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Against
Genocide



A Roadmap for Peace in Darfur

February 2011

In the aftermath of a successful referendum process in South Sudan which will likely lead to the emergence of two new states—North and South Sudan—from one, and against the backdrop of sweeping changes throughout the Middle East and North Africa, violence in Darfur appears to be on the rise. In this context, the vigorous diplomacy of the Obama Administration, which made a significant contribution to preventing conflict leading up to the referendum itself, needs to be extended. While key issues related to consolidating peace between North and South remain unresolved, and continued U.S. and international attention on these and related matters remains an imperative, Darfur must become a focus of U.S. and broader international policy equal to that of the North-South dynamic.

As the implementation of the Comprehensive Peace Agreement, or CPA, moves forward and the United States begins the process of reviewing Sudan's State Sponsor of Terrorism designation accordingly, it is important to reemphasize that the overall process of normalization of relations, including the full lifting of U.S. sanctions, is dependent upon verifiable improvements of conditions on the ground in Darfur. Given recent reports of escalating violence, including aerial bombardment of civilians, the challenges to achieving progress in Darfur remain urgent.

With the current Darfur peace process in Doha proceeding towards conclusion, it is time to reassess and rebuild a more robust, comprehensive and coordinated Darfur peace process. The revised approach should be one that is truly cooperative and eliminates the tensions between the envoys that has itself become an obstacle to peace. With senior level attention as we saw in advance of the referendum, the United States could lead in re-conceptualizing and guiding the Darfur peace process, and ultimately in contributing to securing a more peaceful environment for the people of Sudan.

Frustration with Doha, which threatens to result in an even worse outcome than the failed 2006 Darfur Peace Agreement, signed in Abuja, clearly necessitates a radical reexamination of the overall peace strategy for Darfur. The shortcomings of Doha and

Abuja, however, will only be worsened by acceding to the Sudanese government's plan for full nationalization or "domestication" of the peace process prior to fundamental changes on the ground, and will not be solved solely by cosmetic changes to the venue and mediation. Recent escalating attacks on civilians by the Sudanese Armed Forces and rebel groups, ongoing restrictions on humanitarian and peacekeeper access, and the detention and repression of human rights activists and political protestors make Sudan an impossible venue for such critical negotiations.

There already exists a model of successful peacemaking in Sudan: the process that led to the CPA in 2005. In that case, there was one single, empowered mediator supported by the key multilateral institutions and countries with influence. The process took place in a nearby country that allowed freedom of movement for the various participants, without interference from Khartoum. The mediation was extremely proactive in presenting compromise positions and moving forward with a single text that addressed the fundamental issues causing war between the North and South. Leverage was built and utilized by governments that backed the process and united in support of a just outcome. A similar process must be created from the ashes of the existing efforts, making improvements based on lessons learned.

We propose a peace process for Darfur with three separate but interlinked components:

1. High-level political negotiations outside of Sudan between the various parties to the conflict, including the government of Sudan, the Justice and Equality Movement, the Sudan Liberation Army—Abdel Wahid, the Sudan Liberation Army—Minni Minawi, and the Liberty and Justice Movement.
2. Civil society engagement inside Darfur with numerous stipulations, and with the intention of creating a mechanism through which their voices, as well as the voices of Darfuris outside of Sudan, can be part of the peace process; and
3. High-level coordinated diplomatic engagement to push for democratic transition in North Sudan in support of human and civil rights in the region. It is essential that the international community work to ensure that the secession of southern Sudan does not lead to a further decline of rights and political space in the North, but rather offers an opportunity for increased transparency and pluralism. Although democratic transformation is in no way a prerequisite for peace in Darfur, it is crucial that the Darfur peace process be incorporated into the broader context of the future of the North.

Just as each of the above components is necessary to secure a sustainable peace, none of them will suffice on their own. A political process outside Sudan is critical to getting the rebels to the table, but cannot succeed without meaningful civil society engagement, both inside and outside Darfur. Any peace deal achieved can only be maintained and consolidated if it is firmly grounded in the future of all of North Sudan, while recognizing that Darfur still requires unique international attention.

“Domesticating” the peace process for Darfur

According to the government of Sudan’s own strategy for achieving peace in Darfur, the government aims “To nationalize the political process in Darfur to enable a wider range of society participation and to ensure a lasting and successful solution.”¹ The details of this proposal remain unclear, but all recent statements indicate that Government of Sudan, or GoS, intends to not only hold all negotiations inside Darfur—which is deeply problematic—but to guide the overall process, which would be disastrous. See the Appendix written by the Enough Project with contributions from SDC/GI-Net for a detailed examination of the gap between the rhetoric and reality in the government plan.

