of the conflict, and by implication an emphasis on securing Minni Minnawi's SLA faction's signature on an agreement.

The stop-start process that characterised the Abuja talks over the previous 18-month history had set a poor precedent for keeping to deadlines for signature of the DPA, and these were eventually extended to the early hours of Saturday 5 May. Even as Abuja became the diplomatic hub of action bringing interlocutors ranging from the US Deputy Secretary of State, Robert Zoellick, to the AU Commission Head Alpha Konare and representatives of the Arab League to pressurise the parties, questions were raised about the efficacy of such “deadline diplomacy” in bringing about a lasting peace. Certainly, the major weakness of the peace process is that it was not concluded with the agreement of all the rebel groups represented at the talks, and in particular lacked the confidence of key leader Abdel Wahid Nour, head of the majority Fur representation of the SLM. And yet it was Wahid Nour who at the outset of the Abuja Talks had seemed most eager to come to an agreement. But dissent within his own faction, coupled with the need to address security related issues had elevated Minni Minnawi to the prime position in the rebel ranks.

In an analysis of the DPA, the International Crisis Group (ICG) notes that one diplomat at the talks suggested that it was Minnawi’s reengagement that helped to propel the process since he appeared to be more flexible than Wahid Nour. “The JEM’s military capabilities are minimal, Abdel Wahid has defensive capabilities but Minni is the only one with an offensive capability. Security is his issue.” The key, another close observer said, was to establish an environment “where (Minni) felt as though he can make a deal”.¹⁵ Moreover the refusal of other groups to sign up to the DPA has meant that all positions promised to rebel groups as set out in the Agreement are likely to be taken up by the Minnawi’s faction. Indeed it is this inter-Darfurian tension that has allowed for a fracturing of the opposition. Moreover, the leaders of the JEM and SLM (Wahid Nour) are viewed with suspicion by the Minnawi faction because of their previous ties with Turabi’s Islamist movement.

The key components of the DPA include Power Sharing, Wealth Sharing, a Comprehensive Ceasefire, Final Security Arrangements and the innovative Darfur-Darfur Dialogue and Consultation (DDDC) and are summarised below:

Security Arrangements

- Requires complete, verifiable disarmament of *Janjaweed* militia by mid-October, 2006. Provides milestones such as the containment of *Janjaweed* and other armed militias into specific restricted areas prior to disarmament, removal of heavy weapons, specific assurances of security in assembly areas of the rebel movements, and other steps to contain, reduce, and ultimately eliminate the threat posed by such forces.
- Places restrictions on the movements of the Popular Defence Forces and requires their downsizing.
- Provides for a detailed sequencing and phasing schedule aimed at ensuring that *Janjaweed* and other armed militia will be disarmed before rebel forces assemble and prepare for their own disarmament and demobilisation. African Union peacekeepers will inspect and certify that areas are safe and secure prior to rebel assembly.
- Requests that the Sudanese government punish ceasefire violations by *Janjaweed* and other armed militia including the PDF, including through immediate disarmament and demobilisation.
- Establishes buffer zones around IDP camps and humanitarian assistance corridors, into which rebel forces and Sudanese Armed Forces cannot go.
- Defines the principles for integration of the rebel forces into the Sudanese Armed Forces and police.
- Outlines that:
 - 4,000 former combatants will be integrated into the army.
 - 1,000 former combatants will be integrated into the police.
 - 3,000 will be supported through education and training programs to assist in the civilian reconstruction and development of Darfur.

- Provides for strong rebel forces representation in the leadership positions (officers and commanders) of the Sudanese Armed Forces.
- Requires the Sudanese Government of National Unity to review security institutions, especially paramilitary forces, and to ensure professionalism, effectiveness, and a focus on the rule of law.

