

# On the Darfur Conflict

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Like most of the conflicts in Africa, the warfare Darfur is a mere struggle for survival and sustainable life. From a certain perspective, it could be considered as an ethnic dispute against a backdrop of political, social and economic marginalization.

It also could be seen as the combination of three overlapping conflicts: a war of variegated rebelling factions against the government, hostilities between Sudan and Chad and the land property claims arising between sedentary tribes and nomads.

Due to the complexity of the topic, the following paper offers to deal with the subject from two main perspectives: the resources and the ethnic dimensions. As an attempt to look into the evolution of the conflict and to the endeavors to resolve it, a particular attention will be given to the Darfur Peace Agreement of 2006.

The Darfur conflict takes place in the western region of Sudan, in a territory as large as France, administratively divided into three provinces: Dar Zaghawa (north), Dar of the Fur people (center) and Dar Reziegat (south)

Many parties have been directly or indirectly involved in the conflict. Their interventions vary according to their interests, their capabilities and their degree of influence. They can be divided into two main groups:

## **1- The National stakeholders:**

Depending on the perspective, the primary parties can be divided into:

**a - The local populations:** In addition to other tribes<sup>1</sup> partially involved in the conflict, there are two major blocks: the Arabs nomads (pastorals) and the African sedentary group (sedentary farmers<sup>2</sup>) (O'Fahey, 2008)

**b- The Government of Sudan (GOS):** For sixteen years, its counter-insurgency strategy was the weakening of the rebellion popular basis through the displacement of the populations. Under presidency of Omar al-Bashir<sup>3</sup>, this regime has constantly manipulated the tribes' dissensions to strengthen its position at the negotiation table. It has also been using the Janjaweed<sup>4</sup> to crush the rebellion. The fundamentalist ideology of the President is also a cause of the inflammation of the conflict in Darfur.

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<sup>1</sup> Darfur, a mix of tribes, is composed of at least 36 main tribes and no less than 90 if clans are counted (Prunier, 2005).

<sup>2</sup> The indigenous Africans are mainly composed of three tribes: the Fur, the Massalit and the Zaghawa (specialized in herding camels)

<sup>3</sup> Who is charged by the International Crime Court of crimes against humanity and his role in the conflict

<sup>4</sup> Arab militia. See International crisis Group, Darfur Rising: Sudans' New Crisis, Africa Report No 76, 25 March 2004



**c- The Janjaweed:** They are fighters from Arab background who are allied and manipulated by to counteract the Sudan Liberation Army victories. The government relies heavily on them to target the civilians suspected to support the rebellion.

**d- The rebels:** The last generation of rebels emerged in February 2003 because of the government's failure to address the problems in the Darfur. They are divided into two main groups:

- **The Sudan Liberation Army (SLA):** Lead by Manawi, denounces political and economic marginalization and demands the separation between state and religion. The SLA split, in 2005, when its previous leader, Abdel Wahid M. Nur formed a rival faction after Manawi concluded the Peace Agreement of Abuja, on May 2006.

- **The Justice and Equality Movement (JEM):** This movement is militarily weaker than the SLA, but has a stronger cohesion. It also split, in 2005, when the Colonel Gibril A. Barey formed the National Movement for Reform and Development (NDRM)

There is has been a conflict between these two factions because the SLA has always been suspicious of the JEM's links to Turabi, but they fought side-by-side during the early months of the insurrection. The SLA, however, recently improved its military positions amongst the factions after obtaining heavy amendments and logistics from Chad, which helped the JEM to launch an attack on the capital Omdurman in May 2008 and capture more areas in Darfur from other factions. The GEM began to negotiate for peace with the central government in Qatar, on February 2009.

- **Other Movements:** The ones which refused to sign the DPA (NRF, SLA/NSF, S DFA, R DFF/PFA, SLA/G19) and other new factions. They are estimated to be twenty seven factions

**2- The international stakeholder:** Non –exhaustively, they could be grouped into:

**a- The international Organizations:**

- **The African Union (AU):** It has been present in Darfur since May 2004. Its priority is to “stop the tragedy” in Darfur<sup>5</sup>. Broadly speaking, it has not met the expectations to protect the vulnerable populations (statistics report about 2.5 million displaced living in makeshift camps and up to 300,000 victims). Nevertheless, it has realized some successes in preventive initiatives such as providing escorts to the internally displaced persons (IDPs) -while collecting firewood for example-. It advocates dialogue among the populations.

