

Rhetoric and Reality: The Failure to Resolve the Darfur Conflict

By Julie Flint

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Abbreviations and acronyms

AMIS	African Union Mission in Sudan
AU	African Union
AUPD	African Union High-Level Panel on Darfur
CPA	Comprehensive Peace Agreement
DDDC	Darfur–Darfur Dialogue and Consultation
DPA	Darfur Peace Agreement
EU	European Union
ICC	International Criminal Court
IDP	internally displaced person
JEM	Justice and Equality Movement
JMST	Joint Mediation Support Team
NCP	National Congress Party
NISS	National Intelligence and Security Services
NRF	National Redemption Front
PCP	Popular Congress Party
SLA	Sudan Liberation Army
SPLM/A	Sudan People’s Liberation Movement/ Army
UNAMID	African Union–United Nations Hybrid Operation in Darfur
UNMIS	United Nations Mission in Sudan
URF	United Resistance Front
URFF	United Revolutionary Forces Front
USAID	US Agency for International Development

Abstract

Seven years after large-scale militia attacks signalled a change in the long-running but generally low-level conflict in Darfur, an unprecedented array of international instruments has been deployed, often chaotically, to address the conflict, including peacekeepers, peacemakers, special envoys, mediators, sanctions, embargoes, and criminal prosecution. Yet peace remains as elusive as ever. In the three and a half years since the Darfur Peace Agreement was precipitously concluded in Abuja and, rejected by most Darfurians, left to wither, the paradigm of government–rebel talks has persisted, despite stalemate. Time is not on Darfur’s side: the longer the conflict continues, the more actors become involved and the harder it is to resolve. With national elections scheduled for April 2010 and a referendum on self-determination for Southern Sudan in 2011, the focus has moved away from Darfur. This *Working Paper* examines mediation efforts since Abuja and suggests why they have failed.

Executive summary

The high point of international efforts to reach a negotiated settlement of the war in Darfur came more than four years ago, on 5 July 2005, when the Government of Sudan and the two original rebel movements, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), put their signatures on the same page for the first—and so far the only—time since peace talks opened in Abuja, Nigeria, in August 2004.¹ The 17-point Declaration of Principles for the Resolution of the Sudanese Conflict in Darfur (AU, 2005) provided a framework for a settlement of the conflict, and there was euphoria among international mediators and observers as they left the African Union (AU)-mediated Darfur peace talks at the start of a two-month recess.²

In those two months, the fragile progress made in Abuja began to unravel. Government–rebel and rebel–rebel fighting resumed and a proxy war between Sudan and Chad escalated. By the end of the year, the US administration was pressing for a quick agreement in order to get Khartoum’s approval for the deployment of UN peacekeepers, partly in response to the demands of a powerful activist lobby focused on military intervention and robust peacekeeping. On 5 May 2006, after a series of arbitrary deadlines, the Darfur Peace Agreement (DPA) was signed by the government and a single faction of the divided SLA, that of the Zaghawa leader Minni Minawi. There was no euphoria. The two rebel groups that would be most significant in the following years—the predominantly Fur faction of the SLA led by Abdul Wahid Mohamed al-Nur, which had a strong following among internally displaced persons (IDPs), and the Islamist-leaning JEM, which would soon be the strongest movement on the battlefield, were dismissed as troublemakers and consigned to the role of spoilers.³ Suggestions that the peace process would have been enriched and consolidated by a process of consulting the Darfurian people and building confidence were written off as ‘luxuries’.⁴ The armed movements were considered sufficiently representative of ‘the Darfurian people’.

Map 1 Darfur, Sudan



- International boundary
- - - State boundary
- ==== Main road
- National capital
- State capital
- Highlands

0 km 100



Since the end of the Abuja negotiations, and the collapse of the agreement concluded there, the largest humanitarian operation in the world has kept hundreds of thousands of Darfurians alive and the region has settled into a confused, usually low-level conflict of all against all. But efforts to reach the sustainable political agreement that eluded Abuja have made no progress. Mediators have failed to restart negotiations and international envoys have missed opportunities to build a coalition for peace—including by harnessing a rebellion among Khartoum’s proxy militias. Inexpert handling of the peace process has accelerated the disintegration of the armed movements into largely tribal factions—some of whose leaders have little or no name recognition even in Darfur itself. Despite this, the first time that an international actor conducted any organized consultation with the Darfurian people was in July 2009,⁵ and it was only in November 2009 that civil society joined the Doha process led by Chief Mediator Djibril Bassolé—albeit with a role that is still undefined.

Labelling Darfur ‘a threat to peace and international security’ (UNSC, 2005, p. 2), the UN Security Council has mandated an unprecedented range of activities, including peacemaking, peacekeeping, and criminal investigation by the International Criminal Court (ICC). It has watched, divided within itself, while the multiplicity of goals and mechanisms has created confusion and impeded progress. The United States, the only Western country with compelling leverage over Khartoum, given Sudan’s desire to normalize relations with Washington, has played to a domestic gallery by speaking loudly—but has waved a small stick ever since it called the conflict ‘genocide’ while asserting that ‘no new action is dictated by this determination’.⁶ Recently, but quite possibly too late, the US administration turned its attention to the danger that the Comprehensive Peace Agreement (CPA) between North and South Sudan may collapse, raising the prospect of a return to a civil war said to have taken two million lives over two decades.

This *Working Paper*, based on interviews with mediators, government officials, humanitarian workers, and militia and rebel leaders, traces the troubled history of peace efforts after Abuja. It attributes their failure to the interplay of a flawed process and an unfavourable context—including a lack of will among the Sudanese parties, a breakdown of trust among all actors (including international ones), and a growing belief that a signed agreement means nothing more than temporary repositioning. Key findings include the following:

- Neither the government nor the armed movements have relinquished the military option and committed fully to peace. While international management of the peace process has been flawed, the absence of will among the Sudanese themselves is the key reason for the failure of peacemaking efforts.
- Western powers, and especially the P3,⁷ have not backed the peace process with strong, coordinated political *démarches*.
- External involvement in peacemaking has itself been a driver of conflict. A multiplicity of mediators and conflicting agendas has allowed the government and armed movements to appear to cooperate without in fact doing so.
- Material benefits, including international travel and hospitality lavished on individual rebel ‘leaders’ of questionable legitimacy, have made the status quo more profitable than peace and the responsibilities of exercising power.
- The subordination of peacemaking to peacekeeping, driven in part by advocacy campaigns to ‘save’ Darfur through military intervention and/or robust peacekeeping, has hardened rebel intransigence and strengthened the government’s belief that the West has a half-hidden agenda of regime change.
- As in Abuja, the quality of the mediation has been part of the problem.⁸ The focus on peacekeeping has meant that mediators have been subject to insufficient scrutiny.
- The mediation has been neither inclusive nor transparent, and until recently has paid insufficient attention to the communities without whose support peace cannot be sustained—among them, the victims of the war and the impoverished nomads who form the core of the ‘Janjaweed’.
- Although the failure of the DPA has been widely blamed on ‘deadline diplomacy’, neither international, nor regional, nor internal circumstances were conducive to a settlement. This remains the case today. The lessons of Abuja, although well documented, have not been put into practice—most obviously, the dangers of seeking a quick fix.
- Many Darfurians who were once content to let the armed movements speak for them no longer are. The belated involvement of civil society in the process led by Bassolé has introduced a valuable new dynamic that must be defined and developed.
- Without serious attention to the internal political crisis in Chad, Chadian support for JEM as President Idriss Déby’s first line of defence against Chadian rebels will perpetuate Darfur’s crisis indefinitely.

