



CHATHAM HOUSE

Chatham House, 10 St James's Square, London SW1Y 4LE
T: +44 (0)20 7957 5700 E: contact@chathamhouse.org
F: +44 (0)20 7957 5710 www.chathamhouse.org

Charity Registration Number: 208223

Africa Summary

Sudan's Approach to Darfur: Resolving a Decade of Conflict

Dr Amin Hassan Omer

Minister of State Responsible for Darfur, Presidency of Sudan

Dr Al Tijani Seisi

Chairman, Darfur Regional Authority; Leader, Liberation and Justice Movement

Chair: Baroness Kinnock

House of Lords

8 May 2013

The views expressed in this document are the sole responsibility of the author(s) and do not necessarily reflect the view of Chatham House, its staff, associates or Council. Chatham House is independent and owes no allegiance to any government or to any political body. It does not take institutional positions on policy issues. This document is issued on the understanding that if any extract is used, the author(s)/ speaker(s) and Chatham House should be credited, preferably with the date of the publication or details of the event. Where this document refers to or reports statements made by speakers at an event every effort has been made to provide a fair representation of their views and opinions, but the ultimate responsibility for accuracy lies with this document's author(s). The published text of speeches and presentations may differ from delivery.

INTRODUCTION

This document provides a summary of a meeting held at Chatham House on 8 May 2013. The meeting looked at 'Sudan's approach to Darfur: resolving a decade of conflict'.

Dr Amin and Dr Tijani spoke about the government of Sudan's approach to Darfur after ten years of conflict and the displacement of more than two million Darfuris. The speakers described Sudan's plans for an effective and inclusive political process, and the role of the Doha Document for Peace in Darfur (DDPD) as a basis for achieving a peaceful resolution to the conflict.

The meeting consisted of a presentation followed by a discussion, both of which were held on the record. The following summary is intended to serve as an *aide-mémoire* for those who took part and to provide a general summary of discussions for those who did not.

DR AL TIJANI SEISI

Dr Tijani stated that the Doha Document for Peace in Darfur (DDPD) signed on 14 July 2011 concluded an agreement between the Liberation and Justice Movement (LJM) and the Sudanese government. The DDPD addresses six major issues: human rights, power-sharing, wealth-sharing, security arrangements, justice and reconciliation, and compensation and return of refugees.

The core part of the DDPD was to establish a committee to follow up implementation of the agreement. This resulted in the International Follow-up Committee (IFC), which meets every three months either in Doha or in Sudan.

The Darfur Regional Authority (DRA) is the instrument entrusted with implementation of the DDPD and was officially launched in El Fasher in February 2012. Unlike the previous transitional regulatory government based in Khartoum, the DRA is based in Darfur. Eleven ministries and three of five commissions are based in El Fasher, the headquarters of the DRA. Two commissions are based in Nyala, the capital of Southern Darfur state.

In addition to the executive wing of the DRA, the legislative body of the DRA council has 67 members, of which 52 have already been appointed. The rest are allocated for non-signatory groups which have not yet acceded. The DRA council was officially inaugurated in Nyala on 16 March 2012.

The DRA is working on a number of objectives, primarily the return of refugees and internally displaced persons (IDPs). There are more than 1.5 million IDPs in Darfur and around 300,000 refugees across the border in Chad.

Another objective is reconstruction and development. The war that started in 2003 resulted in the collapse of the service sector and the infrastructure.

Reconciliation is another task of the DDPD. The war contributed to ethnic and tribal polarization in Darfur in a region rich in social constituencies, with over 100 tribes. When the war started, the people of Darfur were divided between Arabs versus non-Arabs. As the war progressed, there were further divisions among these two groups. Among the Arab groups there were conflicts between the Abala and the Misseriya, between the Falata and the Habbaniya and between the Terjem and the Abala. Within the African groups there were divisions within the Zaghawa and the Masalit. For there to be sustainable peace in Darfur, it is important that these communities are brought together through a process of reconciliation.

Implementation of the DDPD and sustainability of the peace process is another objective of the DRA. The DRA was established in Darfur instead of Khartoum in order to be nearer the people of Darfur. However, there is very limited capacity in Darfur and it took three to four months to establish the initial institutions.