- **The United Nations (UN):** Since 2004, the organization has urged for a ceasefire because of the degradation of humanitarian situation. It has created a “trust fund” to “facilitate diplomatic efforts in the peace negotiations”

The UN and the AU, as moderate parties that play an integrated role in the peacemaking (Maiese, 2004), created a joint mission in Darfur called the UNAMID.

- **The International Criminal Court:** It is the first time in history that an international court goes after a head of state. The Court is on the ongoing process of prosecuting Sudan's President for genocide and crime against humanity. For the time being, it is reluctant for fear of the President backlash in Darfur. It requested from Khartoum the hand over of the Minister of Humanitarian Affairs, Ahmed Haroun, and a Janjaweed leader, Ali Kushayb. As a reaction, M. al-Bashir simply promoted M. Haroun and freed M. Khushayb.

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<sup>5</sup> Alpha Oumar Konare (African Union Commission Chairperson) declaration, September, 2007



**b – The neighboring countries:**

- **Chad** used Darfur, during the civil war, as rear bases to the Front de Libération Nationale du Tchad<sup>6</sup> (Frolinat). The movement was supported by Khartoum which revised<sup>7</sup> its position when the Frolinat factions started to fight against each other in Darfur, where the local population was victim of these dissensions.

- **Libya:** In addition to his interest in the Chad conflict, the Libyan leader, embittered by Nemeiri's refusal to merge Sudan and Libya<sup>8</sup>, supported the creation of the Tajamuu al-Arabi<sup>9</sup> (Arab Union) which stressed the "Arab" character of the Darfur province (Prunier, 2005). In 1976, a Sudanese militia<sup>10</sup> attacked Khartoum. The Darfuri civilians perceived as sympathizers were hunted down. Consequently, Nimeiri supported Harbre's Armee du Nord (anti-Libyan & anti-Chadian) settled then in Darfur. This also turned Darfur into a racialized battle ground (Prunier, 2005).

**c – Other actors:** There are other countries involved or concerned by the conflict, but I will limit this category to the United States and China because I think they can really have an impact on the turn of events in Darfur.

- **China:** This country is accused of supplying the central government with army lorries<sup>11</sup>. It purchases 2/3 of the Sudanese oil and is considered as a good business partner of Sudan<sup>12</sup>. It disapproves the western sanctions on Khartoum and views that the Sudanese development assistance is the key of peace process in Darfur.

- **The United States:** This country has offered to help Khartoum arrange negotiations with the rebels. It issued its "strongest public statement to date" on March 2<sup>nd</sup>, 2004, expressing "grave concern" and strongly condemned the Janjaweed and the other government-supported militias. It is the only country accusing the Sudanese government of genocide. Concretely it supports the idea of imposing of a non-fly zone in Darfur<sup>13</sup>

The Darfur conflict is a confrontation between the Government of Sudan and the rebel opposition because of the economic and political marginalization of the area. In this respect, it is important to underscore that the marginalization of Darfur goes back to the Anglo-Egyptian Condominium<sup>14</sup> which exercised "Indirect Rule"<sup>15</sup> over Darfur (Prunier, 2005). Through a voluntarily appointed tribal administration composed of incompetent and illiterate people, the region was unable to strive towards progress. Their role was limited to rendering justice and

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<sup>6</sup> A guerilla movement which was the epicenter of the civil war was founded in Sudanese territory (same Muslim tribes on the border of Darfur)

<sup>7</sup> Nemeiri kicked the Frolinat soldiers many times (Prunier, 2005)

<sup>8</sup> As a PanArabist, he supported Khartoum regime in order to create an "Arab Union"

<sup>9</sup> A militantly racist group

<sup>10</sup> About 1200 men armed by Tripoli

<sup>11</sup> According to BBC News, the 212 Dong Feng lorries are mounted in Sudan. The Sudanese government does not refute the information

<sup>12</sup> In 2007, President Hu Jintao "wrote off millions of dollars of debt and donated multi-million pound interest free loan free to build a new presidential palace. (BBC News)

<sup>13</sup> Both Sen Joe Biden (D) and Gov Sarah Palin (R)

<sup>14</sup> Manner by which Sudan was administered between 1899 and 1956, when it was a condominium of the United Kingdom and Egypt

<sup>15</sup> According to Frederick Lugard's philosophy, it could be considered "either as an example of racism or alternatively as the most culturally respectful of possible policies". The British ruled through the agency of "traditional authorities" which while respecting culture ensured that change was introduced slowly. The opponents of this philosophy simply consider it as a means colonizers use to marginalize the populations.



levying taxes. From this perspective, the root causes of the conflict are due to economic and social underdevelopment<sup>16</sup>.