On the eve of the final deadline given to the parties in Abuja, tribal leaders visiting Abuja warned that 'if we miss this opportunity, it will be a war of all against all'. Three and a half years after that prediction, with the conflict in Darfur much reduced but still unresolved, political tensions are rising dangerously on the North-South axis in advance of nationwide elections in April. If they cannot be contained, Darfur risks becoming, once again, a sideshow to hostilities on a wider national scale. 🗨️

I. The Darfur Peace Agreement

Background

On 5 May 2006 the Government of Sudan and one faction of one rebel group—the Zaghawa-dominated wing of the SLA led by Minni Minawi—put their signatures to a 140-page agreement negotiated under the auspices of the AU in Abuja, Nigeria, in hope of ending a war that had displaced 2.5 million people, caused the deaths of several hundred thousand others,⁹ and destroyed the social fabric of an already environmentally fragile region. Tensions between nomad and farmer, and Arab and non-Arab, had been rising since the 1980s, but exploded in 2003 when the government organized a counter-insurgency against a rebellion led by Darfur’s three biggest non-Arab tribes—the Fur, Zaghawa, and Masalit—to protest years of political and economic marginalization and neglect.¹⁰

The DPA was negotiated exclusively between the government and the armed movements, and, without popular ownership, was vulnerable from the outset. Refugees and IDPs, women and youth, and civil society and traditional political parties had no place at the Abuja table. Absent too were the tribal leaders of Darfur, without whose cooperation there could be no disarmament, no matter how strong—or weak—the provisions of the DPA itself. Darfur’s Arabs, without whom the government could not have sustained its war, were not represented, except as occasional members of the negotiating teams.¹¹ Suspicion and antagonism were increased by the imposition of artificial deadlines and the intense pressure put on the parties to sign¹²—in part, because of the growing impatience of mediators and donors; in part, to enable the transition from an AU to a UN peacekeeping force as demanded by the powerful ‘save Darfur’ lobbies¹³ that drove much US policy on Darfur during the Bush administration.¹⁴

Although the talks in Abuja opened in 2004, the early rounds were dominated by ceasefire violations by government forces, and it was only in the final months that the parties turned their attention to serious negotiation, raising the first

hopes that agreement might be reached despite an unpromising regional environment—most critically, Chadian President Idriss Déby's hold over the peace process because of his support for JEM and, to a lesser extent, SLA-Minawi (see Box 1). Even those who negotiated the agreement acknowledged that its final provisions were far from ideal. Unlike the CPA, which ended the 20-year North–South war, the DPA was not negotiated in a vacuum. It had to be compatible with the CPA, limiting the degree of political representation possible for Darfurians, both nationally and regionally.¹⁵ The United States

Box 1 **Chadian involvement in Darfur**

As the Abuja negotiations gathered momentum in December 2005, Darfur-based Chadian rebels supported by the Sudanese government attacked the Chadian border town of Adré and were repulsed only with French assistance. President Déby summoned Zaghawa negotiators, close cousins of his own Bideyat tribe, from Abuja and in January 2006 the Allied Revolutionary Forces of Western Sudan, a Zaghawa alliance with a Masalit window dressing, was proclaimed in N'Djamena. The Zaghawa alliance was short-lived, given the deep enmity between JEM and SLA-Minawi. But the alliance between Chad and JEM survived, becoming Déby's first line of defence against his own rebels and increasing the likelihood that JEM would not make peace with Khartoum until Déby did.

Sudan had been caught up in Chadian affairs ever since the Muslim, Chadian rebel group FROLINAT—Le Front de Libération Nationale du Tchad—was formed in Darfur in 1966, backed by Khartoum. The two countries sporadically destabilized one another for the next 25 years, but in 1990, after the Sudanese helped Déby to power, they made an agreement that neither would support the other's rebels or allow them to operate from its territory. This agreement came under strain when the insurgency in Darfur erupted in 2003 and Déby was urged, including by his own family, to support his Zaghawa kinsmen across the border.¹⁶ It collapsed in December 2005 when Chadian rebels crossed the border to attack Adre. In April 2006, two weeks before a first deadline given to the parties in Abuja, Chadian rebels stormed N'Djamena from bases in Darfur and a senior JEM commander died defending the presidential palace. Déby blamed the Sudanese government for the attack and broke off diplomatic relations with Khartoum. As opposition to Déby's corrupt and bankrupt regime grew throughout 2007–08, so did his support for JEM.

The proxy war between Sudan and Chad enabled Déby to blame his internal problems on Khartoum and the support it gave to Chadian rebels. But the underlying Chadian crisis was essentially that—internal—and in the absence of any serious international effort to encourage Déby to move toward democratic rule, JEM was by 2008 the strongest rebel group in Darfur with several thousand fighters and an estimated 250 vehicles (as important as arms in a desert war fought over huge distances). The survival of the Déby government depended, for the moment, on the continuation of the conflict in Darfur. The strength and strategic depth of JEM depended on the absence of reform in Chad and continued antagonism between Chad and Sudan.

especially insisted that the timetable of the CPA—for national elections in 2008¹⁷ and a referendum on self-determination for southerners by March 2011—be inviolable.

The immediate effect of the DPA was to deepen the crisis. Within days of the signing, demonstrations and riots broke out in IDP camps¹⁸ as the victims of the war expressed their support for those who had refused to sign—the SLA faction led by Abdul Wahid Mohamed al-Nur, a member of the Fur tribe with a vocal following in Darfur’s largest camps, and the JEM of Dr Khalil Ibrahim, a prominent figure in the Kobe section of the Zaghawa and with roots in the Islamist Popular Congress Party (PCP) of Hassan al-Turabi.¹⁹ Lawlessness increased and fighting intensified, causing more than 100,000 more people to be displaced by early 2007.

As the first protests erupted, a few members of the AU mediation team²⁰ remained in Abuja in an attempt to overcome Abdul Wahid’s rejection of the agreement, acknowledging his importance both in the camps and as a symbol of resistance for the Fur, Darfur’s largest tribe (see Box 2). The effort was not successful—both because of the inflexibility of AU and US leaders and because of the extent of the protests in Darfur, which gave Abdul Wahid a sense that he had a political future through resistance. The AU’s international partners generally acknowledged that an agreement that was not inclusive would not be sustainable, but were divided over how to deal with Abdul Wahid. Some favoured coercive diplomacy, arguing that he should be penalized by sanctions and exclusion from the benefits of the agreement; others believed that bringing the Fur on board required more than sanctions and branding them as outlaws, as demanded by US Deputy Secretary of State Robert Zoellick (de Waal, 2007, p. 277). A decision to allow individuals to sign ‘Declarations of Commitment’ to the DPA failed to sway the SLA chairman. Rather, it weakened the already frail cohesion of the armed movements²¹ and highlighted the AU’s lack of strategy—and capacity—for implementing the agreement.

With only two people working primarily on Sudan at AU headquarters in Addis Ababa, and with deep disagreement between Baba Gana Kingibe, the AU’s special representative in Sudan, and Sam Ibok, who headed the mediation team in Abuja,²² the AU was inert. Ibrahim Madibo, a Rizeigat Arab who headed Abdul Wahid’s power-sharing team in Abuja, spent nine days in Addis

Box 2 **'I will not sign!'**²³

Below is a chronology of the efforts after 5 May 2006 to get Abdul Wahid to sign the DPA.²⁴

7 May: The AU gives non-signatories a week to endorse the DPA, implicitly acknowledging that the agreement needs to be broadened significantly if it is to work.

10 May: In a letter to the AU, Abdul Wahid lists three conditions for signing: that his clarifications and reservations be registered, that the AU undertake to ensure faithful implementation of the DPA, and that it facilitate a meeting between him and the Sudanese government to draw up a 'supplementary document'. He cites three main concerns:

- A first payment of only USD 30 million into the Compensation Fund will not convince the victims of the war that the government is committed to peace.
- Rebel units must escort IDPs back to their villages to ensure that settlers backed by the government vacate them. The number of seats in state assemblies must be increased to accommodate Darfurians not represented in Abuja, 'including Janjaweed and especially Arabs'. The DPA allocated 50 per cent of seats to the National Congress Party (NCP) of President Bashir and 30 per cent to the movements, leaving only 20 per cent for all others.

11 May: The AU's chief mediator, Salim Ahmed Salim, declines to send Abdul Wahid a response drafted by Sam Ibok. Instead, he drafts a letter of his own with two significant changes. He invites Abdul Wahid, Minni Minawi, and the government's chief mediator, Majzoub al-Khalifa, to Addis Ababa for talks, with no obligation on Abdul Wahid to sign. At US insistence, Salim omits the sentence that Ibok believes is critical:

If all the signatory Parties reach agreement in these additional discussions, we will ensure that whatever is agreed on will be attached as a supplement to the Darfur Peace Agreement.

12 May: AU Peace and Security Commissioner Said Djinnit flies to Addis Ababa to talk to Salim. AU colleagues become increasingly exasperated with Salim's inflexibility.

14 May: US Assistant Secretary of State for African Affairs Jendayi Frazer, speaking privately, supports the efforts to coax Abdul Wahid into signing.

15 May: Abdul Wahid writes to the AU requesting help to 'bridge the gap between us and the Government with the ultimate goal of reaching a comprehensive and sustainable peace in Darfur'. The AU Peace and Security Council extends the deadline for signing to 31 May. Jendayi Frazer abruptly hardens her position:

We are not reopening negotiations . . . Abdul Wahid has no more leverage, his time has run out . . . The DPA provides him a seat at the table so that he can push for some of his ideals and demands from inside the government. He will achieve nothing sitting alone in a hotel in Abuja and by the minute upping the ante. The world is moving on.