Power Sharing

- Gives the rebel movements the 4th highest position in the Sudanese Government of National Unity; Senior Assistant to the President and Chairperson of the Transitional Darfur Regional Authority..
- Establishes the Senior Assistant and Chairperson of the TDRA as the dominant political leader in Darfur, and in Khartoum as the senior Darfurian representative in the Government of National Unity.
- Establishes democratic processes for the people of Darfur to choose their leaders and determine their status as a region.
- Makes provision for a popular referendum by July 2010 to decide whether to establish Darfur as a unitary region with a single government.
- Sets out that elections at every level of government shall be held not later than July 2009, in accordance with the Interim National Constitution.
- For the three-year period prior to elections:
- Grants the rebel movements chairmanship and control (at least 8 of 10 seats) in the Transitional Darfur Regional Authority. This body is responsible for implementation of the peace agreement in Darfur.
- Allocates to the rebel movements twelve seats in the National Assembly in Khartoum.
- Allocates to the rebel movements twenty-one seats in each of the Darfur State legislatures.
- Awards to the rebel movements one State Governor of Darfur, and two Deputy State Governors.
- Allocates to the rebel movements senior positions in State Ministries.
- Guarantees to the rebel movements key posts in local governments.

Wealth Sharing

- Creates fund for Darfur Reconstruction and Development to which the Government of National Unity (GNU) will contribute \$300 million initially and then \$200 million/year for 2 additional years.
- Calls for a Joint Assessment Mission - modelled on the one done for Southern reconstruction after the Comprehensive (North-South) Peace Agreement - to determine the specific reconstruction and development needs of Darfur.
- Commits the international community to holding a donors conference to pledge additional funds for Darfur, and invites the Chairperson of the TDRA to present to that conference a summary of needs and priorities.
- Establishes a commission to work with the United Nations to help refugees and displaced persons return to their homes.
- Creates a commission to provide compensation to victims of the conflict.
- Creates transparent process to track the flow of grants and monies from Khartoum into Darfur.

Darfur-Darfur Dialogue and Consultation (DDDC)

The DDDC

- Is a conference in which representatives of all Darfurian stakeholders can meet to discuss the challenges of restoring peace to their land, overcoming the divisions between the communities, and resolving the existing problems to build a common future.
- Is an advisory and facilitation mechanism. It is to make recommendations and observations to the Darfur and national authorities, including community leaders.

Will focus on two areas, namely (1) political and (2) socio-economic and traditional. The DDC shall have an organising theme, "Building Peace and Reconciliation in Darfur".

- The first function of the DDDC is to popularise the Agreement and obtain support for it from all stakeholders in Darfur.
 - Issues to be addressed by the DDDC will include:
 - Measures for popularising the Agreement.
 - Inter-communal and inter-tribal reconciliation.
 - Safe return of refugees and IDPs.
 - Land, water and natural resources, location and regulation of nomadic migration routes.
 - Human security and socio-economic issues.
 - Small arms control and the interim regulation of community defence groups pending final disarmament.
 - Measures to preserve the multi-ethnic character of Darfur.
 - Measures to address the special issues and concerns of women.
 - Representation at the DDDC shall be decided by the Preparatory Committee according to guidelines.
- a) The DDC should consist of approximately 800-1000 delegates in addition to observers.
 - b) 60 percent of delegates shall be selected on the basis of tribal representation. This shall include recognised tribal leaders, representatives chosen by all localities including refugees and internally displaced persons. Special mechanisms shall be established to ensure that small tribes and non-Darfurians resident in Darfur are represented.
 - c) 40 percent of delegates shall be selected to represent other stakeholders, including political parties, civil society organizations, religious leaders, business leaders, members of the diaspora, trade unions and professionals.
 - d) Adequate and effective representation of women and youth shall be ensured.
 - e) Observers shall be drawn from other parts of Sudan, AU Mediation and Facilitators, League of Arab States and Organisation of Islamic Conference, CENSAD, IGAD, UN and international community.

Whose rebel?

Aside from the major SLM split the past three months has seen a further fracturing of rebel groupings, together with a rise in non-political banditry. Another faction that has carved itself out of the SLA (Abdel Wahid Nour) is that of Abdel-Rahman Musa, who has signed the agreement and in doing so has attempted to isolate Nour's supporters.

