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THE DARFUR PEACE PROCESS: RECIPE FOR A BAD DEAL?

Update from Doha
April 5, 2010

Executive Summary

Against the backdrop of continued violence in the Jebel Marra area of Darfur, negotiations to bring peace to this western region of Sudan are currently underway in the Qatari city of Doha. Since Enough's last [update](#) on the peace talks, there have been numerous developments: Having signed a preliminary deal in mid-February that paved the way for direct talks, the Justice and Equality Movement, the most militarily significant rebel force in Darfur, has tried to hammer out a deal with the Government of Sudan over power and wealth sharing, JEM positions inside Darfur, and the future of JEM as a political party. A new coalition of 11 rebel groups calling itself the Liberation and Justice Movement headed by civil society leader Tijani Seise has signed a ceasefire agreement with the government and is discussing the merits of incorporating other rebel groups into its ranks as preparations for direct negotiations with the government begin. The Roadmap group, comprised of three rebel factions, has signaled the possibility that it might join forces with JEM at the negotiating table, though this partnership is far from certain.

While the talks may appear positive on the surface, there are numerous aspects of the Doha process that are cause for significant concern. First and foremost, there is tangible evidence, such as the existence of the army offensive in Jebel Marra, that Sudan's ruling National Congress Party, or NCP, continues to negotiate in bad faith. While the government has a strong interest in appearing to be conciliatory in Darfur, not least because it hopes to legitimize itself in time for the elections which are now just days away, there is little to suggest it has changed how it is doing business on the ground. Furthermore, the Doha negotiations have thus far been dominated by tensions within and among rebel groups, fragile and shifting allegiances, and a lack of transparency, as various international actors continue to apply pressure both publicly, often in the form of cash pledges, and behind the scenes.

As close monitoring of the process over the past month reveals, there is a dramatic disconnect between the deals being brokered in Doha and the reality on the ground in Darfur. The following is an update capturing what we are hearing from various sources in Doha, recognizing that the situation remains highly fluid.

Introduction

The Sudanese government's recent assault on the area of Jebel Marra in Sudan's western region of Darfur has, according to local sources, killed hundreds of Darfuris and displaced between 45,000 and 100,000 civilians.¹ While the offensive was aimed at dislodging the forces of Abdel Wahid al-Nur's faction of the Sudan Liberation Army, or SLA-AW, civilians bore the brunt of the attack, as has continually been the case in Darfur. Despite the large numbers of dead, displaced, and wounded, the government refuses to allow aid groups or UNAMID to access the region or its population.

Ironically, this most recent violence takes place against the backdrop of the Darfur peace process in Doha, which some international diplomats continue to herald as a major breakthrough. International actors have tempered their criticism of the Sudanese government's Jebel Marra offensive to a remarkable degree, seeming to accept President Bashir's assertion that "the war in Darfur is over." The current approach by the international community seems to ignore both the long history of failed agreements in Darfur and the skillful manipulation of peace processes by the NCP to advance its own agenda.² To make matters worse, the negotiation process itself is badly flawed and does not raise much hope for sustained peace in the region. Sources present at the negotiations indicate that the talks have thus far been dominated by a series of self-serving, backroom deals that hold little promise for change on the ground, with no practical thought as to the implementation, monitoring, or enforcement any of the agreements under discussion.

1 Al Jazeera: <http://english.aljazeera.net/news/africa/2010/03/2010333113435244.html> and MDM: <http://www.reliefweb.int/rw/rwb.nsf/db900SID/AZHU-83CQ5C?OpenDocument>

2 <http://www.presstv.ir/detail.aspx?id=119445§ionid=351020504>

The Justice and Equality Movement

(JEM): The most potent military force in Darfur. Responsible for an attack on the Sudanese capital in 2008, which gained JEM some additional support among Darfuris, but the group's Islamist past and previous links to the government still spark distrust among many Darfuris.

Liberation and Justice Movement (LJM):

A unified rebel group that is only mildly significant because it is comprised largely of individuals who left the more prominent movements. With the exception of the United Resistance Front, or URF, which has limited military strength on the ground, the members of this group lack both popular support and firepower.

Roadmap Group: A unified rebel group that includes the Sudanese Liberation Army – Unity, or SLA-Unity, the most significant remnant of the original SLA, which is made up of the [G19 or the 19 former commanders](#) who split from Abdel Wahid after Abuja. SLA-Unity continues to have a significant following in Darfur, particularly in the north, as well as the largest military contingent outside of JEM. The Sudanese Liberation Army-Abdel Wahid Commanders, or SLA-AWC, which is also composed of former Abdel Wahid commanders, is part of this group, as is SLA-Abdel Shafi.