17 May: Abdul Wahid declares that 'the international community wants success, not peace'²⁵ and leaves Abuja.

As 2009 ended, his refusal to participate in a new peace process was a major obstacle to progress.

Ababa at his own expense in order to commit to the DPA, but left Ethiopia 'mad at the way the AU does business' after AU officials forgot to invite him to the signing ceremony. 'More and more people are opposing this agreement', he said, 'and the AU and Government of Sudan do not care.'²⁶

The only hope for the DPA lay in trying to build confidence by implementing specific provisions—for example, minimum quotas for Darfurians in universities and the civil service, the abolition of school and university fees, and training and capacity building for community police. But the ambiguous status of the agreement, theoretically in force but in practice disregarded, led to its effective abandonment by internationals and donors even as they continued to pay it lip service.

From peace agreement to military pact

The mediators in Abuja had little understanding of the dynamics of the rebel movements and had ignored warnings that, while Abdul Wahid had broad tribal support and a strong following among the Fur, Minawi was a declining force, losing the support even of his own Zaghawa commanders because of his men's abuses. Within a month of the DPA being signed, the non-signatory commanders written off as inconsequential in Abuja came together under Eritrean auspices in the National Redemption Front (NRF)²⁷ and drove SLA-Minawi out of most of North Darfur. The DPA became a military pact in a turf war between non-signatories and signatories. SLA-Minawi arrested and tortured critics of the agreement, telling them 'We will force the peace on you!'²⁸ and, armed by the government under the guise of DPA implementation (ICG, 2007, p. 9), attacked areas controlled by non-signatories to 'punish' them for opposing the DPA (Amnesty International, 2006, p. 1).²⁹

The Sudanese government used the DPA as a tactical asset to justify its opposition to a UN peacekeeping force and to legitimize military offensives against the NRF, which dealt a series of crushing defeats to the Sudanese army before it disintegrated amid disputes over spoils and leadership. Thus, in August 2006 Khartoum submitted to the UN the 'Plan of the Government of the Sudan for the Restoration of Stability and Protection of Civilians in Darfur' in which it proposed deploying 10,500 government troops and 2,000 of Minawi's former

rebels to 'perform the undertakings of the Sudanese Government under the Darfur Peace Agreement' and 'deal with the threats posed by the activities of groups that have rejected' the agreement (UNSC, 2006, p. 5).

In the same month, the credibility of the AU Mission in Sudan (AMIS) as a neutral party in the conflict was irreparably damaged when, at the insistence of the US and Sudan, it expelled non-signatory rebels from the Ceasefire Commission, a body designed to enable the parties to investigate and address violations jointly (in practice, to investigate and address each other's violations). The expulsions left the government and SLA-Minawi to investigate their own abuses (in theory).³⁰ They also left AMIS peacekeepers in a deeply problematic association with the government and SLA-Minawi in field bases like Haskanita, where 12 peacekeepers were killed in September 2007 after non-signatory rebels accused the government representative at the base of giving the air force information on their positions.³¹ JEM claimed that the AU had turned itself into 'an executive body for [President] Omar al-Bashir's junta'.³²

On 18 September, with combat zones multiplying, rebel groups dividing, and access to humanitarian aid below 60 per cent, the UN secretary-general's special representative, Jan Pronk, told the Security Council: 'The Darfur Peace Agreement is only four months old, but it is nearly dead. It is in a coma. It ought to be under intensive care, but it isn't.'³³

Despite this, the DPA remained the rationalization and justification for all action on Darfur, including the lever for deploying a UN peacekeeping force. The transition from the AU to the UN was not mentioned in the DPA. Washington feared that any agreement on this issue would be watered down by the AU and wanted to negotiate it separately with Khartoum. But after the DPA was signed, channels of communication between Washington and Khartoum became strained as the US position wavered between accommodation and escalating threats—the latter in response to the pressure of US domestic activists as much as any new developments in Sudan—and mutual distrust turned to recrimination. In August 2006 the Security Council voted to impose a Chapter VII UN force on Sudan.³⁴ President Bashir promptly called its bluff and rejected the resolution. For almost a year, international policy on Sudan was paralyzed while the United States tried to extricate itself from this impasse, finally (with Chinese assistance) compromising in July 2007 on a hybrid UN-

AU force with a Chapter VII mandate to 'take necessary action' to support and prevent the disruption of DPA implementation, but with no power to enforce it.³⁵ In the meantime, the DPA itself was neglected and slipped from being comatose to stone dead. 🙄

II. Multiple priorities and multiple instruments

UNAMID: The AU–UN Hybrid Operation in Darfur

By 2007 security in Darfur was declining alarmingly. The conflict had exacerbated existing tensions not only in Chad, but also in the Central African Republic, threatening to destabilize the entire region (Tubiana, 2008, p. 17). AMIS peacekeepers increasingly remained in their compounds, not performing the functions assigned to them, as they became viewed ‘not just as an enemy, but as a resource to be plundered’ (DFAIT, 2007). Four million people—more than half the population of Darfur—were reliant on aid for their survival (UN News Service, 2006), but almost 400 humanitarian workers out of 13,000 were evacuated in a single month (December 2006) because of attacks on relief compounds and deepening insecurity following the rejection of the DPA (*Sudan Tribune*, 2006).

The Darfur peace process, however, was adrift. Zoellick had resigned in August 2006. Baba Gana Kingibe had left his post as head of the AU mission in September, having been out of the country most of the time since the Abuja talks ended. Jan Pronk had been expelled from Sudan in October.³⁶ International attention was focused not on what was happening on the ground in Darfur, but on calls, including by the powerful ‘Save Darfur’ lobby, for armed intervention by NATO or other Western forces and, failing this, for UN peacekeepers with a mandate to protect civilians—by force if necessary.³⁷ In an indication of the confusion and contrariness of policy on Darfur, most of those involved in planning for an AU–UN transition acknowledged privately that the new force would be unable to deliver protection in a region as large and as complex as Darfur in the absence of a peace agreement, a ceasefire, or even a functioning ceasefire commission.³⁸ Senior officials in most governments, as well as the UN and AU, cautioned that peacekeeping required a peace to keep. Many feared that the peacekeepers might be drawn into a war they could not win. Some worried that they could become a tool of Khartoum, mandated to

restore government control in a context in which Khartoum was losing control as its own paramilitaries became insurgent (Flint, 2009, p. 11).

Paradoxically, the greatest concern about the focus on a UN-led 'protection' force—and the resultant neglect of the AU forces actually on the ground—was among senior diplomats and relief workers in Sudan itself. Senior staff in the United States and UN estimated that they spent five to ten times as much effort on peacekeeping issues as on peacemaking. Many worried that in making the case for a UN force, in the face of fierce opposition from the Sudanese government and neighbours, including Libya, they were obliged to do things that diverged from their own analysis—that more effort should go into negotiating a workable ceasefire and peace agreement.³⁹

Humanitarian workers acknowledged that activist pressure kept Darfur on the agendas of governments and institutions that would otherwise have been only too happy to let it disappear from their agendas. But they argued that the focus on the debatable notion of military intervention or a UN-led intervention as the answer to all Darfur's problems distracted attention from the immediate needs of Darfurians and relief providers. As a leading advocacy official said:

There was a desperate need for more protection for those aid agencies trying to meet the humanitarian protection needs of the civilian population and for better performance of the African Union, which may not have been performing well but was the only force on the ground—and realistically the best we would have for a long time to come. Humanitarians spent significant time and energy trying to get decision-makers to focus on the immediate and urgent humanitarian and protection needs of the civilian population. Yet, these problems got hardly any attention, in terms of finding solutions, until the situation got very bad, due to the focus being on the AU to UN transition.⁴⁰

During the two years of intense debate between the international community and the Sudanese government that it took for green AU helmets to be changed to blue UN berets, at the expense of the conflict resolution strategies demanded by those in Darfur, intra-rebel and intra-Arab fighting, banditry, and intermittent offensives caused the numbers of those dependent on human-

itarian assistance to double from two to more than four million. The number of IDPs increased from 1.8 million to more than 2.5 million.⁴¹ As civilian protection was increasingly linked to military intervention and unrealistic solutions like military no-fly zones,⁴² aid agencies and humanitarian workers suffered increased harassment, vilification, and even expulsions—often accompanied with statements that they were supplying information to the ICC or making up incidents to exert pressure for military intervention. Humanitarian workers were attacked on almost a daily basis, suffering beatings, sexual assault, carjackings, and robberies.⁴³ Government restrictions on humanitarian activities increased dramatically.