Dr Tijani stated that 52 per cent of the DDPD has been implemented so far. Financial constraints are hindering progress on the remaining provisions. Following the secession of South Sudan, Sudan has lost over 80 per cent of the proceeds from petroleum production.

The return of refugees and IDPs is conditional on the provision of four main services: security, water, health and education. In order to be able to provide these services the DRA needs funding. The government of Sudan provided \$200 million to the DRA but this payment was delayed. Qatar contributed \$560 million to the return programme. Owing to a lack of capacity on the ground, this money will be channelled through two phases. The first phase is the provision of services to five key return areas in the five states, although some of this work has been hampered by attacks in Southern Darfur. The DRA has also formulated a programme to provide services to seasonal returnees in selected areas.

Sudan did not have the financial ability to provide continuous financial support to the DRA, so part of the DDPD agreement was to organize a donor conference. The International Donor Conference for Darfur was held in Doha and led to *Developing Darfur: A Recovery and Reconstruction Strategy*, which has massive external political and financial support.

One recommendation that arose from the conference was to establish a group to contact the non-signatory movements. The DDPD had been left open for non-signatories to accede via a process of negotiation with the Sudanese government. The government concluded an agreement with the Justice and Equality Movement (JEM) in April 2013.

The DRA organized a conference in Nyala on 26 April 2013 to involve refugees, civil society and political parties in the implementation of the process of resettlement. The conference resulted in several recommendations, including the establishment of a committee on return and resettlement. The membership of this committee includes IDPs, refugees, nomads and regional administration representatives.

Dr Tijani stated that the DRA was supported by the people of Darfur and by the regional and international community. However, the DRA faced a number of challenges. Financial constraints were one concern, although the donor

conference was a step towards involving the international community in the reconstruction and development of Darfur.

Another challenge was the sustainability of security in Darfur. There were two challenges here: the non-signatories who had been launching attacks on villages in the region, and ethnic conflicts in Darfur. Recently non-signatory movements had crossed into Darfur from Southern Sudan.

Dr Tijani noted that the people of Sudan wanted to see peace. The message of the DRA was that these groups needed to join the peace process; there was no other alternative for the peaceful resolution of the conflict in Darfur.

DR AMIN HASSAN OMER

Dr Amin spoke on the issue of bringing the non-signatory movements to the peace process. The DDPD was signed by the government of Sudan and the LJM, and more recently by JEM, led by Mohamed Bashar. This was the culmination of two-and-a-half years of negotiation and consultation with civil society. He said the DDPD was not only a result of negotiation between the government of Sudan, LJM and JEM, but a product of civil society and stakeholders in Darfur. The DDPD was therefore the basis for any negotiation about peace in Darfur.

All the various movements without exception were invited to participate in the peace process and to offer their perceptions and solutions. However, intensive diplomatic and political effort to bring non-signatories into the peace process had resulted in radical positions and the espousal by some factions of a strategy of regime change in Sudan.

Dr Amin stated that these factions were not concerned about peace in Darfur. Their strategies were about regime change, but this could not be approached by Darfurian movements only. A new political dispensation in Sudan should be the work of the whole community and society in Sudan, with everyone participating in constitutional dialogue. Pressure needed to be put on these movements to abandon this strategy and agree to the protocols of the DDPD: to be part of the peace process and the new political dispensation in Sudan.

Dr Amin noted that many people claimed the government of Sudan did not keep to agreements it had signed. The response of the government was that the Comprehensive Peace Agreement (CPA) which led to the secession of South Sudan was approved by the government. This was the result of an agreement between the government of Sudan and the Sudan People's Liberation Movement (SPLM).

The DRA faced challenges such as the financial problems of last year, when petroleum was no longer transported from the south, but the government was now ready to commit to implementation of the peace agreement. There was a joint committee between the national government and the DRA to ensure that every article was implemented. This process was overseen by the International Follow-up Committee chaired by Qatar and comprised of different international organizations. Dr Amin stated that the government of Sudan asked the international community to become positively involved to put pressure on those who are impeding the implementation of peace.