Moreover, there are numerous voices from the signatory faction of the SLA that are calling for a rejection of the deal. A faction of the SLA led by Minni Minnawi's political adviser, Ibrahim Ahmed Ibrahim, a key personality behind the installation of Minnawi as SLM supremo during the Haskanita conference, have called on the UN Secretary General, Kofi Annan, to stop the implementation of the deal. This initiative is based upon the argument that Minnawi signed the deal under undue pressure. These reports of abrogation only buoy the JEM and SLA Abdel Wahid Nour elements of the fissiparous Darfurian political landscape, and reinforces an awareness of the inherent weaknesses of a peace deal hurriedly concluded under pressure from what is often called the "CNN factor".

One African Union official has cautioned that the views of the "spokesperson" of the SLA Minnawi faction must be treated carefully, as there are no fewer than three people claiming this appointment, each with his own view on the process.¹⁶ Indeed, what must also not be forgotten is that much of the Darfurian rebel leadership is based outside the country at present and often lack local legitimacy as leaders of the resistance to Khartoum.

In reality, the Minnawi faction of SLM is now divided into two wings, one engaged in Khartoum with the Sudanese government to implement the Darfur peace agreement, and the other calling for the suspension of the DPA.

The Minnawi faction increasingly is being weakened by developments on the ground. Indeed, the UN Special Envoy Jan Pronk recently admitted that although Minnawi did well in Abuja, the same cannot be said for the agreement's impact upon his popularity within Darfur, and especially inside the numerous displacement camps. It has been suggested that two factors add to the vulnerability of the Minnawi faction. Firstly, there is mounting pressure in Darfur against the Abuja deal, with more open acknowledgement of the need to reconsider the ambit of its clauses; secondly, there the actual challenge of implementation as suggested by the Jan Pronk. In his June weblog diary on the Sudan Pronk suggests that,

Efforts to broaden the support for the DPA should not result in losing partners who have already signed. For this reason we should stick to the text of the agreement, but be willing to add a lot. This can be done in all three fields: security, power sharing and wealth sharing. Credible international security guarantees, visible disarmament of the *Janjaweed*, more money for compensation and a tangible reconstruction of the areas where the refugees and displaced people lived before they were chased away will have to be added soon in order to turn the present agreement into a sustainable pact.¹⁷

These sentiments are very likely to have bolstered the rebels' resolve to hold out until their demands are met. This is reflected by the consolidation of some factions opposed to the agreement. Where previously the non-signatories acted independently of each other, the formation of the National Redemption Front (NRF) in Asmara in June 2006 comprised of members of the JEM and other dissident SLM factions, represents a hardening of the recalcitrant rebels' stance. The NRF includes the JEM leader Khalil Ibrahim as well as Khamis Abdallah Abakar, the former SLA vice-president and leader of the Massaliyet component of the SLA faction, who was among the 19 commanders who "wanted to freeze Abdel Wahid out earlier on during the 7th round in December 2005".¹⁸ The NRF does not include the SLM of Abdel Wahid Nour. The new alliance claimed to lead an attack on Government positions in Northern Kordofan on 3 July 2006, widening the conflict beyond Darfur's eastern border.¹⁹

According to the founding Declaration of the NRF, its members "reaffirm their rejection of the faulty (Abuja) process", and call for all "people of Darfur and marginalized communities of Sudan to join NRF in order to realize justice and lasting peace for all."²⁰ Apart from asserting the need for a just system for wealth and power sharing between the various regions, the group has yet to make its political objectives known. What is most significant about the non-signatories to the DPA is their contextualisation of the Darfur conflict as a national issue rather than local resource scarcity question as emphasised by the government, suggesting that the NRF's aims extend beyond the Darfur context.

What is also significant about the DPA is its impact on the year old Comprehensive Peace Agreement (CPA) signed between the ruling National Congress Party (NCP) and the Sudanese People's Liberation Movement (SPLM) that ended the long-running North-South civil war in 2005.