At the end of the condominium period, Darfur was underdeveloped, isolated and had to “strive for self-sufficiency”<sup>17</sup>(Prunier, 2005).

Furthermore, the independence of Sudan, January 1<sup>st</sup>, 1956, was not the expected watershed for Darfur since the Darfuri had no political clout in the capital after the elections of 1958. And, the succession of civil and military regimes did not achieve the development of the region, improve the situation and eradicate the regional marginalization.

The conflict is generally described as a dispute between the Arab nomads and the African farmers. A plausible explanation could be the Arab tribes’ way of life. Nomads for generations, they used to migrate seasonally<sup>18</sup> in quest of water and pasture for their livestock. But, since their territories have been subject to continuous drought and desertification, they gave up their habit and started encroaching on the southern areas where African farmers were already settled.

Intractable, the conflict in Darfur is typical to the ones that emerged in the 1990s and in which the marginalized groups decide to express their needs through the challenging of the existing norms and structures (Ramsbothanm, woodhouse & Miall, 2005). Undeniably, it is the case of Darfur where the people have been subjected to economic, social and political marginalization for generations.

During the latent phase of the conflict, the Darfurians were simply surviving without really discussing the established order that went back to the Condominium period. The climatic conditions of the region and the rainfall deficiency are typical to Darfur. And when the drought reached its climax in 2003, the skirmishes between the Arab pastorals and the African farmers escalated, especially in Jebel Marra.

The shift of the ecological balance<sup>19</sup>, led to the movement of the population and their livestock from the affected eco-zones either for prolonged period or permanently. The scarcity of the resources<sup>20</sup> increased the strain among the population in Darfur (Suliman, 2008).

From this perspective, the direct consequence of the conflict on the population is the devastation of the livelihoods in the region<sup>21</sup>. In fact, before the strife, the whole economic system was based on a combination of farming, herding, trade and labor migration. During the pre-conflict period nearly all farmers were herding some animals and all the herder were involved in some kind of crop cultivation. Therefore, the distinction between farmers and herders is a mere distinction between agro-pastoralist and more mobile pastoralist. And, according to Young (2005), this distinction is closely linked to ethnicity.

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<sup>16</sup> For example, in 1935 there were only four primary schools in Darfur. In the 1950’s, there were eight maternity clinics in Sudan. But, there were none in Darfur.

<sup>17</sup> 1955 Economic Report on the Province of Darfur

<sup>18</sup> From January to June

<sup>19</sup> It is the result of persistent drought, unsustainable farming methods and overgrazing in the “marginal lands

<sup>20</sup> Water (in aquifers)and others. But it is reported that important reserves of oil have been discovered (Reuter, 04/19/2005). This will lead to a further complication of the conflict especially among the Darfuri tribes.

<sup>21</sup> The livelihood of over one million people were more or less destroyed during the first year of the conflict



Basically, the strife in Darfur is not a purely ethnic conflict even if the Sudanese government considers it as such in order to oppose its qualification as a civil war (Prunier, 2005). The enrollment of the Janjaweed by the central authority and the involvement of the others tribes can still be considered a reason to qualify it as such. But then, the ethnic conflict is to be considered as sub-structural. It contains *per se* all the elements of such qualification: the multiplicity of the groups involved, the diffusion of power and severe stereotyping. The reason of perpetuating the conflict is the "reciprocal causation" (Lederach, 1997) which leads to a deep polarization and a long-term animosity.

From a more global perspective, Darfur's economy, which used to be based on intricate trading relationships between the pastorals and the farmers, the North and the South and the rural and the urban areas, has been profoundly altered (Buchanan-Smith, 2005). Before the eruption of the conflict, the livestock exports were the foundation of the Darfur economy. And, because of its resulting obstacles<sup>22</sup>, the high level of insecurity, the deterioration of the grain production, the humanitarian situation has worsened.