Q&A

Questions

Following heavy fighting in Darfur, South Kordofan and North Kordofan between the Sudanese Armed Forces and the Sudan Revolutionary Front (SRF) combined opposition force (comprised of the two main factions of the Sudan Liberation Movement (SLM), JEM mainstream and SPLM-North), are you excluding talks with the SRF, which has joined with the non-armed opposition parties?

Will the peace deal, negotiation and agreement lead to further fragmentation of Sudan or be a step towards unity of the country?

Can you compare the security status prior to and after signing of the DDPD?

What is the reaction of the government to the influx of *mujahideen* from Mali who have been kidnapping and killing people with complete impunity in Nyala?

What is the process of disarming the Janjaweed, when there is continued recruitment of tribes by the Janjaweed in Darfur?

Is the recent creation of the state of West Kordofan a further violation of the CPA?

Dr Al Tijani Seisi

Dr Tijani stated that there was no agenda for separation from any part of the country. To keep the country intact, all the Sudanese people should be united through a transparent, inclusive constitutional process whereby people agree on how their country should be governed. The government was open to this process.

Before the agreement was signed, there were a lot of skirmishes between the factions and between the armed groups in Darfur and the government. When the agreement was signed security improved, but unfortunately the non-signatories had crossed the border from Southern Sudan into Darfur and started launching attacks.

Dr Tijani said there had been rumours about *mujahideen* heading from Mali into Darfur; however they would have to cross through Niger and also through Chad, which was fighting in Mali. Perhaps some individuals had fled to Sudan, or some Sudanese who were in Mali returned to Darfur, but he said

that overall there were no Malian *mujahideen* in Nyala. On the other hand, there were a number of armed groups committing dangerous crimes in Nyala, and the Sudanese army and security forces should confront these groups.

Dr Tijani stated that the Janjaweed had been recruiting tribes in Darfur. The Sudanese government agreed to disarm the militias, believing that a fundamental mistake committed in Darfur was to arm tribes against the rebels. This had polarized the situation, and now every tribe in Darfur had its own arms. Disarmament of the militia was, however, complicated by attacks launched by non-signatory groups on some villages, the inhabitants of which would not want to give up their arms. There should be an integrated effort to disarm the militia, and at the same time the non-signatories must come on board to prepare the ground for a comprehensive programme for disarming everybody in Darfur.

Dr Amin Hassan Omer

Dr Amin stated that the government did not recognize the so-called Sudan Revolutionary Front, as their agenda was focused on regime change even though they did not represent the whole of Sudan. The government was now talking to all the components of the SRF, including SPLM-North. SPLM-North could discuss the two areas it represents. The government was also ready to talk to Darfurian movements which could talk about some segments of the population in Darfur. Dr Amin said that these groups had to participate in a constitutional dialogue; they should not monopolize the discussion about a new political dispensation in Sudan.

Dr Amin stated that the government did not arm the tribes: the tribal militias took to arms as a response to attacks by the rebels, who are predominantly from certain tribes. This unfortunately gave the political conflict an appearance of ethnic conflict. Tribal clashes in Darfur needed to be solved through an integrated effort to disarm the militias.

Questions

Dr Amin claimed that certain groups cannot talk about issues of Sudan, so how can he speak about the whole of Sudan while other Sudanese cannot?

If the government is really committed to security, why has it been hampering the activities of UNAMID (the United Nations Mission in Darfur)?

Where do the militias get their arms from? Is there any policy for disarmament in Darfur?

You talked about challenges, such as structural infrastructure, education, health and water. What about fiscal infrastructure?

Dr Amin Hassan Omer

Dr Amin noted that it was not that certain groups did not have the right to talk about national issues of Sudan, but that they did not have the right to monopolize negotiations. Sudan was now approaching constitutional dialogue and everybody could participate in this development by signing the peace process.

Dr Amin stated that the government was not hampering the work of UNAMID. When a security situation arose in certain areas, the government and UNAMID needed to cooperate and this might take some time. While the regular reports of UNAMID raised some problems here and there, the norm of relations between UNAMID and the Sudanese government was one based on cooperation.