Although the rebellion in Darfur has followed a unique historical trajectory, including the local resource context and relationship with Khartoum, there are several important ways in which the peace processes in the South and Darfur impact upon each other. Firstly, as noted by Young *et al*, Southern Darfur's border with the Bahr el Ghazal state has meant that there has been a "degree of overspill of the North South conflict into Darfur, and overlap in terms of using Darfurian militias".²¹ And it would also seem obvious that pasturage and other natural resources are shared by both these communities, given the movement of nomadic populations by season. The use of proxy militias has not only been destabilising for the areas in which they operate, but has become so entrenched in Sudanese

politics as to be drawn upon almost as a common method of engagement. Some analysts argue that it was the fear of unravelling the elite compact being negotiated in Naivasha that led Khartoum to use militias to deal with dissent in Darfur. Certainly, the international community's response to violence in Darfur was also characterised by the same fear; it was, after all, decades of war in the South that were finally being brought to an end. By contrast, it was humanitarian aid rather than political engagement that defined initial international interest in Darfur.

Importantly, donor funding for the South in support of the CPA has been tied to the speedy resolution of war in Darfur to a degree. Consequently, the current delays in implementing the Abuja deal have a direct impact upon the functioning of the Southern Government. Certainly, the same is true for central government resources, which will also have to be shared in order to meet the obligations of both the DPA and CPA.

The effect of ignoring the grievances of Darfurians in their initial stages is that this has emphasised the message that armed struggle is the only way to gain access to the negotiating table, as exemplified by the gains made by the SPLM in the CPA.

The exclusive nature of the NCP-SPLM Agreement has been criticised by numerous analysts who see the process as having set a precedent for a piecemeal approach to the conflicts in Sudan. Advisor to the African Union during the Abuja talks, Alex de Waal, explains that "the Kenyan mediators and the international partners involved in the Naivasha talks took the decision to make the CPA the priority – in part because they did not anticipate reaching a quick agreement on Darfur and did not want to keep the North-South peace hostage to an intractable conflict in Darfur... and then once the CPA had been signed, the movements complained that many of their demands were simply ruled unacceptable, because they were not consistent with the CPA."²²

It is also becoming increasingly evident that the SPLM and the NCP have opposing views on how to resolve the Darfur conflict. This is particularly apparent on the question of the handover of AMIS to UN troops, something President Bashir opposes, but First Vice President Salva Kiir has considered as a possibility. This is to be expected, since the creation of the main rebel movement the Sudanese Liberation Movement (SLM) was in large part supported by the SPLM who sought to unify the marginalised of Sudan in order to isolate the ruling party.

It is worth noting, however, some of the key political links between the CPA and the DPA that are sure to have a direct bearing on the implementation of both agreements and processes. Firstly, the CPA in its design gives the NCP a majority stake of 52 percent in government during the interim period, and the SPLM 28 percent. It also entrenches the Interim National Constitution (INC) as the underlying framework with which all other laws and political configurations must comply. The basic principles of the CPA include democratic transformation, human rights and political pluralism, fiscal federalism, security sector reform and the downsizing of the national army and "at every point both NCP and SPLM referred to these principles and insisted that they should not be altered."²³

Indeed, the Darfurian demand to have a seat at the Presidency was already a non-starter since it would violate both the carefully negotiated CPA which divided the power of the Presidency between the NCP and the SPLM. It is no surprise, then, that the signing of the CPA, although signalling an end to conflict between the North and South, also raised questions about the inclusiveness of the CPA as a basis for democratic reformation in Sudan. For this reason the question of including the Darfurian movements was extremely sensitive as it would have necessarily impacted upon the guarantees of a 50 percent representation for the NCP in the National Assembly. In the end the number allocated to Darfur was limited to 12 seats in an expanded Assembly, so as not to upset the essential

balance of the incumbent parliament. Alex de Waal encapsulates this dilemma of balancing the two processes when he explains that;

Twelve seats in the National Assembly was a disappointment for the Movements, which had demanded many more. Everyone recognizes that twelve is a small number. But the Mediation wanted to minimise changes to the CPA percentages in the National Assembly. On the principle that there should be no losers in a peace agreement, only winners, the Mediation did not want to propose a formula that involved any MPs losing their posts.²⁴