The harshness of the environment combined to the restricted access to the natural and social resources for a long period are the cause of the high level of intensity of the ethnic violence. The intractability of this conflict is manifested through the multiplicity of the parties involved, the intricate historical, religious and economic issues in the area. The ethnic dimension of the dispute is not to be considered as a "historical leftover". It must be understood as a consequence of modernization. It is also to be perceived as a "re-tribalizing" process to face an uneven distribution of the resources. This conflict has, indeed, transformed from a mere resources conflict into an identity one where all the tribes are re-centering around affiliation, origins and even religion.

The revolt of the Darfurian is due to a long standing backwardness which disadvantaged them long enough to spark off a violent reaction. The GOS responded with both direct and structural violence. In reality, since the sparkle of the conflict, the population has been subject to death, poverty and cultural violence.

The conflict itself went through different phases. But, starting 2005, the following key changes in the dispute have been observed:

- In the areas of strategic interest to the GOS and the SLA, the displacements are more localized and in smaller scale than in early stages of the strife
- There are new tribes<sup>23</sup> involved in the conflict
- The attacks became more motivated by banditry and looting than political affiliation
- After the signature of the DPA, Darfur has been subject to new outbreaks of fighting between different rebel faction (especially in the north)
- Often manipulated by the GOS, there has been an increase of the splits among tribes in term of their allegiance to the GOS/ Janjaweed or to SLA
- The potential for conflict with Chad has escalated increasing the instability in West Darfur.

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<sup>22</sup> The displacement of producers and traders, the GOS restrictions on the transportation of goods and services in and out of the SLA area, the increasing risks and looting, the cost of transportation that has doubled...(Buchanan-Smith, 2007)

<sup>23</sup> The Fallata and parts of the Birgid in have joined the GOS/Janjaweed



- Because the GOS and the international community failed to offer the local population adequate protection, the civilians are organizing into local defense groups<sup>24</sup>. While some tribes negotiated a relative neutrality with the disputants
- Some IDP camps became increasingly politicized, especially in the West and South Darfur
- There are examples of local reconciliation between different tribes<sup>25</sup>

In this conflict both parties are using hard power. The rebels are using it to express their dissatisfaction resulting from a long standing political, economic and social marginalization. In return, the central authority reposts militarily to put an end to the rebellion. At this stage of the conflict, none of the parties is able to have recourse to exchange power since both are not willing to compromise.

Because both the government and the rebels (as a block) have different conflict of interests inherent to the relationship they have with one another, the Darfur crisis also falls under the umbrella of an asymmetric conflict. The exclusion of the region from political power and the concentration of wealth in the hands of the GOS is, in fact, a relation between two parties where the one in power almost neglects the existence of a part of the country's society unless needed for it in the management of a conflict with a neighboring state. This relation between the GOS and the Darfuri could not be changed through pacific expression of the resentment. The conflict is, in reality, the means to change all the structure of the relation for the good of the disadvantaged. But, the price is quite heavy in terms of victims of the conflict for both sides.

This asymmetric conflict is characterized by a clear clash of interest between the parties: the share of wealth versus its concentration in the hands of the central government. For this reason, both sides' conflict behavior is characterized by a high level of coercion and destructive attacks.

Moreover, the escalation of the conflict was, accompanied with the emergence of secondary conflict between the ethnic groups. This phenomenon increased the spiral of violence because in addition to the main conflict, there is a multiplication of the factions amongst the tribes and more splits within the rebel movements. The situation is amplified by the fact that this conflict is also a hybrid one for it spills over the neighboring countries, mainly Chad due to the bad relations between these two countries. (Most, B and Starr, H, 1980)

Since the eruption of the conflict, there have been attempts to resolve the conflict in Darfur<sup>26</sup> since the eruption of the Darfur crisis. And, the most tangible outcome is, despite its serious flaws, the Darfur Peace Agreement (DPA).