Dr Al Tijani Seisi

Dr Tijani noted that there were structural problems in Sudan. The issue was how to approach structural change: through violent response or debate? Sudan was polarized ethnically and there had been a proliferation of arms. If the issue of regime change was continually raised in a violent manner, Sudan would end up in a situation worse than that of Somalia; if Sudan fell, it would pull down every surrounding country. Peace could only be reached through a constitutional process. Furthermore, it should not only be Darfurians pushing for regime change. There were some politicians in Khartoum adopting tactical games; waiting for rebel groups to weaken the government and gaining power through this gap.

Dr Tijani stated that the government had good relations with UNAMID and that UNAMID had been providing the DRA with a lot of support. It was the largest peace mission in the country, but it also had its problems. UNAMID did not have a robust policy for addressing aggression by some of the perpetrators: UNAMID forces had been known to abandon their vehicles and weapons and flee from attacks. UNAMID needed to be stronger and gain the trust of the people of Darfur. The international community was spending \$1.5 billion on UNAMID. The recent incident when some IDPs were abducted right

in front of the forces of UNAMID was a disgrace. Despite this, however, the DRA had good working relations with UNAMID.

Dr Tijani noted that the government had the intention to disarm the militias, but this was a complicated process. Disarming militias was not realistic on the ground, because there were other groups targeting tribes to which some of these militia groups belonged. This was why there needed to be a comprehensive approach to disarmament in Darfur.

Dr Tijani stated that there were many sources of arms in Darfur: the government, the rebels, the local market and neighbouring countries. There was a proliferation of arms following the situation in Libya, and conflict between Sudan and Chad created an inlet through which arms were shipped into Darfur.

Questions

How will the government progress with the peace process while war continues to take place in Darfur, the Nuba Mountains and Blue Nile?

It is not just Darfurians who have been pushing for regime change in Khartoum: the SPLM have been fighting for this for 30 years. What makes you believe this agreement with the government will bring peace to Darfur?

In order to have an inclusive constitutional peace process, there must be freedom of expression. In an environment where there is pre-publication censorship and a new law in parliament on press and publications, what are you going to do to encourage the movements to participate in an inclusive political process?

You mentioned that the return conference was a success; however there were reports that the views of IDPs were not taken seriously and their suggestions were not part of the final conclusions. There were even claims that some were not real refugees, but had been planted there by the government.

Issues in Darfur are being isolated as Darfuri issues, when there are problems all over Sudan. Why cannot there be a constitutional conference that involves everybody?

Dr Al Tijani Seisi

Dr Tijani noted that peace needed to be achieved before there could be development. There was development activity in some areas of Darfur, but everybody needed to be on board. This was why the DRA was calling for non-signatories to join the peace process: these groups had violated the ceasefire agreement, not only attacking villages but targeting development projects which had been implemented by the DRA.

The CPA was designed to be a comprehensive settlement to the conflicts in Sudan. As negotiations were under way, the conflict in Darfur started. At that time, the DRA's view was that conflict in Darfur should be negotiated at Naivasha, along with other issues in Sudan. Dr Tijani said that if that had happened, Naivasha could have led to a comprehensive settlement for the problems in Sudan but the SPLM was against this. After the CPA there was the Abuja Agreement, followed by the Eastern Sudan Peace Agreement and the issue had continued. The SPLM should have negotiated issues of the whole country at one of these platforms.

Dr Tijani noted that there could not be a constitutional process if there were no basic freedoms. There were calls to rectify this in Sudan, including from the DRA. There was a need to widen the scope for freedoms so that the constitutional process could be held in a transparent, free environment.

Dr Tijani stated that the return conference was attended by representatives of IDPs. Representation at any conference would always be limited; there could not be an unlimited number of participants.

Dr Amin Hassan Omer

Dr Amin noted that the government did not recognize SPLM as a counterpart in negotiations, but was talking to representatives from SPLM in the two areas. SPLM was not banned from joining the constitutional process as a political party.

Dr Amin stated that there needed to be a discussion about creating an enabling environment for constitutional progress. In the last months, the president had announced an initiative to create this enabling environment. The restrictions mentioned in the press represented a view that was not held by all members of parliament.

Dr Amin stated that it did not matter whether the process was termed a 'constitutional conference' or 'constitutional commission': the main issue was to start a dialogue that involved the grassroots stakeholders in this process of

making the constitution. This could culminate at a later stage in a conference that would start drafting a constitution for Sudan.