Re-energizing the peace process

It was not until February 2007, nine months after the Abuja talks ended, that preparations for new talks finally got under way led by Salim Ahmed Salim, the chief mediator in Abuja, for the AU and Jan Eliasson, a former Swedish foreign minister and president of the UN General Assembly, for the UN.

In an effort to ‘re-energize the peace process’,⁴⁴ Salim and Eliasson initially prioritized meetings with a wide range of stakeholders, including Arabs and civil society organizations, and sought the broader involvement of splinter groups—including, for the first time, an Arab rebel group.⁴⁵ Their acknowledgement of the failings of the Abuja formula raised hopes of a fresh approach. But new ideas about process were not matched by new ideas about substance, and in casting the net wider, without clear criteria for allocating seats at the negotiating table, the envoys alienated the most important rebel leaders and made unification unattractive. As rebellion became associated with material benefits—flights all over the world, accommodation in luxury hotels, generous per diems—the movements fragmented along tribal lines and new rebel ‘leaders’ emerged who were driven by economic, not political, motives.

Other lessons of Abuja were not learned. Most analysts agreed that without significant adjustments, including better guarantees for the disarmament of militias, the DPA would not win broader acceptance. But in mandating Eliasson and Salim, the AU and UN had ruled that the DPA could not be renegotiated. Despite being widely rejected, and therefore unworkable, the DPA

was to remain the only basis for the peace process. Outstanding issues were to be resolved by the end of the year—another arbitrary deadline that could not, and would not, be met.

Equally problematic were the very concept of a ‘hybrid’ peace effort and the selection of the people who would lead it. After Abuja, Salim had little credibility among Darfurians and was widely perceived as seeking only to prove the DPA right and its critics wrong, including by pushing a controversial development agenda with donors and the UN. ‘Our space is shrinking, we are being attacked more and more, and Salim is talking about recovery’, a senior relief official complained. ‘He refuses to accept the DPA has failed.’⁴⁶ Eliasson had ‘every single hour in the day accounted for in his diary’ before accepting the Darfur peacemaking role and only accepted the post of special envoy at the personal request of UN Secretary-General Kofi Annan.⁴⁷

Both Salim and Eliasson had a wealth of outside interests and worked part-time on Darfur. Neither based himself in the region, causing unhappiness even among their own staff (especially when the special representative of the European Union (EU), Pekka Havisto, a parliamentary candidate for Finland’s Green Party, also elected to live outside Sudan). The two men, according to a colleague, ‘spent half their time talking about their diaries and when they could meet. Just trying to coincide in the same place was very difficult.’⁴⁸ The Joint Mediation Support Team (JSMT)⁴⁹ was never fully integrated and functioned poorly, with the AU resentful of UN capacity and the UN critical of the AU. ‘No one had a really good grasp of what was needed in the mediation effort and instead of hard thinking kept adding resources—legal, administrative, IT, even its own jet and movement controls officer’, said Jack Christofides, director of political affairs of the UN Mission in Sudan (UNMIS).⁵⁰ It was ‘managerial incompetence of a very high order’.⁵¹

Road map—or cul de sac?⁵²

In June 2007, a month that saw one out of every six convoys in Darfur hijacked or ambushed,⁵³ Eliasson and Salim, accused of ‘footdragging’,⁵⁴ finally announced a three-phase ‘road map’. This proposed obtaining regional support for fresh negotiations, in order to eliminate competing initiatives, by the

end of June; creating a unified negotiating position and strategy among the movements by the end of July; and holding 'brief' negotiations in August. Seasoned Sudan watchers considered three months an impossible timeframe for resolving a conflict with multiple interrelated conflict lines.⁵⁵ But with agreement close on the transition to a UN-led force—UNAMID—the new secretary-general of the UN, Ban Ki-moon, wanted quick results.

Peace talks opened in the Libyan town of Sirte on 27 October 2007, two months behind schedule. Although cloaked in the language of success, the first two phases of the road map had achieved nothing of substance. The acquiescence of Eritrea and Libya to the international mediation was purely cosmetic: both were ready to sabotage it at any time if it were in their interest to do so, and both were opposed to any settlement that involved international peacemaking or peacekeeping. The rebels were more divided than ever, their fragmentation encouraged not only by a bidding war for their loyalty by Khartoum and its neighbours, but also by the mediators' strategy of welcoming almost any group that claimed a political agenda and a presence on the ground. Seeking a quick fix, the mediators turned a deaf ear to requests that the SLA be given more time to put its house in order and come to new talks with a united front. They also ignored warnings that the Sudanese government, under fire from activists and the ICC (see Box 3), was in no mood to make concessions.

Predictably, Sirte was a debacle, attended by many times more diplomats and 'experts' than rebels and boycotted by the three most significant movements—JEM, SLA-Abdul Wahid, and SLA-Unity, a loose alliance of mainly Zaghawa fighters who controlled parts of north and east Darfur. Inviting groups with acronyms no-one had heard of may have met certain democratic ideals, but as an efficiency standard to bring about an agreement, it didn't work. The biggest mistake, however, was the lack of preparatory work to ensure that the principals were ready to negotiate an agreement in good faith. 'We needed far more agreement among the big players before we started', Christofides acknowledged. 'Sirte should have been the cap on which other things were built, not a springboard.' A small group of mediators travelled to Darfur to plead with absentees 'to give Sirte a chance'. They were rebuffed. Nevertheless, the principals remained in Sirte for a month as Eliasson and Salim refused to acknowledge failure and adjust their approach accordingly—'prisoners of a

mindset', according to a colleague. Even as some in the UN were recommending leaving Libya, with a face-saving public assurance that 'the Sirte process' would continue, USD 1.5 million of equipment, including vehicles, hardware, and IT equipment, was being flown in for negotiations that most knew had already failed.

Box 3 **The ICC factor**

The Security Council gave the ICC jurisdiction over the situation in Darfur in March 2005, three months after the CPA was signed as a blueprint for the democratization of the whole of Sudan. In April 2007 Chief Prosecutor Luis Moreno Ocampo obtained arrest warrants against a junior Sudanese government minister, Ahmad Haroun, and a militia leader, 'Ali Kushayb', and in July 2008 applied for a third for President Bashir. On 4 March 2009 ICC judges issued an arrest warrant for the president on charges of war crimes and crimes against humanity, but rejected Moreno Ocampo's request that he be indicted for genocide.

The reverberations of the ICC intervention highlighted the contradictions of the response to the war in Darfur—on the one hand, a peacekeeping operation and peace process that to be successful required the cooperation of the ruling elite; on the other, a criminal process that alienated the elite and made any dealings with it (or concessions to it, even in the interests of peace) problematic.

The indictments deepened international divisions over Sudan. Arab and African states were generally critical. Western governments that had invested seven years in seeking a negotiated transition to peace and democracy were officially supportive, but in private harboured deep misgivings. Despite its flaws and fragility, the CPA was the essential foundation for any settlement in Darfur and there was concern that an 'over-focus' on criminal prosecutions would damage the gains of the CPA and undermine its implementation, make government hardliners more intransigent, embolden the Darfur rebels, and reduce the already limited power of Western governments to influence Khartoum (*Inner City Press*, 2007).

Khartoum reacted to the first indictments with threats against UN peacekeepers, and to the warrant against Bashir by expelling 13 international NGOs and shutting down three Sudanese human rights groups. The full extent of the disruption many predicted did not materialize,⁵⁶ but, with 10 of the expelled organizations having programmes dealing with rape, the expulsions dealt a heavy blow to the victims of sexual crimes.

The political fallout from the Bashir warrant was equally significant. Debate over a compromise under Article 16 of the Rome Statute, whereby the Security Council can defer an ICC investigation or prosecution for 12 months, distracted the attention of policy-makers from the need to organize a political process in Darfur and national elections in 2010. Reform of the security services through a new National Security Forces Act was put on hold as the NCP's objective changed from remaining significant within a democratized system to clinging to power at any price. The elections, designed as an option for greater power sharing, became a tool for legitimizing Bashir as he determined that being re-elected as president and remaining in the Republican Palace was his best protection against arrest.

Although Eliasson and Salim continued to meet with their international partners, there was no progress after Sirte and no serious effort to do what everyone knew was needed: organize a comprehensive process that included camp and community leaders, the Native Administration,⁵⁷ and Arab tribes. Eliasson made occasional visits to Darfur; Salim did not.