Besides criticisms of the actual text of the DPA, there is now more reflection on the nature of the Abuja process itself. Certainly, it has to be acknowledged that the DPA as a text was meant to address the initial question of the cessation of hostilities, a move that was to lead to the more concrete considerations on the inclusion of Darfur into the national question. The fact that there is no exit strategy for international monitors implied in the DPA is a consequence of the mode of engagement undertaken by the UN who wanted a signature before any consideration of its military involvement. With the privilege of hindsight we are able to see some of the flaws of the negotiating process. Perhaps the most glaring issue that has impacted on the likely durability of peace in Darfur is the emphasis that was placed on Minni Minnawi's faction by international interlocutors, and by the US Deputy Secretary of State, Robert Zoellick in particular. The perception that Abdel Wahid Nour was sidelined in this process, whether true or not, has been critical to the creation of distrust in the Abuja talks and the suspicion of international motives for trying to resolve the conflict. Another important factor that was not clearly considered, and has been highlighted by Pronk in his critique, is that the non-signature of one side was the motivation for the other faction to sign. This reflects how the personal rivalry that has come to characterise the nature of the factional leadership played a key role in the process, and has in fact determined a large part of events since 5 May.

Importantly, the role of international mediators should not be seen as a guarantee that would automatically usher in the much desired peace, since to do so is to deny the complexity of local politics. It can also be said that since the discovery and exploitation of Sudan's oil resources, international involvement there has been motivated by pure *Realpolitik* in seeking access to oil concessions. In this regard both Western – the USA, Canada, and Europe – and Eastern giants – China and Malaysia, have played significant roles in influencing the international agenda in Sudan.

What is often neglected in the analysis of the Darfur conflict, more so than any ascription of the violence to "Arab" versus "African" antagonism as a root cause, is the basic struggle for sustainable livelihoods. With the increasing desertification of the many parts of the arid Northern Darfur state and the shrinkage in pastures for the nomadic peoples, the relevance of a peace deal existing solely on paper is likely to be seen as largely of intellectual interest. Certainly, the long-term viability of the Darfur region depends on making human development a priority. And it is perhaps the placing of issues relating to IDPs and refugees and land concerns within the realm of the consultative body of the DDDC that is most important from a livelihood perspective. Yet, not only will this body be tasked with addressing the "root cause" of the problem as perceived by the government of Sudan, but the mechanisms set out to deal with the recognition of traditional land rights are actually the same as those set out in the Comprehensive Peace Agreement, which contradicts the specificity of the Darfuran crisis.

As set out in the introduction of this paper, events in Darfur continue to impact upon the reality of peace making on a daily basis. Nevertheless, we would like to highlight some of the major developments in recent weeks that will have a severe impact on the long and short-term viability of the DPA and the African Union mission.

Suspension of non-signatories from the Ceasefire Commission

The widening of the perception that AMIS is not able to implement its mandate effectively has had fatal consequences for AMIS troops, with several killings and hijackings of AMIS staff and equipment. Certainly, the problem of being under-resourced has led AMIS to withdraw from selected sites, which is having an impact on civilian protection on the ground. However, what is perhaps more worrying from a political legitimacy perspective is the growing sense of the partiality of AMIS with regard to the Sudanese government and the SLM Minnawi faction. The UN SRSG July report on Darfur notes that “some members of the G19, a rebel group that does not support the Agreement, believe that AMIS may not be resisting the military operations of the Sudanese Armed Forces and the SLM/A Minnawi and (have) even threatened to attack the AU Mission.”²⁵ Moreover, numerous humanitarian agencies have noted that the key role that AMIS is supposed to play in promoting the DPA has been affected by its declining legitimacy with IDP populations.

On the 15 August AMIS requested that non-signatories to the DPA leave their positions on the Ceasefire Commission (CFC) and the Joint Commission (JC) within 72 hours. The CFC and JC are bodies under the chairmanship of AMIS responsible for monitoring violations of the N’djamena Ceasefire Agreement of 2004. Under the DPA the CFC and the JC, together with AMIS and the Joint Humanitarian Facilitation and Monitoring Unit (JHFMU), are responsible for maintaining the ceasefire, building confidence and resolving disputes among the parties.²⁶

Indeed, the CFC was to be constituted in the days following the signing of the DPA and made up of members of all the Darfurian parties in addition to international observers from the European Union, the USA and the UN. It was, however, only inaugurated on the 13 June. The African Union mission has given two reasons for their suspension of non-signatories to the DPA from the CFC and JC. Firstly, it cites the “paralysis of the two mechanisms and their failure to address the recent deterioration in security and humanitarian situation in Darfur.” Secondly, it explains that after the Government of Sudan declared the new NRF alliance as a terrorist organization and informed AMIS that it cannot guarantee the security of non-signatories, AMIS had “no other option than to suspend their participation from these mechanism.”²⁷ The AU argues that the decision was taken after consultations were held with international partners on 3 August.