High-level political negotiations between the key parties to the conflict remain necessary to bring about a cessation of hostilities and address issues such as power-sharing and resource distribution. These must be guided by international mediators in a location outside of Sudan for the following reasons:

- **Lack of neutrality.** Absent fundamental changes on the ground, it would be impossible to conduct talks in an area where there are still hostilities, and where one of the perpetrators of the conflict has full control of the environment. Negotiations would be unfairly weighted towards the government, not least because of its ability to detain those with whom it disagrees, as occurred after the visit of the UN Security Council to Darfur.² These talks must therefore be on neutral ground, mediated by unbiased and impartial interlocutors.
- **Distrust of the process.** The people of Darfur and many of the rebel groups feel a tremendous amount of distrust towards the existing process, a situation that will only be made worse by moving it inside Darfur and making it more vulnerable to the machinations of GoS.
- **Logistics.** Certain rebel leaders have been forbidden to re-enter Darfur, which means that they could not physically access the talks. Refugees in eastern Chad would also be excluded. Additionally, many internationals, including a number working for the United Nations, have continued to encounter problems in getting visas to travel to northern Sudan, let alone permission to access Darfur. The government’s ability and willingness to control the movements of participants and mediators in and out of the region, as well as the control it is likely to exercise over local meeting attendants, would unfairly favor the government and would only add to the distrust. Even with guarantees from Khartoum, it is doubtful that representatives of the rebel factions would agree to travel to Darfur under the present circumstances.

Finally, moving the political process fully into Darfur will not solve a lot of the fundamental issues that have plagued it to-date, including disagreements among the mediators and haphazard rebel engagement. Although Darfur’s rebels have habitually used

past negotiations more as a forum for infighting and pursuit of individual agendas rather than as a means of dealing with the root causes of the conflict, there is no substitute for peace talks. The main rebel factions each cannot deliver peace entirely on their own, but all are very capable of acting as spoilers. Moreover, any international efforts perceived as supporting the Sudanese government will only increase the distrust of Darfuris and counterproductively enhance the stature of rebels who refuse to engage in the process.

While a comprehensive peace process for Darfur should include civil society engagement within Darfur and with the refugees in neighboring Chad (including groups from all parts of Darfur), this process must be led and monitored by the international community. The minimum requirements for this process are as follows:

- **The process is inclusive.** If GoS leads this process, it will likely only include those who support its agenda, as has been done in the past.
- **The people who participate in the process are protected.** Without significant international oversight, those participating in the process could be vulnerable to harassment, violence, and possibly arrest, as has also been the case in the past.
- **The process does not work in favor of one side over another.** Given widespread distrust of the government and the erosion of local mechanisms due to years of conflict, displacement, and the proliferation of small arms, a neutral mediator is needed to ensure the credibility of the process.

The way forward

The Obama Administration can build on its success helping to achieve a credible and timely southern referendum by partnering with the United Nations and key Security Council member states at the highest level to reinvigorate the Darfur peace process, and by outlining clear benchmarks, incentives and consequences for the parties. In this context, it is crucial that the United States maintain a Special Envoy for Sudan, and also continue to utilize its Senior Advisor for Darfur, Ambassador Dane Smith. It is crucial that the president and senior administration officials remain deeply engaged, deploy staff to work full-time and on-location until peace is achieved in both Darfur and southern Sudan, and name an official quickly who can ensure strong coordination between the two parallel efforts. This will help to demonstrate U.S. commitment to Darfur and to communicate and implement a clear plan on how it would like to see the peace process move forward, while continuing to reiterate the benefits and consequences of obstructing the process. Consistent messaging, adherence to U.S. commitments, and vigilant impartial monitoring of events on the ground will be crucial to cultivating increased leverage and holding all parties to their promises.

In particular, the United States should continue pushing GoS to restore humanitarian access, and continue pressing the United Nations/African Union Mission in Darfur, or UNAMID, to stand by its promise to adopt a more “robust posture” towards securing access in the field.³ It must also work through the UN Security Council to give UNAMID the backing it needs to fulfill its primary mission of providing protection and security. These are the means by which the United States will be able both to contribute to the protection of civilians and to gauge the extent to which all the parties are abiding by their commitments and respecting international humanitarian law.

Finally, there is a real opportunity for the U.S. to take on a greater role in the pursuit of peace in Darfur and the North more generally. Specifically, the United States should be pursuing three interlocking processes, inside and outside Darfur, in order to work more effectively towards sustainable peace in the region.

1. The political process

The U.S. should support the continuation of high-level political engagement in the post-Doha environment, at a neutral territory outside of Sudan, led by an empowered mediator with the full backing of the international community. Here the Naivasha negotiations can provide guidance on the elements of a successful peace process, which should include international actors who are willing to work closely and collaboratively, clear ideas about incentives and pressures that are tied to progress, a strong mediator who is supported by a team of full-time, onsite diplomats, the availability of experts to assist in the substance of negotiations, and the establishment of clear guidelines and working groups to deal with specific issues.