This agreement, which has been qualified as "a first step on what could still be a difficult path"<sup>27</sup> consists of three protocols: power sharing, wealth sharing and security arrangements. It

<sup>24</sup> In Kutum and Malha, in North Darfur for example where the town is nominally held by the GS and the rural area by the SLA

<sup>25</sup> Example of the tribes Meidob, Berti and Zayadia in north Darfur , in 2005

<sup>26</sup> Al-Fashir Conference (February 2003), The Nahar/Masar Initiative (July 2003), The Nairobi Meeting between Vice President Taha and Ahmed Ibrahim Diraiige, a former prominent governor of Darfur and exiled opposition leader (January 23<sup>rd</sup>, 2004)...

<sup>27</sup> By US Deputy Secretary of State Robert Zoellick



also includes a chapter laying out the framework for a “Darfur-Darfur Dialogue and Consultation”.

After two years of difficult negotiations, this agreement has been signed on May 5<sup>th</sup>, 2006 by the Sudanese government and the Sudan Liberation Army, led by Minni A. Minawi. Two parties in Abuja’s negotiations refused to sign. The SLA faction of Abdel Wahid Nur (SLA/AW) demanded a more direct participation in the implementation of the security arrangements and was dissatisfied by the political representation and the Victim’s Compensation Fund. The Justice and Equality Movement argued that the protocols on power and wealth sharing did address the structural inequalities between the Sudan’s center and Darfur.

Despite its drawbacks, the DPA has some positive outcomes which could be summarized in the following:

- The prioritization of the humanitarian and security issues in the region
- The recognition of the marginalization problem and the need of economic and social development in Darfur
- The recognition of the significance of the ethnic groups reconciliation within a forum of dialogue
- The recognition that the solutions to the grievances can only be reached within a unified country
- The establishment of a national fund for reconstruction

The ratification of the agreement under the AU auspices has been considered as a failure because less than a year after there was a recrudescence of the fighting in Darfur and a deterioration of the humanitarian situation. As for the content, the DPA failed to address the key issues, was ratified by very few insurgents and was not really bought-in by the Darfur society because they were inadequately represented during the negotiations. It also missed to consider the effective takeover of the peacekeeping operations by the UN and the African Union Mission in Sudan.

Along with the non-signatories’ arguments, the DPA has also some deficiencies that could be summarized in the following:

### **1 The security arrangements**

- The AU mediation team presented the parties a compromise document and pressured them to accept or refuse it within five days.
- The definition of Janjaweed and their disarmament in the agreement is a real issue which was not properly addressed<sup>28</sup>.
- The non integration of the factions’ forces into the Sudanese army and their integration into the disarmament, demobilization and reintegration programs
- The DPA requested the parties to disarm without assigning this mission to the peacekeepers
- The DPA did not address the takeover of the peace keeping operations by the UN

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<sup>28</sup> Indeed, the Janjaweed and the rebel forces are critical to Khartoum in its description of the conflict as a tribal instead of a civil war between the central government and the insurgents. Furthermore, the definition of the Janjaweed in the protocol is not clear because the government has incorporated a lot of them in the formal security services (Popular Defense Forces...). The DPA requires the downsizing of these forces, but the responsibility is entirely left to the government



- The DPA included detailed provisions about the civilian protection in the camps. But, few guarantees were offered to the refugees and the IDPs when returning to their villages

## 2 The power sharing

- The AU mediators used the January 2005 Comprehensive Peace Agreement (CPA) between Khartoum government and the Sudan People Liberation Movement as a frame of reference to negotiate the DPA. Its provisions which enriched the interim constitution and can not be modified allow a limited representation of the Darfurians.
- The insurgents did not obtain the sufficient representation in the presidency they requested<sup>29</sup>
- The insurgents requested the return to a regional government in Darfur with a rotating presidency among its regions. The DPA addressed the question and left it to referendum is to be held no later than 2010.

## 3 The wealth sharing

The most contentious aspect of this issue is the idea of compensation. There was a fierce opposition to the concept by the central government because it would imply a tacit acknowledgement of the government's responsibility in a conflict it has always meant to be described as "tribal".

The Abuja Agreement failure can also be attributed to the circumstances in which has been prepared by the third party. Indeed, the mediators had a classical approach to conflict resolution (Rambotham, Woodhouse and Miall, 2005). They simply entered the conflict and pushed the parties to ratify the agreement in order to resolve the conflict the sooner. It would have been better to give both sides a chance to prepare a draft of the document and negotiate the final document based on their demands.