In June 2008 Salim and Eliasson resigned, saying that the Sudanese were not 'ready to sit down and make the necessary compromises'. This was not the only problem. The Security Council had been unable to agree on coordinated action to support the peace process since the United States imposed unilateral sanctions on three individuals and 30 companies in May 2007.⁵⁸ Chadian support for JEM had grown exponentially since the Darfur rebels defended the presidential palace in N'Djamena against attack by Chadian rebels in February 2008. But the ultimate failure lay with the Sudanese. The Sirte process, no matter how flawed, would have survived had there been sufficient will among the Sudanese to reach an agreement. But there was not. For Khartoum, the prize of peace was international recognition and, as it resisted a UN force, it was seeing that goal recede. Most rebel leaders were more concerned with personal power than peace. From the safety and comfort of Paris, Abdul Wahid made two impossible demands—to be recognized as the sole leader of an SLA that was irrevocably fragmented and to negotiate peace only after his protection was guaranteed, failing (or refusing) to comprehend that the two were linked. Rebel commanders with principle and clarity of purpose despaired of the path the movements were taking in the hands of men 'concerned only with their own leadership'.⁵⁹

The United States divided⁶⁰

Responding to popular pressure, US President George W. Bush in September 2006 appointed a special envoy for Sudan. Andrew Natsios was the first US special envoy since John Danforth was named in 2001 to reinvigorate the North–South peace process. As administrator of the US Agency for International Development (USAID), Natsios had visited Darfur in 2003 and had pressed Khartoum to ease restrictions on foreign aid workers and humanitarian supplies. At his prompting, the US Embassy in Khartoum began to report

'ethnic cleansing'. Three years on, UN officials expressed concern that the 'blunt' Natsios, with 'a long record of butting heads with the Sudanese', might pursue a confrontational approach that would harden Sudanese opposition to a UN force (*Washington Post*, 2006).

The major disagreement over Sudan in the United States stemmed from two views of how the NCP of President Bashir responded to pressure. One view, espoused by organizations like ENOUGH⁶¹ and the International Crisis Group, held that the more Khartoum was hurt and put under pressure, the better it would behave. The second view was that Khartoum had alternatives: it could dig in, empowering hardliners, or turn elsewhere for support. Natsios's view was that peace in Darfur required the consent of the ruling elite, however appalling its record. He agreed that Khartoum might respond to pressure, but believed that any change brought about by pressure would only be temporary. Accordingly, he ignored demands from religious and human rights groups for more aggressive action on Sudan and worked to re-establish a rapport with Khartoum. He acknowledged the need for some kind of process in Darfur, but prioritized North–South relations in the belief that 'once the CPA was signed, our job was to try to make it work—not undermine it'.⁶² He believed that the worst of the killing was over in Darfur, but feared a new bloodbath in the South if the CPA collapsed.

Natsios was sceptical of the notion that UN forces would be able to impose any kind of peace in Darfur without a political agreement, but at the same time he thought agreement unlikely. He considered the conflict unripe for resolution, in large part because of the problems posed by the fractious rebels—the refusal of Abdul Wahid to engage in any negotiations, the disconnect between negotiators from the diaspora and commanders in the field, and the 'perverse effect' advocacy campaigns were having in inflating demands and instilling false expectations about the degree of support the movements could expect from a US administration. After the Sirte debacle, the Sudan People's Liberation Movement (SPLM) of Southern Sudan, supported by Jendayi Frazer, had launched an attempt to unite the rebels. But Natsios questioned the southerners' motives. He believed they were building a military alliance to march on Khartoum, having been led to believe that Washington would provide air cover.⁶³

Washington's ability to influence Khartoum had been badly damaged by a history of broken promises; support for the ICC process in Sudan (although not for the ICC itself);⁶⁴ divisions within the administration over the relative merits of engagement or confrontation; and infighting in Washington that undercut Natsios's authority and, ultimately, his credibility with his Sudanese interlocutors.⁶⁵ In pursuit of the unattainable and in support of the improbable, instructed to be 'visible', but to do nothing that would damage peace efforts in the Middle East, Natsios attempted to enlist the support of Sudan's neighbours and Arab allies for peacemaking and peacekeeping, which he attempted to pursue in tandem. He visited China, Khartoum's most important supporter at the Security Council and a long-term actor in Sudan, believing that just as China had influenced the war in Sudan through political and economic support for the NCP, so it could influence peace.⁶⁶ The language of encouragement adopted by Natsios provided a more constructive framework than the crude denunciation of some activist rhetoric, and the tone in which it was delivered had the degree of respect Chinese leaders felt able to respond to. During Natsios's term in office, China went beyond behind-the-scenes diplomacy to publicly affirm the need for action in Darfur—even before Save Darfur's 'Genocide Olympics' campaign linked China's role in Sudan to the 2008 Beijing games—and to call for a 'comprehensive political solution' to the conflict. China also played a highly effective role in convincing Khartoum to accept UNAMID once language threatening sanctions was dropped.

Within weeks of taking office, Natsios met secretly in Darfur with Musa Hilal, first on the State Department's list of suspected war criminals. Coming from a USAID background, Natsios was concerned about nomads as a group. He also realized that the militias that responded to Hilal were part of the problem and thought that the United States should play the role of neutral mediator, as it had during the CPA negotiations. But Natsios did not have the influence in Washington he needed to impose his views and in April 2007 President Bush announced a plan for targeted economic sanctions against Sudan because of its prevarication and opposition to UN troops. Two days earlier, the Sudanese government had agreed to a 'heavy support package' for a hybrid force.⁶⁷ In Khartoum's view, Washington was guilty of moving the goalposts, just as when, bowing to public anger over Darfur, it reneged on a promise to normalize relations after the signing of the CPA.⁶⁸

Natsios resigned in December 2007, weary of the infighting in Washington, and was replaced by Richard Williamson, a former US ambassador close to President Bush, who arrived with the authority that Natsios initially lacked.⁶⁹ Within a month of taking office, Williamson received an overture for talks from the Sudanese government, conveyed through Foreign Minister Deng Alor at the AU summit in Addis Ababa in January. Williamson believed that Khartoum wanted to test whether a deal was possible. It had seen the Bush administration make a 180-degree turn on Libya.⁷⁰ It had ended the military threat initially posed by the rebels, but now faced a new one—from its own militias.⁷¹ It believed the South was going to separate in 2011 and wanted at all costs to keep the North united. Accordingly, Williamson presented Khartoum with an eight-page wish list focused on Sudanese actions in Darfur in return for steps towards normalizing relations and told the Sudanese that he would ‘go to the president’ with their list if they moved on his. The first two items on Williamson’s list were to increase humanitarian access and accelerate the deployment of UNAMID. He had already concluded that there was little point in spending time on a peace process he believed could not be delivered, for several reasons: on the Sudanese side, the deeply ingrained habits and patterns of the government and the lack of organization and commitment of the rebels, whom he considered ‘entrepreneurs of violence and self-promotion’; on the US side, the fact that the Bush administration was ‘exhausted, spent’ by the Iraq war and Secretary of State Condoleezza Rice was ‘disinterested’ in Darfur.

Williamson spent five ‘frustrating’ months trying to hasten UNAMID deployment until the appointment of a new UN under-secretary-general for field support, Susanna Malcorra, put new energy and imagination into the effort. In mid-year, however, government and southern forces clashed in the front-line town of Abyei, the ICC sought President Bashir’s arrest (despite three meetings between Williamson and Chief Prosecutor Luis Moreno Ocampo, at which Williamson tried to dissuade Moreno Ocampo from indicting the president), and the NCP reverted to form. In August government security forces shot dead 32 civilians and wounded 108 others in an attack on Kalma IDP camp (OHCHR, 2009).⁷² Soon after, army troops and paramilitaries launched a new offensive against rebel positions in North Darfur. Williamson moved on to his third item. In a memorandum to President Bush, he proposed jamming

all communications in Khartoum for 24 hours and moving US naval vessels near Port Sudan to serve warning that Sudan's oil exports were in US sights.