Sudanese Liberation Army-Abdel Wahid

(SLA-AW): A very significant force, with tribal links to and support from the largest number of displaced in Darfur. Wahid's refusal to enter into unified negotiations with other rebels has been of immense frustration to international negotiators and may remain a key factor in the muted response from the international community to the Sudanese army's bombing of Jebel Marra, an SLA-AW stronghold.

Building off of an **initial dispatch** issued just as the negotiations were getting underway, this report provides an update on the negotiations and underscores why it remains very unlikely that the Doha process will translate into a lasting and meaningful peace for the people of Darfur.

Overview of Process

The increasingly disjointed process for negotiations in Doha reflects fundamental flaws in the structure of the talks. The initial agreement between the Government of Sudan and the Justice and Equality Movement, or JEM, has given way to a messy, poorly coordinated, multi-track structure that has discouraged transparency, substance, and inclusiveness. This approach has also allowed the Government of Sudan to skillfully manipulate infighting among Darfur's fractious rebel groups to its advantage, while avoiding international censure for conducting gross human rights violations, even as talks are ongoing. The mediators had initially hoped to unite all the non-JEM groups, and usher along a negotiation on a parallel track to JEM, with the idea that the two tracks could be merged at the end of negotiations. Unfortunately, this resulted in the emergence of two additional entities vying for inclusion in the Darfur peace process, both on their own terms: the Liberation and Justice Movement, or LJM, and the Roadmap group. Tensions among, and within, JEM, LJM, and the Roadmap group remain high.

Ongoing Justice and Equality Movement-Sudanese Government Talks

Following the signing of a draft agreement between JEM and the Government of Sudan, the parties met in Doha on February 23 to sign the final version of the Framework Agreement for the Resolution of Conflict in Darfur. This framework outlined the terms of negotiations for peace in the region. The initial agreement was essentially a pledge to have further negotiations in Doha, specifically around power and wealth sharing and restitution for Darfuri survivors, but also included some immediate and more concrete measures such as a two-month ceasefire, the release of JEM prisoners in Khartoum, and the recognition of JEM as a political party. The agreement stipulated that negotiations should end by March 15, a date which few viewed as credible even when it was announced.

The deadline passed without a final agreement between JEM and the Government of Sudan. While JEM maintained a presence in Doha, substantive negotiations between JEM leader Khalil Ibrahim and NCP negotiator Ghazi Salahuddin were temporarily moved to N'Djamena, Chad where Chadian Foreign Minister Moussa Faki presided. Following a full month of negotiations, however, the talks failed to yield results. Ultimately, Chadian influence was not enough to overcome the parties' disagreements over power-sharing and the timing of the elections.

A Parallel Deal with the Liberation and Justice Movement

Negotiations between LJM and the Sudanese government have run parallel to those of JEM and resulted in the signing of a framework agreement on March 18 that included a three-month ceasefire. LJM initially consisted of 10 separate rebel groups, including five that were backed by Libyan President Muammar Qaddafi, but recently increased their ranks to 11 with the defection of the United Revolutionary Force Front, or URFF, from the Roadmap group to LJM. The groups in LJM have largely rallied around civil society leader Tijani Seise, though he has encountered some resistance from rebel military commanders because of his non-militant background.

Tijani's role as LJM leader has also been one of the main reasons why the remaining rebel groups have refused to join LJM. Sources say that Tijani's leadership is emblematic of a process that has not adequately involved other rebel groups. Behind the scenes, there is considerable debate among rebel figures about whether the LJM leader is more interested in personal advancement or in genuinely uniting the diverse rebel factions and forces. Tijani is under some pressure from civil society members to divvy up a few of the LJM leadership positions in an effort to encourage the Roadmap group to unify, but his disinterest up to this point suggests that he does not see their inclusion as essential to his approach.

A Third Track?

As a condition for joining LJM, the Roadmap group has demanded that LJM restructure so that the Roadmap group can position its leaders in more influential roles, an idea that Tijani, until recently, flatly refused. Mediators had initially hoped that the Roadmap group and LJM could find common ground, either uniting under Tijani's leadership or jointly signing one framework agreement while remaining distinct groups. Tijani maintained that LJM would not jointly sign a deal with another rebel coalition and was dismissive of the Roadmap group's threats to join JEM, a position that furthered the perception in some quarters that Tijani was more interested in maintaining his leadership than promoting unity. To gain more leverage, the Roadmap group signed a Memorandum of Understanding with JEM, affirming some of their shared assumptions and aspirations for the negotiations. Shortly thereafter, the group decided to pursue a third track of negotiations exclusively for itself. As of now, the mediators have refused to grant the Roadmap group its own track. And although Tijani has appeared more conciliatory during the past week, the group seems no closer to joining LJM.