An important phase in the conflict resolution has been skipped before the signature of the Agreement. The signature must have had been preceded by a complete ceasefire. And, since the ceasefire has failed to be reached, there have been a recrudescence of the fighting the following year, especially because the representatives of the populations were excluded in the negotiation process.

The Darfur is a nested model of conflict. It is at the same time issue specific, relational and structural. The origin of the problem is the inequity perceived by the rebels which is rooted in the way the central government rules Darfur. As a result, the conflict has to be addressed in response to the preoccupations of the Darfurians. But, since the same conflict turned to an ethnic one, due to the intervention of the Jenjaweed and the GOS's manipulation of other tribes, the problem has also to be addressed from this perspective.

As a result, sustainable peace could only be reached through the combination of simultaneous numerous approaches that apply to both categories of conflict. The resolution will aim to be

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<sup>29</sup> The insurgents wanted a representation at the national level through a vice president but, it has been opposed because considered as a "red line" by Khartoum. That is why, the AU mediation team proposed the idea of a senior assistant to the president. This position ranked fourth in the presidency was supposed to entitle a full participation in the cabinet and the national security council meetings. It was also to be the chair position of the Transitional Darfur Regional Authority. But this authority was found to have no standing in the interim constitution



viable for all the population, including the IDPs, and must reduce the number of factions rebelling separately against the central authority. And it has, above all, to ensure a sustained development for the too-long marginalized Darfur. And all this must be done within the context of a peace agreement accepted by all the parties or a significant representation of the population.

Within the rebel group, tackling the problem of ethnicity has a lot to do with security. The peace process must eliminate their sense of discrimination as belonging to certain group. It will have to do with a progressive suppression of Arab/African distinction.

The Darforian society presents *per se* the characteristics of the deeply divided societies. At its latent phase, the conflict was primarily intranational then it internationalized because of the manipulations of the neighboring countries (Chad and Libya). This internationalization of the conflict contributes greatly to the regional instability. In the Darfur case, the availability of weapons did not cause the conflict itself, but it contributes greatly to the "volatility of the situation" and its duration.

For the time being none of the main parties has sent a signal indicating a will to change the perceived image the other party. That is why, the ethnic conflict is to last as long as the economic and political issues are not addressed properly.

In order to conclude a lasting peace settlement, the international community should treat the conflict based on both its ethnic and economic aspects. This approach of the problem will, in turn, be translated into a peace accord that covers the weaknesses of the Abuja Agreement.

From the ethnic perspective, the first step is to ensure the reconciliation between the different factions, then to engage them into dialogue that would allow them to reach a consensus with a common position towards the government and the demands of their communities.

Since the conflict has been going on for a long time, a savvy constructive approach to peacebuilding is required. The peacebuilders must identify the mechanisms that rule the interactions between the tribes, between the factions and between the tribes and the factions. Then they will have to identify the ones that could rule the relations between the rebels, as a group, and the central authority. The purpose is to move all the different parties towards a constructive vision of the future where cooperation replaces hatred and war.

Among the tribes, this means the addressing of the sufferings for the sake of healing and going forward not for the search of justice. The mutual exclusiveness of the components of the society will be replaced by the rebuilding of the relations. To sustain the reconciliation process, workshops could be organized at the local level and middle range leaders could also be associated.

At the national level, the operation could be reproduced and the reconciliation has to go through the conflict transformation via a social and psychological dimension which could start by the recognition of Darfur as an entity part of a national program of reconstruction and development.

For a better success of the peacebuilding process, it is recommended to use the top level approach (Lederach, 1997) just to ensure an effective ceasefire. The grass root approach would



be used to obtain a maximum adhesion of the population which is at the "survival mode" and which wants to make a difference because the suffering is still a going concern. And the whole operation could start at the IDPs' camps. This group of pressure would, then, be pushing the process from the bottom up to the top of the political pyramid. In the meantime, the middle range approach involving leaders which have privileged relations with the top of the pyramid could be used to pave the way to the signature of a new agreement.

From the economic point of view, peace would be possible through the creation of funds dedicated to reconstruction and economic development. They will contribute to the transformation of the conflict. These special funds could be managed by a local institution or a joint one. In addition to that, a policy must be implemented to develop Darfur on a global scale and to include it into the national economic planning.