Williamson believed that 'diplomacy without force is like music without an instrument' and was convinced that the measures he proposed would have been like 'throwing a bucket of cold water' on Khartoum. But he did not have the support of Secretary of Defense Robert Gates, already fighting one war in Iraq and unwilling to risk a second in Sudan. 📄

III. One mediator, many mediations

'A difficult mission, but not mission impossible'⁷³

By the end of 2007 the UN and AU were looking for a single mediator to replace Eliasson and Salim. The search took six months, prolonged by disagreement within and between the two organizations and by the reluctance of several of those approached to take on a task that they believed would be thankless.⁷⁴

In announcing the appointment of Djibril Bassolé, a former security and foreign minister of Burkina Faso, on 30 June 2008, a UN spokesman cited his 'extensive experience in multilateral diplomacy and peace processes', notably in helping negotiate the 2007 Ouagadougou Agreement between the Côte d'Ivoire government and Ivorian rebels. In Ouagadougou, however, Bassolé had assets that he would not have in Darfur: Burkina Faso had been a backer of the Ivorian rebels and was a heavyweight mediator with incentives of its own to offer; in Darfur, Bassolé had little influence and no personal leverage. Observers welcomed the fact that he would be working full-time and planned to base himself in Darfur, but soon expressed concern that he was too cautious, and not forthcoming enough with new ideas and approaches.

The movements gave Bassolé a cautious welcome. The Sudanese government welcomed his appointment, seeing a potentially useful ally in a country (Burkina Faso) that was a non-permanent member of the Security Council and would hold the presidency of the Council in September, when Sudan's vice president, Ali Osman Taha, planned to lead a delegation to New York to seek a resolution condemning the ICC.

Bassolé inherited what Eliasson, on the eve of his departure, called 'a very, very sombre situation', with the parties refusing compromise and the rebels fragmented into dozens of factions (Bloomfield, 2008). From the very beginning, Bassolé was driven by events: an attack by JEM that reached Khartoum's twin city, Omdurman, in May 2008; charges filed against President Bashir by the ICC on 14 July, two weeks after his appointment; and then, in September,

an Arab League initiative for negotiations in the Gulf state of Qatar, which very quickly got significant AU support and which Bassolé joined ‘in order not to be hijacked by it’.⁷⁵

The collaboration between Bassolé and Qatar’s state minister for foreign affairs, Ahmed bin Abdalla al-Mahmoud, came with the promise of substantial Qatari development money for Darfur in the event of an agreement. But it was heavily criticized by many rebel groups, including SLA-Abdul Wahid. Qatar had good relations with the two main wings of the Islamist movement in Sudan, President Bashir’s NCP and Hassan al-Turabi’s PCP, and in 2001 had attempted to reconcile their differences. As a non-permanent member of the Security Council in 2006–07, it had abstained on the vote to create a UN peacekeeping force for Darfur and in 2008 had been the first Arab country to accuse the ICC of ‘interfering in the internal affairs of Sudan’. A decision by Bassolé to try to kick-start a political process by dealing with the ‘hard men’ needed for a ceasefire—the government and JEM, many of whose leaders came from the PCP—inevitably led to accusations that the new mediation was ‘a pure Islamic fundamentalist initiative’ to reunite Sudan’s Islamists.⁷⁶ Bassolé countered this criticism by arguing that, in focusing on JEM, he hoped to put pressure on Abdul Wahid to join the Doha process. Qatar, for its part, was attempting to carve itself a role as a ‘third way’ in Middle East and international diplomacy. It maintained political contacts with countries as opposed as Israel and Iran; it hosted US Central Command, the US military command structure directing the wars in Afghanistan and Iraq, as well as the Arab television station Al Jazeera; and in May 2008 it had used its influence with pro- and anti-US groups in Lebanon to broker a deal to end a political crisis that many feared could tip the country back into civil war.

Although France and Britain supported the mediation’s focus on JEM, others strongly opposed it. Many Darfurians argued that the high profile accorded JEM buttressed its claim to be the only representative of the Darfurian people in the wake of its attack on Omdurman⁷⁷ and played into the hands of a narrowly-based group that had no interest in elections or any form of popular representation based on even semi-democratic elections.⁷⁸ The only agreement JEM wanted, they said, was one that would give it immediate access to power and delay elections until it could create new realities on the ground. Others

wanted Bassolé to chip away at Abdul Wahid's intransigence by appealing directly to his supporters in the IDP camps. They urged Bassolé to spend more time in Darfur and to encourage UNAMID to attempt to weaken Abdul Wahid's influence in the camps by doing more to address the concerns of camp-dwellers. Bassolé, however, continued to spend most of his time in Doha, strengthening the movements' conviction that he was 'a passenger on the Qatari bus'.⁷⁹ He had little time for UNAMID, saying privately that the mission had no new ideas or leverage to offer.⁸⁰

Talks between the government and JEM opened in the Qatari capital, Doha, in February 2009. With wildly differing priorities,⁸¹ the parties were united only by their disinclination to make concessions. The government, in the opinion of UN officials close to the mediation, still clung to the hope of a military solution; the rebels believed that a government weakened by the expected indictment of President Bashir would concede more further down the line. In the event, the government reacted with defiance: within hours, Khartoum expelled 13 international NGOs and closed three Sudanese human rights groups at gunpoint. JEM withdrew from Doha, demanded a no-fly zone over Darfur, and threatened further attacks to attempt to topple the regime.

Bassolé's natural reserve and background in security work took him to the opposite extreme of his predecessors: he kept a very small team, criticized by many for being too inexperienced, and tended to 'work solo' even within the team. His disinclination to give a public narrative of his strategy further alienated Darfurians, who interpreted his focus on JEM, long after it was generally agreed to have failed, as support for one tribe—the Zaghawa. US officials in Khartoum complained that the mediator was not using international leverage and was insisting on 'charting his own way'.⁸² UN officials in New York countered that the P3, especially, had failed to support the mediation with strong political *démarches*. They contrasted the response to the post-election violence in Kenya in 2007–08, when Kenyan leaders were threatened with the freezing of their bank accounts and the withholding of university places for their children. The Kenyan negotiations, they said, could not have succeeded without P3 support, including technical assistance, experts, incentives, and a high-level presence. 'There was 24/7 assistance from these countries', a concerned official in the UN Department of Peacekeeping Operations said. 'In Darfur, their

attitude has been, “Tap us on the shoulder when you have a deal, and we’ll come and party with you.”⁸³

By mid-2009 concern was widespread about the depth and breadth of Bassolé’s approach and the quality of his outreach to neighbouring countries. There were calls for him to change the formula of the talks and design a process in which the major tribes (and especially the Fur and the Arabs) were well and credibly represented, and IDPs, civil society, and international partners had a strong supporting role. Even those who liked Bassolé’s low-profile approach questioned whether he had a strategy, beyond a ceasefire. Members of the mediation insisted that Bassolé had always had a strategy; he simply saw no need to make it public. JEM was only the first stage. After a ceasefire, he planned ‘a loose coalition’ of other rebels and, finally, an expanded forum with civil society—defined as individuals, including Arab tribal leaders, who had both authority and respect within their communities—to provide a stable core to the process and catalyze the movements. But with international interest in Darfur waning as the death toll decreased and national elections approached, Bassolé lacked a sense of urgency: the first discussion with Arabs was in July 2009 and the first conference with civil society representatives four months later. By this time, there were at least six parallel peace initiatives, regionally and internationally.⁸⁴ The mediation publicly welcomed them, on condition that all roads led to Doha, but acknowledged privately that they distracted from the central process.

The civil society conference held in Doha on 16–19 November 2009, billed as ‘the opening session of the launching of the comprehensive Darfur peace talks’, was the first achievement of the Bassolé mediation. Although JEM and Abdul Wahid opposed the meeting, claiming (without supporting evidence) that most delegates were aligned with the NCP, Khartoum broke with past practice by allowing it to proceed unopposed (see Box 4). In just three days, delegates from Darfur and the diaspora succeeded in doing what the movements had failed to do—forge a single position, from separate position papers prepared in advance. They made the agenda prepared by the mediation their own, adding security arrangements and disarmament; wealth sharing and economic and social development; and justice, reconciliation, and the return of IDPs to the four topics already proposed for discussion: land, power-sharing,

Box 4 **Civil society under siege**

Given the obstacles (and dangers) facing civil society, the DPA established a separate body, the Darfur–Darfur Dialogue and Consultation (DDDC), to enable community leaders to raise issues concerning peace with members of the international community and to talk to each other free of government interference. The DDDC failed to live up to the hopes invested in it. It was widely criticized by both Darfurians and donors for being slow to start and erratic in performance and, in the words of one civil society organization, for lacking ‘the vision and the commitment needed to do anything meaningful in Darfur’. It increased the fragmentation of civil society, the Governance Bureau said, by ‘separately meeting IDPs, scholars, activists, politicians, tribal chiefs, women, [and] youth’ rather than attempting to integrate them (Governance Bureau, n.d.).