The rebel movements have responded negatively to the suspension, particularly the JEM which suggests that the action essentially abrogates the existence of the CFC and the role of the mediator. The NRF has also said that the AU decision “puts an end to any claim of neutrality which the AU enjoyed” adding that “rather than challenge the GoS and attempt to patch ceasefire agreements in Darfur, the AU effectively disowns any claim to residual neutrality and turns itself into an executive body for Albashir’s (*sic*) junta.”²⁸

Though it has been acknowledged that AMIS is working under incredibly harsh conditions on both a physical and mental level for its troops, the mission will be further endangered by the most recent action. Patrolling areas under the control of the non-signatories is set to be even more treacherous and certainly for the most vulnerable, such as the IDPs, the recent action is likely to further the perception of bias against the opponents to the deal. Without a functioning Ceasefire Commission and the denunciation of the NRF as a terrorist organisation, it is clear that the DPA lacks both the political and security mechanisms to be implemented. Moreover, the 20 July deadline set for the restriction of *Janjaweed* activity to designated areas as set out in the DPA has now passed.

Handover to the UN?

At the time of writing, the Government of Sudan has refused to allow the deployment of UN troops in the Darfur region. This is despite numerous attempts by various interlocutors including UN Envoy Lakdhar Brahimi and South African President Thabo Mbeki to persuade the country to accept such a force.

In his July report to the Security Council, UN Secretary-General Kofi Annan presented recommendations for a possible UN force in Darfur. According to

the report the current UN mission based in the South (UNMIS), responsible for monitoring the implementation of the CPA should be expanded to cover the Darfur region as of January 2007. This new arrangement would be based on the inclusion of a separate Darfur sector, and would assume all AMIS duties regarding security arrangements in the DPA, such as redeployment, disengagement and the protection of civilians under imminent threat and the deterrence of potential spoilers through robust actions. The Secretary-General presents three options for the military component, which varies in size from 15,300 to 18,600 troops depending on the availability of mobile assets such as helicopters. The report also recommends the possibility of opening of UNMIS offices in Chad and the Central African Republic that would include UN military and civilian police.

Relations between Sudan and Chad have historically played a major role in the direction of their respective domestic politics, and more recently each country has been accused of assisting rebellions in the other. While Chad's problems have mainly been rooted in domestic discontent with the leadership of Idriss Deby, who took power in 1990, the links between ethnic groups across the two regions, particularly between the Zaghawa have helped to ethnicise such grievances. Some 20,000 Darfurians have fled the area to seek refuge in Chad since 2003.

But after a breaking of diplomatic ties between the two countries, when Chad accused Sudan of assisting in an attempted coup in April this year, relations are now being re-established. On 26 July the two governments signed an accord to normalise ties, agreeing not to use each other's territory to destabilise the region. Moreover, President Bashir attended Idriss Deby's inauguration in early August.

Some analysts suggest that this renewed period of cooperation is due to the inclusion in the Sudanese government of Minni Minnawi who is from the Zaghawa tribe, a fact that may resonate with the Deby, a Zaghawa himself.

Another significant move in recent days is the detention of three JEM leaders by N'djamena, the first time such action has been implemented since the signing of the Tripoli Accord in February for the purpose of controlling cross-border insurgents.

The Secretary General's report is significant in laying out proposals for both short term and long-term assistance to AMIS, which is bound to have major budgetary implications. More specifically this assistance would involve issues relating to command and control, communications, enhanced mobility, engineering, training, location and sourcing of water, resource and administrative management and public information. Public information was highlighted as a key component to the success of the DPA, particularly as it relates to the dissemination and promotion of the Darfur-Darfur Dialogue and Consultation (DDDC).