It seems that none of the protagonists will be able to impose an outcome to the conflict. And, despite the heavy losses, they still are not ready to compromise. And, because both do not consider themselves in a win-lose situation, the conflict is persevering. Moreover, since the human needs can not be compromised (Spangler, 2003), the rebels will probably refuse to compromise. Consequently, the mission of the third party is to convince both parties that the fighting could turn into a non-zero-sum where both might lose.

In this conflict, there is the necessity of the intervention of a "powerful" third party: the United States (US). Its primary role is to alter the communication structure and the power balance. The international organizations present in Darfur were only able to reach the communication structure, but it would be expected from the US to use both positive and negative inducements to boost the process. This country could also act as an arbiter in case the UN/ AU fail to facilitate the restoration to the negotiation process through mediation.

While the US could also use threat power (carrot & stick) to influence Khartoum, China should be pressurized by the international community in order to use its influence over the central government to stop the wholesale human rights abuses in Darfur.

There is an urgency to set mechanisms that would ensure a better protection and equipment of the peacekeepers in Darfur<sup>30</sup>. The troops in position used to count 7000 soldiers and police, but China persuaded Khartoum to authorize the deployment of a larger force<sup>31</sup>. The UNAMID mission has also to be supplied with "force multipliers"<sup>32</sup> that would allow it to be more efficient. But, these requirements must be backed by political engagement from organization's members in order to reach an effective ceasefire. The focus must not completely deviate from the general cessation of the hostilities and the banditry issue which has an impact on the humanitarian aid delivery. The focus must also be kept on concluding the agreement that would be a platform for reconstruction and sustainable development of the region

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<sup>30</sup> Recently, 7 peacekeepers and 22 wounded while investing a rebels' claim. The mission was attacked by 200 hundred heavily armed gunmen.

<sup>31</sup> A contingent of 26,000 hybrid peacekeeping force took over on January 1<sup>st</sup>, 2008(Security Council Resolution 1769). Initially, Khartoum insisted on the African composition of the force. The SLM founder considered a hybrid force deployment as a *sine qua non* condition to his participation in Libya negotiations.

<sup>32</sup> Especially air mobility and firepower



Through time, the inherent factors of the conflict could be transformed into social forces. The Arab/African dichotomy is to be re-centered towards a sustainable development based on cooperation and tolerance. The central government, through an equitable representation and resource management will prevent the ethnic and cultural gap to deepen amongst the Darfurians.

Time should be perceived as an important factor that can either favor the settlement of the conflict or perpetuate it. The appropriate intervention of peace builders must include the reconciliation between the parties for a common approach of the future. In this sense, any local action involving the dead must not to be pursued in quest of justice<sup>33</sup>, but in quest of common relief and a joint step forward where peaceful cohabitation and cooperation is willed by all the population.

Indirectly, the distribution of food aid contributes to the protection of the IDPs and some resident populations. It has proved to be more than a source for consumption since it preserves the populations from harm's way such as venturing out of the camps to raise their income. This partial contribution is to be considered as part of the relief process. And the full-scale recovery of the livelihoods is still subject to security.

The International Criminal Court has to envisage postponing the prosecution of the Sudanese President because justice must not come at the price of peace. Indeed, under the clause inserted in its charter, a political judgment is allowed to be made in particular sensitive case. For the Darfur, the concern is stability and peace. That is why, under Article 16, the Security Council decided to suspend, for a renewable period of twelve months, the investigation and prosecution to prevent any backlash from President al-Bashir. The Court five permanent members<sup>34</sup> are observing the evolution in M. Bashir's decisions before taking any action.

An interesting informative contribution, which helps the international mobilization, has been initiated by Google. It aims at increasing the pressure on the Sudanese government regarding the atrocities resulting from the conflict. This counteracts the censoring policy Khartoum uses to prevent the information transfer to the public opinion<sup>35</sup>.

The resolution of the Darfur conflict must be considered through a legal frame: the one that is to respond to the defects of the DPA. The effective revitalization of the peace process requires its revision.

It has to start with the renewal of the negotiations between the government and the factions which did not sign it. The interference of other states like Libya, Egypt and Eritrea, which previously created confusion, should be prevented by the international community which has to ensure the dialogue is undertaken under its auspices.