Bassolé’s decision to put Sudan’s once-vibrant civil society at the heart of the peace process in order to compensate for the armed movements’ disintegration and lack of capacity was not the first attempt to revitalize the peace process by isolating the movements. Other attempts, including those with official authorization, suffered from government control and/or interference. All failed. They included the following:

The Sudan People’s Initiative. President Bashir announced a broad-based consultation to end the violence in Darfur in August 2008, a month after the ICC demanded that he stand trial for genocide, claiming that the consultation would produce national solutions to the Darfur conflict. Critics, including the armed movements, wrote the conference off as a public relations trick intended only to trigger Article 16 of the Rome Statute. The conference opened in October 2008. Although it marked the first time that Khartoum had accepted a role for civil society, access was tightly controlled and IDPs were absent. The government committed itself to incorporate the movements’ demands for compensation and a single Darfur region into its negotiating position at future talks. But the initiative stalled, amid a lack of international interest in it, as the prospect of an Article 16 deferral faded.⁸⁵

Mandate Darfur. At the request of a handful of prominent personalities from northern opposition parties, the Mo Ibrahim Foundation⁸⁶ funded and organized a meeting of 300 Darfurians from civil society, NGOs, and the diaspora to draw up ‘an authoritative mandate’ for negotiators. The movements agreed to attend the meeting, planned for Addis Ababa in June 2009, as observers. Abdul Wahid reportedly demanded a substantial show-up fee. Mo Ibrahim laid down four conditions for supporting the conference—that half the delegates be women, proceedings be transparent, all political parties including the NCP be represented, and preparatory meetings be held across Darfur to ensure that delegates were selected, not appointed. The initiative was hailed as possibly being ‘Sudan’s best hope’,⁸⁷ but ended before it began—amid squabbles that echoed the divisions within the movements—when the government withdrew support, arrested the Darfur coordinator of the meeting, and threatened to charge with treason anyone who attempted to get on a flight to Addis Ababa.⁸⁸

civil society, and ‘general issues’. The land chapter was expanded to make specific mention of ‘nomadic routes’.

The presence in Doha of two government hardliners—Gen. Adam Hamid, former governor of South Darfur, and Gen. Hussein Abdalla Gibril, former governor of North Darfur—failed to influence the deliberations. The final Doha Declaration⁸⁹ not only called for an immediate ceasefire and negotiations; it made strong demands for justice, an end to impunity, and a settlement of land disputes, including the return of all IDPs to their villages and the evacuation of settlers (sec. 2.5.3). It called for ‘the simultaneous collection of weapons from all parties except the regular forces’ (sec. 2.1.2B). It made no reference to the ICC and rather emphasized ‘transitional justice’—at all levels, from local to international—in order to ‘cure the soul and mend the social fabric’ (sec. 2.4.1). There was no mention of genocide, ongoing or past, only to ‘illegal stop and search[es] of IDPs’ and unspecified impediments to security in the IDP camps (sec. 2.1.1C). There was no call for the armed movements to have a role in escorting IDPs back to their villages, as demanded by the movements. This should be organized by the Native Administration ‘with the help of the unified police, UNAMID forces in addition to the army if necessary’ (sec. 2.1.2D). The thorny and potentially disruptive question of reorganizing the three states of Darfur into a single region, a key demand of the movements, was put aside for the moment, deemed to require more ‘research and consultation’ (sec. 2.3.11).

As the movements looked back, stressing retribution, the representatives of civil society looked forward, demanding the re-establishment of boarding schools (especially important for pastoralists), ‘major development projects of national character [to] foster a sense of nationhood and [remove] a sense of marginalization’ (sec. 2.2.1), and job creation (sec. 2.2.5). They acknowledged that not all IDPs would want to return, and urged that provision be made for them (sec. 2.4.6), as for pastoralists choosing to settle (sec. 2.5.4).

Saviours or spoilers?

Bassolé’s decision to cooperate with the Arab League to avoid entering into competition with it inevitably added intra-Arab tensions to those already existing among Sudanese. Relations between Qatar and Egypt, a neighbour of

Sudan with a strategic interest in stability across its southern border, had been strained ever since Israel attacked Lebanon in 2006 and Qatar aligned itself with the 'radical' camp of Syria, Iran, and Hezbollah rather than Egypt and the 'pro-Americans'. These relations had worsened in January 2009 when Qatar hosted an Arab summit on Gaza—attended by Iran, Syria, and Hamas, but boycotted by Egypt's President Hosni Mubarak—as 'moderates' attended a meeting in Riyadh. The following month, when Mubarak called for a reconstruction conference for Gaza, Qatar called for a separate conference. Egypt was reportedly 'very, very angry' when the Doha initiative on Darfur was launched and began organizing another platform to 'smash' the Qatari initiative.⁹⁰ In July, claiming that the Qatari mediation had failed, Cairo invited a number of rebel groups to Egypt in what was billed as a unification drive, but which only increased the disarray in the movements.

Libya also felt excluded from the Doha process—especially, according to a Darfur politician close to Tripoli, after Khalil Ibrahim refused to brief Libyan officials on the first meetings in Doha. Despite giving JEM logistical support in the hope of obtaining leverage over the rebels, Libya's initial involvement in peacemaking in Darfur had been largely constructive. In 2004 Col. Gaddhafi had brought traditional leaders, civil society, and Arab tribal leaders together in two rounds of 'people-centred' talks.⁹¹ Since then, it had been hard to point to sustained Libyan mischief making, despite Gaddhafi's belief that Khartoum was supporting Libyan Islamists. In 2009, however, Gaddhafi sought to strengthen his hand in Sudan by creating a rebel alliance of his own as an alternative to the independent-minded Dr Khalil (see Box 5). Mindful of his predecessors' unsuccessful involvement in rebel unification, Bassolé welcomed the Libyan initiative on condition that it supported the efforts under way in Doha. Critics said he had lost control of the process and the centre of gravity was no longer the mediation.⁹²

Two powerful new players entered Bassolé's already crowded pantheon in March 2009 when US President Barack Obama appointed a retired air force general, Scott Gration, as his special envoy to Sudan and the AU inaugurated a High-Level Panel on Darfur (AUPD) headed by the former South African president, Thabo Mbeki, to recommend how best to work towards peace, reconciliation, and justice. The Bassolé team expressed hope that the AUPD would

suggest credible options on justice and provide what one called ‘a face-saving way for the government to make concessions’. Others expressed concern that strong criticism of Bassolé within the AUPD would undercut the mediation.

Box 5 **The ‘Tripoli Group’**

Initially known as the ‘Tripoli Group’, but later, after a number of defections and permutations, as the Revolutionary Liberation Forces of Sudan, this made-in-Libya alliance was composed of Zaghawa, Masalit, and Arabs, but lacked a leader of genuine standing or popular appeal. Several of the signatories had feet in several camps. Most had no substantial following and little military strength. Two were reported to have received funds from the Sudanese Embassy in Tripoli.⁹³ The group attempted to increase its credibility in September 2009 by announcing that a former Darfur governor, Tijani Sese, would lead it, but Sese categorically denied this. Its members were as follows:

SLA-Khamis Abdalla. The original vice-chairman of the SLA, Abdalla had been absent from Darfur for several years, moving between Asmara and Nairobi, and had seen his support even within his own Masalit tribe dwindle. Of little weight since the DPA, and with most of his people in Chad since the devastating offensives of 2003–04, he had become notorious for promising his support to all sides, even when they were in conflict with one another.

SLA-General Line (or Mainstream). Headed by Heidar Adam, a Masalit formerly with Khamis Abdalla.

SLA-Field Leadership. Headed by Ali Mukhtar, a Masalit, also formerly with Khamis Abdalla. Mukhtar represented the SLA in the Ceasefire Commission before moving to SLA-Minawi, then SLA-Unity, and finally to Libya, where he worked as a trader before creating a ‘movement’ of his own.

SLA-Juba. Mohamed Saleh Harba, a member of the Kobe branch of the Zaghawa, led a breakaway movement from JEM in 2005, criticizing Khalil Ibrahim’s ‘dictatorial’ style of leadership. After the DPA was signed, Mohamed Saleh went to Khartoum with Minni Minawi before joining the main SLA opposition to Abdul Wahid in the SPLA-supported SLA-Juba group. He split from SLA-Juba, but, confusingly, kept the name.

SLA-Unity. A mainly Zaghawa splinter of the original SLA-Unity, this grouping had almost no presence in Darfur and was led by relative unknowns from the diaspora. Its most vocal figure was former Minawi spokesperson Mahjoub Hussein.