At the time of writing the UN Security Council has just adopted a resolution tabled by the UK and the USA that entails the augmenting the AMIS in a gradual handover to the United Nations. The resolution passed with the abstention of China, Russia and Qatar maintains some of the key recommendations set out by Kofi Annan, and emphasises a "mixture of something that Khartoum wants (assistance to AMIS) with something the UN and AU want (transition to the UN later in the year). While the UN sees this as a considerable change of strategy in comparison with the more confrontational approach towards Sudan in February and more significantly in May, when resolution 1679 was adopted under Chapter VII",²⁹ Khartoum's consent is still required for the implementation of this resolution. Some analysts explain that far from being simply recalcitrant on its position towards the UN, the Sudanese government may well be using a strategy of open rejection in order to extract concessions closer to the expiry of the AMIS mandate. The advantages to be gained from such a position is that it could agree to cooperate but only under the condition that any international mission deployed will do so under a chapter VI mandate – one that would not allow for forceful disarmament. Moreover, Sudan could also be using this tactic because of its perceived leverage in terms of being the host and mediator to the Somali talks. It is known that the Somali Union of

Disinterested parties?

Islamic Courts is of concern to the US administration and the Ethiopian regime for reasons relating to their respective domestic policies. Should Khartoum be able to emphasise its ability to play a constructive role in handling these conflicts it might stand the change of engaging with the international community on its own terms.

The extent to which the international community is willing and able to make a real commitment in Darfur remains to be seen, particularly in light of the ongoing Lebanon crisis now being addressed by the UN and which will also require significant international troop numbers and resources. And it is this element of war versus peace that must also be challenged when considering the “altruism” of international intervention. For all the sabre-rattling against the Khartoum regime through the UN Security Council Resolution 1556 of 30 July, which threatened sanctions if the *Janjaweed* are not disarmed, the international community continues to fall short on pledges for humanitarian assistance. Norm Dixon argues this point in a recent article that considers Darfur as pawn in a Western power play for oil saying,

If anything betrays the true attitude of the US and European governments towards the suffering of millions of displaced people in the Darfur region of western Sudan, it is the little publicised fact that Western governments are allowing more than 2000 hungry and sick Darfuris to die every single day for want of urgently needed food, medicines and shelter.³⁰

Certainly, the Darfur case is not unique, African conflicts areas are chronically under-funded despite the holding of multiple donor pledging conferences. Dixon’s report suggests that less than half of the \$350 million required by the UN for operations in Darfur has been received. What is important to note, as has been mentioned elsewhere in this report, is the link between the North-South Peace Agreement and the CPA. The CPA was concluded even as the Darfur conflict was ongoing, but Darfur does not hold any strategic interest in terms of mineral resources or political leverage, unlike the South. As recent developments have shown, the implementation of the peace deal with the South is closely tied to the resolution of the Darfur conflict, and certainly we have seen more vigorous attention being paid to Darfur when it became obvious that the conflicts there could derail peace implementation in the South. Oil-rich Southern Sudan can be fully exploited only once the region can be stabilised, and indeed it is the exploration of oil that has played a large part in influencing US and European foreign policy in Africa.

Conclusion

This report has aimed at giving a brief overview of the dynamics in Darfur in the light of the most recent events. It is clear that far from reaching a conclusion to the conflict, the situation has in fact intensified in parallel and reinforcing process of polarisation within the Darfurian community. Certainly, Darfur represents a major assault on the hegemony of the Government of National Unity that was formed after the signing of the Comprehensive Peace Agreement between North and South in January 2006. Although the history of the conflict between the SPLM and various Khartoum regimes has been based on the marginalisation of the South in terms of human and political development, the Darfurian case, together with increasing tensions in eastern Sudan, highlight the national character of marginalisation.

No ceasefire will hold in Darfur without the political national will to reconfigure politics towards substantive human development in all regions.

And while many observers to the CPA process hailed it as the beginning of a “new” Sudan, it should be understood that the viability of the peace process in the South is intimately linked to what happens in Darfur. In the run up to the expected 2008/9 national elections, it is anticipated that additional fissures within the NCP and the SPLM will come to the fore even more distinctly. The battle for the soul of Khartoum can only intensify while the core issues of political representation and human development remain unaddressed.

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