Importantly, although there is a clear consensus that the Doha talks will be coming to an end, that process is not yet over and international actors should seek to extract as much forward movement from Doha as possible before it ends. Equally important is the need for a coordinated and timely transition to a new, post-Doha process, with continuing unity of effort behind an alternative, single, empowered mediator. North-South negotiations remain in a sensitive state with a host of unresolved issues such as Abyei, wealth sharing, and citizenship that still necessitate attention. Former South African President Thabo Mbeki will continue to be instrumental in this process and therefore needs to remain focused on ensuring that separation between North and South proceeds in a peaceful manner through July, when the CPA expires, and beyond. Similarly, given the slew of challenges currently faced by peacekeepers in Darfur, Joint African Union-United Nations Special Representative for Darfur Ibrahim Gambari will need to remain focused on the provision of protection and security, limiting his ability to act in this role.

In order for the peace negotiations for Darfur to be effective, the following needs to be taken under consideration:

- **The United States should continue to push for a cessation of hostilities, as well as substantive negotiations between the major parties to the conflict.** For the sake of civilians, it is important that the international community continue to prioritize the cessation of hostilities. Substantive negotiations, however, should not be contingent upon the achievement of a full ceasefire.
- **The United States should work with the United Nations and the African Union to find a venue that is acceptable to all parties.** For the reasons listed above, attempting to bring high-level negotiations inside Darfur is a non-starter, not least because the rebel groups would be much less likely to join. Key interlocutors should therefore work to find a neutral venue on which all parties can agree, preferably in the region.
- **The United States has a special role to play in getting the rebels to the table.** Rebel engagement and fragmentation have been persistent problems at the Doha talks, and need to be resolved for any political process to move forward. The U.S. government's history of rebel engagement gives it both a responsibility and a special role in facilitating their participation, especially given the mediation's need to maintain its impartial status. But the process will necessitate patience and a realization that the rebels are making similar political calculations to the government, waiting for a time when they feel that their negotiating position will be maximized. Deadline diplomacy is therefore unproductive.
- **The United States should assess the incentives and consequences to drive the parties' engagement.** While the calculations of the rebels will be determined to some extent by quasi-exogenous factors (e.g. the rebels' relationship with the South), the United States should develop options such as the possibility of targeted sanctions that could help bring intransigent but necessary rebel representatives to the table. The civil society engagement described below may also help influence rebel decision-making. Increased coordination with other governments that have relationships with the rebel groups will be key. In regards to the government in Khartoum, the United States should continue to adhere to the roadmap laid out by the administration in late 2010, which ties increased normalization of relations between the U.S. and North Sudan specifically to conditions in Darfur.
- **The United States should name and shame.** Consistently calling out all parties who do not follow through on their commitments and/or violate international humanitarian law is one way in which the U.S. can potentially build the trust of the rebel groups, assuring them that the crimes of the government will not go unnoticed, and convince the government of its impartiality by calling out the rebels for their violations as well.
- **The United States has a significant role to play as a mediator among mediators.** The tensions and public disagreements that have all too often defined the relationship between President Mbeki, Chief UN-AU Mediator Djibril Bassolé, Gambari, and U.S. Envoy Gration have complicated the negotiations process enormously. Perhaps most

importantly, the lack of international communication, coordination, and cooperation observed by the parties has led them to doubt the international community's cohesiveness and allowed room for them to maneuver, to the detriment of the process. There is an opportunity with the new U.S. Senior Advisor for Darfur to take on the task of unifying the international representatives and encouraging the various actors to speak with one voice, and in clarifying their roles going forward. The United States should work with both the United Nations and the African Union to establish a single, effective mediator responsible for the Darfur peace process, who has clear roles and responsibilities, as well as the stature and authority to push the parties towards peace. This in turn will diminish the number of loopholes utilized by the parties and build confidence in the entire process.

- **The United States should work with the United Nations and the African Union to encourage a proactive mediation style.** Negotiations in Doha have been tedious and slowed by the constant time-consuming exchange of documents, and the lack of an overarching strategic plan. The United States should encourage key interlocutors to adopt a more proactive approach to mediation, defined by direct contact between the parties with the mediators present, as well as encourage the mediation to be more assertive in laying down proposals and pushing them with the parties. The United States should also support the mediation team in building its capacity to do these things, which has diminished substantially in recent months.
- **The United States should work actively with the United Nations and the African Union to establish a framework for engagement.** Process-related issues have repeatedly stalled negotiations unnecessarily, and could to an extent, be solved by putting structures and procedures in place that establish enforceable ground rules for the process. These might include the process for communicating amongst the parties and the rules for involving experts and lawyers in negotiations.

2. Civil society engagement (referred to by the U.N. as the Darfur Political Process)

The international community learned after the July 2010 civil society conference in Doha that moving large numbers of people from Darfur to Doha was not only unproductive, but actually increased conflict on the ground (as was witnessed in Kalma camp); yet the engagement of civil society elements both inside and outside of Darfur is crucial to comprehensive peace. It is essential that the people of Darfur not only continue to be empowered, but that civil society acts as a key partner in the implementation of any future peace agreement. It is therefore imperative that a clear channel for input into the substance of negotiations is put in place, so that when they do get underway, there is a means by which all members of civil society can inform the process. Moreover, with the duration of the high-level negotiations uncertain, steps towards local-level reconciliation, far removed from the negotiations, are an important mitigating factor in the interim.