Glaringly absent from the negotiations in Doha is SLA-AW, the rebel group currently engaged in hostilities with the government in Jebel Marra. Abdel Wahid's faction has continued to refuse participation in the talks, saying that disarmament is a necessary precondition for peace, and has resisted any association with LJM on the basis of its ties to Libya. It is important to note that while Abdel Wahid's military strength was weakened by the government offensive in Jebel Marra and his support in displaced camps has reportedly diminished, he maintains support from Darfuris in the western and southern regions of Darfur, particularly among the Masalit.

Calculations for Each Side

The Government of Sudan

The government seems to have realized that it is in its interest to contain the Darfur issue at the current moment for two primary reasons. First, the NCP hopes that a signed peace agreement will help legitimize the NCP in the run-up to, and aftermath of, the elections and help placate those within the party who quietly question Bashir's authority following the decision by the International Criminal Court to issue a warrant for his arrest. The fact that the NCP saw the framework agreement as a public relations bonanza was evidenced by the enormous NCP delegation present at the signing of the LJM framework agreement. Second, the NCP hopes to contain the situation in Darfur because its attention is increasingly focused on the numerous issues involved with potential southern independence and the January 2011 referendum. The NCP wishes to avoid possibly

fighting a two-front war.

The NCP has a history of manipulating ethnic tensions and stirring divisions among rebel groups. Its arming of the Janjaweed throughout the Darfur conflict and the Murahaleen during the North-South war are well-documented examples of how Sudan's ruling party foments instability while leaving minimal fingerprints. In the current state of affairs, one can see how it would be advantageous for the government to play the rebel groups off of one another. Doing so allows the Darfur rebel groups to be more easily controlled and creates the outward appearance that the NCP is the actor willing to make concessions to promote peace without really having to deliver on these commitments. If talks break down as a result of apparent internal squabbling among Darfuri rebels, the NCP appears absolved of responsibility.

Furthermore, in terms of its relationship with the international community, the appearance of working toward a peace deal for Darfur buys the government additional measures of goodwill with international actors in the run-up to, and aftermath of, both the national election and the southern referendum. But, as noted, the Government of Sudan appears to be garnering this goodwill without changing its behavior or the facts on the ground. The NCP has also shrewdly recognized that some key international diplomats are more than willing to put Darfur on the back burner as they too turn their attention to the South. As Special Envoy Gration rather **unhelpfully pointed out**, the international community's interest in the Darfur peace process will likely wane as the elections approach. "There are going to be a lot of things that are keeping us from focusing on Darfur," Gration told reporters, noting that there is a "little window" to finalize the peace process. The international community's willful disregard of the violence in Jebel Marra may be a distressing sign of challenges to come.

The NCP's history of signing agreements and failing to implement them is long. Key measures of the CPA, including landmark commitments to reform the security services and allow much greater individual liberties, remain unimplemented. Diplomats have spent considerable time decrying the lack of rebel unity, but have had precious little to say about the NCP's persistent pattern of failing to fulfill existing agreements. Here again, the situation in Jebel Marra is telling, as are rumors that the **NCP is neglecting to fully follow through** on its promises to release JEM leaders from their imprisonment in Khartoum, a key provision of its framework agreement with JEM signed in February.

Justice and Equality Movement

Since the rapprochement between the governments of Sudan and Chad, JEM has found itself in a difficult situation. Without the backing of the Chadian government, JEM's negotiating position has been weakened considerably. Now it would appear that one of its only options is to ingratiate itself with the international community and secure the approval of the people of Darfur by ensuring that talks do not fall apart. Being seen as a game-changer could help JEM ultimately transform itself from a rebel group into a political party, a transition its leadership made clear it is eager to make.

JEM's desire to gain the public's approval might also explain why the group has refused to engage on any level with LJM. Since the outset of negotiations, JEM has made it clear that it believes it deserves the government's undivided attention. Further, it has stated that, as the largest military force, the other groups do not carry the same weight at the negotiating table – though JEM is far from being representative of all Darfuris.

JEM's continued participation in the talks speaks to the group's bleak alternatives to an agreement, having lost its operational support from Chad. As previously mentioned, JEM and the Roadmap group signed an MOU to gain more leverage in negotiations. The Roadmap group ultimately agreeing to join JEM would not only make the group more diverse and representative, but would also consolidate the majority of the firepower that exists in Darfur to one group. In the hopes that the NCP might be forced to compromise more than it otherwise would, JEM has also been clever in pushing the agreement with the government as close as possible to the elections. It is assumed that, should the parties return to Doha following the elections, JEM will also use the NCP's desire for legitimacy and hesitance to fight a two-front war to its advantage.

It should be noted, however, that JEM appears to be experiencing some internal disputes which could ultimately weaken its influence and allow it to be more easily manipulated by other sectors. While the government of Chad played unofficial host to the talks between JEM and the Sudanese government, some influential JEM members in Doha complain that they have been sidelined. JEM leadership appeared to be making an effort to address these sensitivities, for instance, by bringing respected JEM rebel Suleiman Jamous to N'Djamena, but it is unclear whether these efforts were meant to achieve genuine inclusion or simply to act as damage control. These recent developments raise some questions about internal calculations and allegiances and could signal a difficult road ahead for the group.