Among other requirement to a sustainable peace, the international community should:

- Ensure that sanctions are applied on any side that violates the ceasefire, attacks the civilians the peacekeepers or the humanitarian operations

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<sup>33</sup> Like in the Khosovo

<sup>34</sup> Britain, France, China, Russia and the United States of America

<sup>35</sup> The grant of journalist's travel permits to Darfur is a long process. And coverage of important events could be prevented "bureaucratic" slowness



- Ensure that the US and the UE provide political and financial backing to ensure the successful Darfur-Darfur Dialogue and consultation
- Guarantee that the UN and AU logistical support, technical expertise and troop contribution are to be assisting the AMIS and would ensure its strong mandate
- Ensure that the opportunity for dialogue offered by the Darfur-Darfur Dialogue and Consultation<sup>36</sup> include the populations which were not represented at the DPA negotiation. It should also include women who have an important role in the reconstruction process
- Must take practical measures to shore up the DPA's security provisions and ensure the return of the displaced to their homes. The pressure must be kept on the government in order to raise the budget allocated to the Compensation Commission and Fund under the DPA<sup>37</sup>. The AU and its international partners are to be associated to determine a realistic amount and recommend the mechanisms of its distribution.
- Must build an international consensus on a new political strategy chiefly with the US and China. This would lead China to understand that its legitimate interests in Sudan are threatened by the Darfur crisis.
- Ensure that the unification of the rebel movements into a bargaining unit must be allocated sufficient time. This phase has to precede the resumption of the negotiations. Failing to fulfill this requirement will undoubtedly reproduce the factionalization of the rebels, as it happened in 2006. Pressure must be exercised both on the reluctant movements and on Khartoum to stop its military efforts to disturb the holding of a unification conference.
- Ensure a broader participation through the creation of formal group representatives from the key Darfur constituencies, including the Arab tribes, the IDPs community, women and civil society.
- Restructure the mediation process by limiting the contact groups of international interveners. To support the mediation process, the US, China, the EU, the Arab League and Chad would be sufficient.
- Ensure the application of a ceasefire prior to negotiations. The ceasefire accepted and respected by all and monitored on both sides of the Sudan/ Chad border. A pressure on all belligerent must be exercised in order to make them give up the idea of a military victory and its implementation.
- Apply punitive measures to any party obstructing the peace process or violating international humanitarian law

Since the unity of Darfur's people is essential towards the restoration of stability and peace in the region, the following measures must be fulfilled:

- 1- The pastoral Arab ethnic groups and the sedentary peasants (Fur, zaghawa and Massalit) must attempt to reconcile their differences and prioritize the importance of restoring stability in the region so as the population could benefit from prospective projects of reconstruction and rehabilitation as the first step to start exploring the rich mineral resources of Darfur which can accelerate the economic development they would benefit from;

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<sup>36</sup> It is a communal reconciliation process prescribed by the DPA to get acceptance of the agreement from the segment of population which were not represented in Abuja.

<sup>37</sup> \$30 million



- 2- The unresolved issues between various ethnic groups such as disputes on land ownership (hawakir), compensation (diya), reconstruction of demolished villages, return of the displaced persons to settled homes and villages are to be considered as prerequisites to dialogue;
- 3- The creation of project development and investments between various tribes to occupy them in useful economic activities instead of wasting time in re-centering around their ethnic similarities to better fight other tribes and ethnic groups. There are many project, such as Sagal Naam, Jabal Marra agricultural project etc... that are no longer operative due to instability
- 4- The Darfur authority must find a way to involve the tribal leaders (formerly Native administration which was dissolved in 1970's) to participate with the executive and legislative authorities of the region in reconciling the differences between the tribes

The failure of Darfur Peace Agreement to accommodate the rebels was instrumental in the renewal of the hostilities in the region and exasperated the suffering of the local population.

It is imperative for the international community to pressure the belligerents to return to the negotiations table and assist them to conclude a just and lasting peace agreement. Further delay to resolve the conflict could result in the spillover of the crisis to the neighboring countries and engulf the region in a wide scale instability.

The suffering of the people must be ended by resolving the conflict and concluding a constructive and workable peaceful settlement.

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