- **Civil society engagement must be initiated, guided, and monitored by the international community.** The process should be focused on the kind of reconciliation that has been initiated in Darfur in recent months by Bassolé’s mediation team, and should work from their accomplishments rather than starting from scratch. In order to prevent the missteps of the past, there should be one international actor, who is tasked with leading a sustained, long-term engagement process, both inside and outside of Darfur, that will ensure representative participation and, perhaps just as importantly, the perception of inclusivity.

- **International actors should promote an enabling environment for inclusive consultations.** In particular, an agreement will need to be reached between the international community and each of the parties, that no civilians will be punished as result of their participation. Should any such backlash occur, the U.S. would need to vehemently condemn whichever party was responsible, and demonstrate clear consequences for this behavior. Specifically, in regards to the government, the international community possesses leverage to secure real changes on the ground, given the government’s desire to see an internal process. Pre-requisites for any civil society engagement process should therefore include:
 - A repeal of the state of emergency law.
 - A repeal of the national security law and the adoption of additional restrictions on the powers of the National Intelligence and Security Services, or NISS, and the walis.
 - The establishment of transparent arrest and trial processes, and a record of zero arbitrary arrests and detentions for a pre-determined period of time prior to the engagement and beyond.
 - Unfettered access for UNAMID.

- **Sustained U.S. involvement can improve the behavior of other international actors.** Similar to the political process, the United States should seek to ensure that new efforts on-the-ground in Darfur complement the work already done by the Joint Mediation Support Team, or JMST, rather than work towards a completely new vehicle for civil society engagement. It would be counter-productive to put in place a new system that exacerbates the existing tensions between the mediators without clear direction from the UN and AU, acting in concert. The international community should commit to one mediator, jointly appointed by the UN and AU, who is the key point person for negotiations, is considered as such by all parties, and has the responsibility of clarifying the roles of any other UN or AU actors involved. This will give both Darfuris and the parties to the conflict the impression that the international community is working together and speaks with one neutral voice. The United States should work with other members of the Security Council and key AU member states to secure this type of cohesion.

- **Consider the role of UNAMID with caution.** The U.S. should think carefully about whether UNAMID’s key role in the implementation of the plan for civil society engagement is the best way forward and should consider possible alternatives, such

as expanding the capacity of the JMST or providing the necessary capacity to any alternative put in its place. UNAMID's primary mandate is to be a peacekeeper, not a peacemaker, and has struggled thus far to fulfill this central function. UNAMID's role in the peace process should therefore be focused on securing the ground to enable the talks to take place and supporting the joint mediation, not taking on new challenges for which it is ill-prepared. Further, UNAMID is widely perceived as sympathetic to the government and on the whole is not trusted by Darfuris. This perception was undoubtedly made worse when the government recently stated that UNAMID's core job was to help the government implement its strategy for Darfur—a strategy that many find to be problematic. Ensuring that Darfuris perceive full inclusiveness and impartiality in this process is essential to its success. At the same time, it will be necessary to ensure that UNAMID is provided with the much-needed resources to establish security on the ground, such as radio access.

- **Lay the groundwork for civil society involvement in the political process.** Meaningful civil society engagement will improve the political process. Not only is this valuable for its own sake, but it could potentially change the rebels' calculations and encourage a return to the negotiating table. Working with civil society groups in the interim period (i.e. until the major parties return to the negotiating table) can help establish the proper channels through which civil society can offer input and feedback on the political process. Once negotiations get underway, this ensures that the people of Darfur feel as if they were able to guide the process, and hence secures their buy-in. It will also be necessary, however, to find a means through which civil society can practically participate in the negotiations. Even if large scale movement of Darfuri leaders proves to be impractical and even dangerous, it may be possible, for example, to bring a limited number of empowered, legitimized civil society representatives to an outside venue so that the voices of those on the ground can properly be heard. Lessons from previous efforts to increase civil society involvement in Darfur's peace process should be incorporated into this effort and provide guidelines on how the process can be altered so that it is perceived as legitimate and representative.

3. Engagement with the North in support of democratic transformation

In the post-referendum era, it is essential that the United States continues to engage with northern Sudan, and that it treats the region holistically. This will help elucidate the North's various challenges and vulnerabilities and will allow a better understanding of its negotiating position. The Darfur peace process will be an essential component of democratic transformation in the North, and will maintain focus on the other center-periphery issues and potential flashpoints for conflict within Sudan, including Blue Nile, South Kordofan, and the east. Although the urgent need to secure progress toward a political settlement in Darfur should not depend upon changes in the North, it is important to put Darfur in the context of the wider issues that North Sudan will face in coming months and years. The following are recommendations for continued engagement with the North:

- **Act now on the constitutional review.** The United States needs to begin pushing for the National Constitutional Review Commission, or NCRC, to start its inclusive constitutional review process, per section 12.10 of the Comprehensive Peace Agreement, that will protect the rights of all people in the North, including Darfur. When the interim constitution expires on July 9, 2011, it will leave a void that the government will most likely fill with repression if the international community does not act now.
- **Provide political support and technical expertise.** In addition to providing high-level backing, the United States and Europe can provide technical assistance and expertise, thereby building the capacity of the NCRC. The United States might also consider adding additional embassy staff to work specifically on these issues.
- **Explicitly incorporate Sudanese political space into considerations of U.S.-Sudanese relations.** The United States needs to begin reprimanding the government for its statements regarding the shrinking of political space, and make clear that maintaining the rights of its citizens, such as they are, is of the utmost importance to the United States.
- **Deliver on commitments, but do not prematurely reward Khartoum.** While the United States must deliver on the incentives put forward as part of the referendum and the completion of the CPA, it is necessary to first ensure that the Government of Sudan is in compliance with U.S. statutes. In particular, the United States must investigate and confirm that there are no longer ties between Khartoum and the Lord's Resistance Army, or LRA, before withdrawing the State Sponsor of Terror designation. If the U.S. is able to confirm that the government has met the necessary statutory conditions, however, then the administration should abide by its promise to remove Sudan from the list. Given that the next step towards normalization, the removal of sanctions, is tied to conditions in Darfur, abiding by its commitment can build momentum for the Darfur process and increase the amount of leverage that the U.S. has in future negotiations. Further steps towards normalization must hinge on independently verifiable proof of progress on the ground as well as towards a comprehensive political solution.

Conclusion

After more than eight years of conflict, around three million Darfuris remain displaced from their homes despite a litany of failed ceasefires, unimplemented Security Council resolutions, and flawed peace agreements. Despite the monumental difficulty of the task, there is an imperative that the United States work with its international partners to find a new way forward toward peace in Darfur, which remains an essential component of a peaceful future for both North and South Sudan. The Obama Administration has made a historic contribution toward peace in South Sudan. We believe this roadmap can help cement that legacy of peacemaking across the region, beginning where it is needed most urgently, in Darfur.

Appendix: Critique of the government of Sudan's strategy for Darfur⁴

In August 2010, the Government of Sudan published a new strategy for achieving comprehensive peace, security and development in Darfur. Since its publication, the government has succeeded in securing the support of the international community for the implementation of the plan, including the U.S. Special Envoy who not only reiterated his support during a recent press conference but also stated that the U.S. would work directly with Khartoum to execute it.⁵ Before committing time and resources to the implementation of the plan, however, the international community should examine the document more critically.

While the strategy is positive in some respects, it has two fundamental flaws that cannot be overlooked. First, it fails to recognize the reality of the situation on the ground, including the fact that Darfur's current environment is not conducive to development or returns of internally displaced people on a large scale. Second, it does not appear to reflect the government's true intentions for the region, which have been demonstrated by its long history and recent actions in Darfur.

Key point	What it says ⁶	Problem
Address root causes of the conflict	<p>"The political process should also address the specific causes and the effects of the conflict including issues identified during consultations to ensure that solutions will be realized." (p. 3)</p> <p>"The absolute objective of the negotiation is to prepare comprehensive political agreement that addresses the different issues of the concerned people in Darfur. Therefore, all conflicting parties in Darfur should be invited including the armed parties to sign the comprehensive political agreement, and to participate in an inclusive initiative to settle the conflict and to overcome the causes and effects of the conflict." (p. 4)</p>	<ul style="list-style-type: none"> While the government claims it wants to address the main issues at the root of the conflict, it has not shown a willingness to address key issues such as resource allocation and land access which are two of the conflict's primary "causes and effects." The government has sought to circumvent these issues, including by pushing for the large scale "return" of displaced people, despite the problem of land occupation and the reality of urbanization. (See more on returns below). The government has shown no willingness to stem the flow of arms into Darfur, which are used to exacerbate tensions and prolong insecurity in the region while violating the UN arms embargo.⁷ Despite the claim that it is working towards a comprehensive political agreement with all parties, the Government of Sudan (GoS) continues to resort to the use of military force.⁸ In recent months, the Sudanese Armed Forces (SAF) have launched offensives against the Justice and Equality Movement (JEM), the Sudanese Liberation Army Abdul Wahid (SLA-AW) and Minni Minawi (SLA-MM) factions, as well as carried out indiscriminate attacks on civilians.⁹
Nationalize or domesticate the peace process	<p>"To nationalize the political process in Darfur that enables a wider range of the society participation to ensure last and successful solution. This requires mobilization of representatives of all societal and political components inside Darfur, and encouraging them to lead the initiative in searching for peaceful solution to the conflict." (p. 3)</p> <p>"To promote reconciliation among Darfur society components, and utilizing the native mechanisms to resolve the conflict and restoration of harmony and cooperation between Darfur society sectors." (p. 3)</p> <p>"Those elected officials have necessary authorities in the states and national parliaments, and not only they represent the needs of local communities in Darfur but they also have the power for setting legislation and take the actions to implement it. And because those elected officials are truly reflect the ethnic diversity of Darfur people; they should be part of the peace process with a higher degree." (p. 2)</p>	<ul style="list-style-type: none"> A just and inclusive political process that allows for the secure participation of all parties is not possible within Sudan. It is highly likely that a domesticated process would be orchestrated by GoS to favor those who support the government, similar to the elections. Full participation by certain groups such as Darfuri refugees in Chad, the diaspora, and rebel representatives such as Khalil Ibrahim of JEM, would be made that much more difficult. The GoS proposal to domesticate the political process could also be used to block information and control international involvement in Darfur, which it has done throughout the conflict. While the people of Darfur must have a greater role in the peace process, genuine participation by Darfuri civil society will not be possible in an environment where GoS continues to target and persecute civil society, internally displaced persons (IDP) leaders and human rights defenders.¹⁰ International involvement in guiding and monitoring the civil society engagement process is essential to ensure that mediation is unbiased and outcomes are trusted and respected by all parties, especially by the Darfuri people. Native conflict resolution and reconciliation mechanisms in Darfur are insufficient to resolve all aspects of the Darfur conflict. Many of these mechanisms have deteriorated due to mass displacement and power imbalances brought on by the proliferation of small arms. While there is a role for these mechanisms in promoting local reconciliation, the process should be guided by neutral parties, with the realization that it is only one part of the bigger puzzle. This component of the GoS strategy appears based on the premise that peace must be built from the ground up - an important principle. However, in a conflict with large-scale mass atrocities perpetrated by the government and its allies, peace (and components such as ceasefires) must also be negotiated and implemented from the top down and internationally monitored to ensure compliance. The flawed elections in Darfur should not be seen as reflecting the will of the Darfuri people. Everything from gerrymandering to intimidation during registration ensured that those elected were pro-government.¹¹ Because of this, elected officials in Darfur are widely seen as mouthpieces for the National Congress Party (NCP) and not as legitimate representatives.