Liberation and Justice Movement

Although the ceasefire agreement signed between LJM and the Government of Sudan initially seems like a positive development, the process of its development and the results that it will likely yield both present cause for concern. First, it is widely rumored among those in Doha that Tijani was hand-picked months ago to take on the lead role in LJM and has been promised a vice presidential post by the Government of Sudan. These rumors were lent some legitimacy by the fact that Tijani sidelined many of the groups within LJM during the talks and refused to even allow them to review the final agreement or offer input. His initial dismissal of the Roadmap group's demand that LJM restructure was likely driven by concern that revisiting this topic would compromise his control of the process. Tijani has since been pressured into considering taking on Sharif Harir, of SLA-Unity, as LJM's chief negotiator should the Roadmap group choose to join, but even in this instance he appears to be cool towards a more balanced partnership.

Rumors of behind-the-scenes deals were further fueled when Tijani stated at a press conference that LJM would not call for a postponement of national elections, despite the **strong reservations** that many opposition groups in Sudan, including the SPLM, have expressed about the conditions in which elections are scheduled to take place. During this same press conference in Doha, Tijani was also joined by Minni Minawi, the founder of one faction of the SLA who quickly and dramatically fell out of favor with many Darfuris after signing the ill-fated Darfur Peace Agreement in 2006. The symbolism of Minni's presence alongside Tijani was lost on few. The move not only suggested to some that Tijani has been tapped by the NCP as a figurehead similar to Minawi, it also demonstrated that Tijani remained tone deaf to the concerns of many Darfuris. Furthermore, Tijani struggled during his speech to address some of the most prominent issues such as the right of return, security, and restitution which Darfuris feel should be included in any credible peace agreement.

The Roadmap Group

The Roadmap group's demand for their own negotiation track was likely spurred by both their diminished prospects for joining LJM on their own terms, as well as the leverage gained from their newly minted MOU with JEM. Since then, however, one of the four groups, the URFF, defected and joined LJM, putting the Roadmap group back into a less than ideal position. The mediators officially requested more time to consider the third option, but it is unlikely that they will ultimately agree to this arrangement; rather, the mediation is likely biding its time until members of civil society have time to circulate and convince the members of the Roadmap group to enter into the fold. Since the 30 or so choice civil society members arrived in Doha, they have been pressuring both LJM and the Roadmap group to unify. At this point, however, it is still unclear what the Roadmap group plans to do. Some sources suggest that the Roadmap group and JEM have resumed talks about how to strengthen their partnership, but nothing beyond the previously mentioned MOU has resulted thus far.

Given the competing interests of the rebel groups and the lack of incentives for unity, it is not likely that the mediators will be able to bring all of the parallel tracks together at the end of negotiations. The more likely scenario is that the groups remain divided and thus more vulnerable to NCP manipulation.

Peace in Darfur?

U.S. Special Envoy Scott Gration has enthusiastically supported the Doha process, [referring to the JEM agreement](#) as “one of the first very serious agreements that we have,” although he has not always played a central role in mediation efforts. But General Gration's un-tempered support for the process, and his silence on the violence in Jebel Marra, suggests his continued struggle to understand how the NCP does business. The NCP has always demonstrated a willingness to reignite hostilities, an unwillingness to implement agreements, and a readiness to use blunt force on the ground in order to maintain its hold on power. The Doha process fits perfectly within this pattern.

Similar to the Darfur Peace Agreement negotiations in Abuja in 2006, civil society has largely been excluded from Doha up until this point, with the exception of a few dozen token civil society leaders and tribal chiefs playing an advisory role. The mediators plan to bring approximately 300 civil society leaders to Doha to secure their “blessing” once the peace deals between the government and rebel groups are more solid, but there is still a strong possibility that these groups will not support the agreements negotiated by the rebels. Such was the case with the DPA, and the memory of what many Darfuris viewed as a betrayal is ever present. The signs are not encouraging that the mediators will do any better at “selling” Doha than they did Abuja. This could render the peace process moot and mean continued conflict for the people of Darfur.

The way these negotiations have been conducted does not bode well for the sustainability of the peace agreement or for the welfare of the people of Darfur. Neither the Government of Sudan nor the international community seems concerned about securing genuine peace. Initial agreements for both JEM and LJM lack the major elements that would ensure success, including international mechanisms for monitoring, plans for reconciliation and measures that address the practical needs of/seek to protect civilians on the ground. Their arrangements thus far have been aimed at the needs of the individual rebel groups and not the needs of the average citizen, three million of whom are still displaced from their homes.