Promote security on the ground

“To promote security on the ground by establishing cohesive measures in collaboration with UNAMID to address the insecurity and assure tranquility for people wherever they are. This contains combat of banditry and other kinds of illegal attitudes, retrieving trust between people and the security forces, and deployment of police forces where required.” (p. 3)

“The Government of Sudan will take precautionary and decisive measures to provide security to all citizens in Darfur, and to achieve that, we will cooperate with international partners led by UNAMID and in accordance to their mandate.” (p. 5)

“UNAMID will be the main partner in the new security strategy for more protection of the civilians without jeopardizing the Government of Sudan sovereign obligations.” (p. 7)

• Along with vastly understating the level of insecurity, the strategy makes no mention of the government-incited violence, nor does it mention the need to address land concerns, disarmament, and the growing number of violent incidents between various nomadic tribes, all of which are vital in re-establishing security in the region.

• Examples of recent violence affecting civilians—much of it government-incited - include the Tabarat massacre in mid-September¹², fighting between rebel groups and the SAF, reports of thousands fleeing Jebel Marra¹³, and December’s attacks on Khor Abeche, Shaeria, and Shangil Tobaya which displaced at least 40,000 civilians.¹⁴

• The Government of Sudan has not demonstrated its intention to “cooperate” with the Joint United Nations/African Union Mission in Darfur (UNAMID) in the interest of security for all Darfuri citizens. The Secretary General’s January report stated that UNAMID was denied access over 26 times during the reporting period, 23 of which were by SAF.¹⁵ Genuine support for civilian security by GoS would be demonstrated by allowing unimpeded access for UNAMID and humanitarian actors, instead of continuing obstruction and restrictions on both. A recent example is the violation of the Status of Forces Agreement on January 23rd when the SAF failed to provide UNAMID prior notification and denied the mission access during the GoS raid on Zam Zam IDP camp.¹⁶

• The government’s reference to cooperating with UNAMID without jeopardizing state sovereignty is concerning, as GoS has long used its sovereignty as a banner behind which it can commit human rights abuses. For example, in July 2010, UNAMID stated that GoS was continuing to obstruct the force’s access and the NCP responded by stating that Sudan is a sovereign state and can take any measures in the interest of the Sudanese people.¹⁷

(See more on the changing role of the international community UNAMID below.)

Return the displaced

“So, it is important to continue efforts and direct the humanitarian activity towards resettlement of war-affected persons, provision of security in their villages of origin, and assisting them to sustain self-reliance.” (p. 1)

“The priority is to achieve security for all people of Darfur, and to provide assurances and incentives for IDPs to return to their homes and to provide development support to people in their areas of origin... To speed up of [sic] the safe, voluntary and sustainable return of the IDPs, resettlement of the refugees and provide support in all fields.” (p. 3)

“The organization of the return is one of the government top priorities, and to achieve that, the government will join efforts with UNAMID and other partners to provide security and basic services to the IDPs and refugees in their areas of origin to ensure safe and sustainable return. The voluntary return efforts will also allow the concerned parties to provide development projects and basic needs for herders, IDPs and refugees.” (p. 6)

• Given the pervasive insecurity and ongoing violence in Darfur, the environment is not conducive to the full-scale return of displaced people. The government’s focus on resettling war-affected persons is a red flag signaling its desire to show that the situation in Darfur has been resolved. It is also in line with the government’s desire to close IDP camps, which it views as hotbeds of rebel activity, and rid Darfur of those who can report on government abuses.

• Any returns of displaced people must be voluntary and verified by international monitors. The Government of Sudan has demonstrated its lack of interest in promoting safe and voluntary returns by expelling staff from groups that would monitor and verify their voluntary nature, including staff from UNHCR, IOM, and ICRC.¹⁸

• Land occupation remains a problem, and GoS has not indicated a willingness to address the issue. In fact, it would not be in their interest to do so, given that the arms are primarily in the hands of those to whom the land was given (ie, members of nomadic groups).

• Since there is limited land to which they can return, it is difficult to see how the displaced will return to their “areas of origin.” Furthermore, many IDPs will choose to remain in the urban areas of Darfur. A more likely scenario, according to sources on the ground, is one in which the displaced are moved to alternate locales and forced to forfeit their original land rights. This is supported by the government’s history of manipulating and forcing returns in the region.

• UNAMID’s purpose is to keep the peace, not to promote or assist in returns. It must not be distracted from its primary mandate of protecting civilians and ensuring that the environment is safe and secure.

(See more on development and the changing role of the international community below.)

Implement justice locally

“To implement justice for all through national mechanisms and in close cooperation with Darfur society sectors. This requires paying of compensations, retrieving the properties to the victims based on the spirit of justice and reconciliation.” (p. 3)

“The government acknowledges the psychological and feasible dimension of the justice and will remain obliged to the Darfur Special Prosecutor, and the National Courts to perform their responsibilities in a neutral manner.” (p.6)

• The Government of Sudan has shown no genuine interest in implementing justice and accountability for crimes in Darfur, and is likely seeking to appear devoted to national justice only to discredit the International Criminal Court, which can only prosecute cases in the event of insufficient domestic mechanisms.¹⁹

• The government has offered to compensate communities affected by the conflict in Darfur but expects the international community to cover the costs.

• The government recently replaced its chief prosecutor for Darfur with the deputy Minister of Justice and a committee that includes the National Security Services, a major perpetrator of human rights violations. This committee cannot be considered a “neutral” promoter of justice.²⁰

• Sudan’s overall justice system is deeply flawed and biased, and largely incapable of trying crimes such as rape, which has been widespread in Darfur and used by the government and its allies as a weapon of war.²¹

Move from relief to development

"The government will undertake procedures to implement political and developmental projects on the ground. This includes close collaboration with the local communities to plan and implement the projects that contribute to balanced development in the area, and to ensure the availability of the necessary resources that assure normal livelihood for nomads." (p. 3)

"The real development will not be realized without peace but the government will prepare the ground for securing resources from local and international sources with continuation in implementing the previous projects and pledges or implementing new projects in the secure areas in Darfur, and provide the appropriate services to herders with special focus on creating an environment that assist the return of the IDPs and refugees... The development will go together with the capacity building of civil service in Darfur to ensure better services provided to the people and to promote their security. Capacity building will be promoted together with the informal institutions and encourages the involvement of the legislative and executive bodies as well." (p. 6)

- Darfur's humanitarian crisis is far from over. With widespread insecurity and ongoing violence, the region is simply not ready for a focus on widespread development. An estimated 2.7 million Darfuris live in IDP camps and depend on international relief, with at least another 262,900 living in refugee camps in eastern Chad.²² Emergency relief must remain a priority.
- Development projects may also exacerbate tensions over land, particularly in situations where tribes are illegally occupying land, and where development might encourage the further violation of the land rights of the displaced. Meanwhile, development focused on the urban areas may encourage more urbanization, which is currently unsustainable.
- There is no evidence that the government plans to invest in development in Darfur in earnest. Khartoum has historically neglected the Darfur region—a major contributing factor to the conflict. Recent reports from the head of the Fund for Darfur Reconstruction alleged that the government received \$760 million for Darfur from donors over the past two years, yet failed to disburse any to Darfur.²³ With the government now promising to invest \$1.9 billion in the region, it is difficult to know from whence this funding will come, or whether it will actually be invested in Darfur.²⁴
- Like its focus on returns, the government's focus on development seems to reflect its true interest in attempting to demonstrate that the conflict is over and the presence of the international community is no longer needed. "We think that the humanitarian affairs commission [is preventing the supply of] enough food because the government wants people to leave camps," one camp leader from Darfur said. "This is a government policy. This is death by another policy."²⁵

Changing role of international community

"The government encourages the international partners whether states or organizations to support the comprehensive political process in a manner that recognizes the Sudanese lead of the sustainable solution... The government will carry out unilateral, decisive procedures when needed..." (p. 7 - 8)

"For the time being, the compensation and the voluntary return represent one of our needs. If the international donors pledged part of their resources to the compensation and voluntary return, that will be an encouraging indicator for the Darfur communities to accept return voluntarily and will assist in accelerating the solution to the conflict." (p. 8)

"The two parties need to work together to strengthen the cooperation and in particular strengthening the central role of UNAMID in IDPs and refugees return and the reconstruction.

The government expects UNAMID and other partners to play decisive role in this anticipated shifting from relief to development, and from maintaining the current situation policy to a more effective approach in overcoming the obstructions that hinder the achievement of security in particular areas in Darfur." (p. 7)

- GoS has proven unwilling or unable to provide effective humanitarian aid work in Darfur. As Sudan's Health Minister pointed out, "Unfortunately, despite all the talk about the 'Sudanisation' of the relief work, it has not been a success. The only thing [the ministry of humanitarian affairs] did was review the work of some [international] organisations and try to coordinate with them, but the ministry of humanitarian affairs ultimately was not able to meet expectations."²⁶
- This strategy is indicative of the government's desire to see the international community commit funding for Darfur that the NCP could control and manipulate. Given the government's track record, this is a disturbing proposition.

Changing perceptions about the conflict

"The situation in Darfur has been exaggerated through false information about the conflict... To promote the peace process, it is necessary to change the conceptions on the Darfur crisis to match the reality on the ground, and to strengthen the positive perceptions among Darfur various societies. All parties including the partners, the humanitarian workers, media personnel and observers should reflect the reality; refrain from discrediting the reality and spreading false information that will contribute to disseminate the hatred and aversion among Darfur people and especially for the interested parties should write their reports from impartial and trusted sources who present in the ground." (p. 7)

- UNAMID should limit its involvement in activities that distract from its primary responsibility to protect Darfuri civilians. As UNAMID still struggles to fulfill this primary mission, any further expansion of its mandate seems unwise.
- This proposal confuses the roles of peacekeeper and humanitarian, which is potentially dangerous for those who work to provide aid to the people of Darfur.
- The government's suggestion that UNAMID is not cooperating is far from reality since the government has prevented UNAMID from providing security and reporting on many of the human rights violations that it observes.
- This element of the GoS's strategy is particularly misleading, given that the government itself has prevented the dissemination of truthful and real-time information from Darfur. The government has blocked reporting not only through intimidation and NGO expulsions but also through its continued obstruction of access for peacekeepers. Human rights monitoring and reporting from Darfur has grown even more minimal over the past few years due to increased crackdowns by the government and self-censoring by international NGOs. This point seems to reflect the government's intention to continue its restrictions and intimidation. It also reflects an attempt to discredit advocacy groups and the media.

Endnotes

- 1 Government of Sudan, “[Darfur: Towards New Strategy to Achieve Comprehensive Peace, Security and Development](#),” Sept. 2010, p. 3.
- 2 Former President Mbeki was able to conduct consultations in Darfur as part of the AU High-Level Panel, but engaging in actual negotiations with specific interlocutors will be subject to greater scrutiny by Khartoum and participants will likely face much greater risks.
- 3 UN Security Council meeting, <http://www.unmultimedia.org/tv/webcast/2011/01/security-council-meeting-sudan-english-3.html>.
- 4 This appendix was prepared by the Enough Project and the Save Darfur Coalition/Genocide Intervention Network. Signers of the policy brief do not necessarily subscribe to all elements of the Appendix.
- 5 Scott Gration, “[Special Envoy to Sudan Gration on His Recent Visit to Juba and Khartoum](#),” U.S. Department of State, Sept. 15, 2010.
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- 21 Refugees International, “[Laws Without Justice: An Assessment of Sudanese Laws Affecting Survivors of Rape](#),” June 26, 2007.
- 22 UNHCR, “[UNHCR Global Appeal-Chad](#)”
- 23 Radio Dabanga, “[Sudan regime deprives Darfuris of \\$760m from Arab donors](#),” Nov. 15, 2010.
- 24 Sudan Tribune, “[Sudan endorses \\$1.9 billion plan for Darfur development](#),” Aug. 23, 2010.
- 25 IWPR, “[Khartoum Under Fire Over IDP Camp Conditions](#),” Nov. 19, 2010.
- 26 IWPR, “[Khartoum Under Fire Over IDP Camp Conditions](#),” Nov. 19, 2010.

Enough is a project of the Center for American Progress to end genocide and crimes against humanity. Founded in 2007, Enough focuses on the crises in Sudan, eastern Congo, and areas affected by the Lord's Resistance Army. Enough's strategy papers and briefings provide sharp field analysis and targeted policy recommendations based on a "3P" crisis response strategy: promoting durable peace, providing civilian protection, and punishing perpetrators of atrocities. Enough works with concerned citizens, advocates, and policy makers to prevent, mitigate, and resolve these crises. To learn more about Enough and what you can do to help, go to www.enoughproject.org.