Democratic Sudan Liberation Movement. Formed in August 2009 by former SLA-Minawi commander Ali Carabino.

United Revolutionary Forces Front (URFF). An Arab alliance, composed mainly of Abbala nomads, that emerged in 2007 led by Ibrahim Zubeidi, a graduate of Khartoum University. The URFF controlled no fixed areas, but, like Carabino’s group, was reported to have a degree of armed strength that other components of the ‘Tripoli Group’ lacked.

The AUPD report presented to the AU Peace and Security Council on 29 October did not dispel these fears. Describing its report as ‘a call for a political process’ to re-energize ‘a moribund peace process’ (Making Sense of Darfur, 2009b)—clear criticism of Bassolé’s 16 months as mediator—the AUPD demanded more supervision over and reporting by Bassolé. It laid out a ‘road map’ for a ‘global political agreement’, beginning with the cessation of hostilities, which Bassolé had just concluded was not possible for the moment. It urged rebel unity and inclusive negotiations, but offered no ideas as to how to overcome the obstacles to both. It assigned a central role to the DDDC,⁹⁴ which donors complained had failed to build a real dynamic in Darfur (until it organized the public hearings in which the AUPD met with civil society representatives).

On the justice issue, the AUPD surprised detractors who had claimed it would provide an escape route from the ICC for President Bashir (AU, 2009). It endorsed the ICC, without mention of Bashir, as ‘a court of last resort (and limited capacity), which complements the national judicial systems’ (para. 339). It called for strengthening national legal systems and establishing a ‘hybrid court’—envisaged as a chamber within the existing judicial system, hybridized through international staff—to bring to trial individuals with ‘particular responsibility for the gravest crimes committed during the conflict in Darfur’ (para. 25[b]). The Sudanese government refrained from dismissing the proposal out of hand, but on 18 November substantiated fears that it would attempt to water it down in the implementation stage by saying that although it might accept hybrid courts under certain conditions, they should not ‘be at the expense of Sudanese independence and its sovereignty’ (*Sudan Tribune*, 2009).

Critics and supporters agreed that the biggest challenge facing the AUPD would be the AU’s ability to implement its recommendations. Some said hybrid courts would be unworkable without a much stronger implementation mechanism than was currently available. Others questioned whether the AU had the commitment to really push its recommendations, which included acknowledgement of and apology for the ‘serious’ crimes committed in Darfur.

In an unintended but stark illustration of the multiplication of initiatives on Darfur, President Obama announced Gen. Gration’s appointment on the same day as the AUPD was inaugurated, declaring Sudan a priority for his

administration. But Washington's priority was not Darfur; it was saving the CPA through 'dialogue and engagement' with Khartoum in an effort to contain rising North–South tensions and avoid non-consensual partition in 2011.⁹⁵ US policy laid out nine months after Obama took office featured rewards and punishments for Sudanese leaders based on whether they met unspecified benchmarks in three areas: Darfur, the CPA, and counter-terrorism.

In Darfur, Gration's public efforts focused on endeavouring to unite rebel leaders, beginning with those moving in the orbit of the SLA (see Box 6). He risked replicating the mistakes of Eliasson and Salim by giving international

Box 6 **The Gration group**

Meeting with Gen. Gration for the first time in Addis Ababa in August 2009, leaders of several factions agreed on a 'road map' that they said would lead to a unity conference in Darfur within two months. The road map envisaged uniting dissidents from the original SLA before broadening out to embrace others, including splinter groups from JEM. Less than three months later, with the unity conference postponed indefinitely, Gration's SLA interlocutors were questioning his commitment to the process because of his silence over the recent arrest by JEM of the chief of staff of SLA-Abdul Wahid, Yousif Ahmad Yousif 'Karjakola'. Karjakola was seized while crossing the border from Chad, reportedly to rally support for the unity conference in Abdul Wahid's stronghold of Jebel Marra.

The three SLA factions in the Gration group were as follows:

SLA-Juba. The original Juba faction led by Ahmad Abdul Shafi, the first close Fur associate of Abdul Wahid to challenge his leadership, but now contested himself—in part because of his long absence from Darfur in Southern Sudan; in part because of his weak performance since challenging Abdul Wahid.

SLA-Unity. The original SLA-Unity led by Abdalla Yahya, a young Zaghawa commander with a loyal but limited following in North Darfur.

The third SLA faction was a group of North Darfur commanders led by **Ismael Rifa Jara**, a member of the Meidop tribe and former military leader of SLA-Unity. Rifa joined SLA-Abdul Wahid in 2007, believing that the movement should be led by a Fur. He left early in 2009, alienated by Abdul Wahid's absence from the field and his failure to establish democratic structures and accountability.

Also present at the Addis meeting was one non-SLA faction—the United Resistance Front (URF) of Bahr Abu Garda, deputy to Khalil Ibrahim in JEM until the two split in 2007 and subsequently named by the ICC in connection with the September 2007 attack on the AMIS peacekeepers in Haskanita. In October 2009 the URF joined a separate Egyptian initiative with members of the Tripoli Group and others who rejected Libya's insistence that a unity conference be held in the Libyan town of Kufra rather than Darfur. These included a second splinter group from JEM—the Democratic Justice and Equality Movement led by Ibrahim Azraq.

recognition to individuals with little or no following or influence in Darfur, whom JEM dismissed, not entirely without reason, as ‘Internet groups’.⁹⁶ More usefully, Gration supported Bassolé’s shift of emphasis to civil society by challenging IDPs to think about their future for themselves and to critically evaluate Abdul Wahid’s leadership. ‘Your future is in his hands, and his hands are in Paris’, he told them. ‘You need someone who is working for you in Darfur.’⁹⁷

Gration was walking what was for him unfamiliar territory. His timetable for peace—initially, a ‘final settlement’ by the end of July—infuriated his European colleagues. He also had formidable adversaries in Washington, in Congress, and among genocide prevention groups refinanced by the Omidyar Network of eBay founders Pierre and Pam Omidyar. Gration caused a storm in the United States when he offered Khartoum ‘a hand of friendship’ and spoke of ‘remnants’ of genocide (*Washington Post*, 2009). ‘It may be true,’ one of his predecessors said, ‘but there is no benefit from saying it.’⁹⁸ He ignored advice to talk tough and make compromises behind closed doors. Instead, he said: ‘We’ve got to think about giving out *cookies*. Kids, countries, they react to gold stars, smiley faces, handshakes’ (McCrummen, 2009). He appeared to belittle the suffering of victims by regretting the ‘psychological stuff’ he said was delaying a settlement (McCrummen, 2009). Focusing on his careless language, Gration’s critics accused him of pandering to Khartoum. When he failed to show quick results, they demanded that he be replaced by someone who ‘will deal forcefully and effectively with Khartoum’ (*New Republic*, 2009).

Behind closed doors, however, Gration’s ‘soft’ approach was making quiet progress in some areas, including the Chadian dimension of the Darfur crisis. In August 2009 President Bashir issued a decree removing Salah Gosh from the National Intelligence and Security Services (NISS).⁹⁹ Soon after, Khartoum-backed Chadian rebels retreated from the border towards the interior of Darfur.¹⁰⁰ The deal struck, according to a number of sources, was for restraint on Gosh and the militias controlled by him—including the Chadian rebels—in return for reduced Libyan and Chadian support to JEM. In December 2009 Chadian Foreign Minister Moussa Faki Mahamat held talks with President Bashir in Khartoum and agreed to enforce border controls on rebel movements as a first step towards normalizing relations. A JEM official claimed privately that Chadian logistical support had been significantly reduced.¹⁰¹ 📄

IV. Conclusion

By the end of 2009 the unclenched fist extended by Washington to Khartoum had produced a number of apparent, but reversible, results. Some of the agencies expelled in March had been allowed to return (albeit as different legal entities and with lasting damage done to their operations). Relations between Sudan and Chad were improving. Khartoum had accepted the so-called 'civil society track' in Doha, raising faint hopes (already dimmed) that a peace process that was at a complete standstill might find a new lease of life. In 2010, UN sources say, the UN secretary-general, who made climate change the world body's top priority in 2009, will put new emphasis on Sudan. Darfur, however, has missed its best chances for peace, even as the international focus on the region has undermined the CPA and contributed to the near-breakdown of the Government of National Unity. More than three and a half years after the DPA was stillborn, the focus of foreign engagement has shifted back to managing national elections and the 2011 referendum on self-determination in an attempt to avoid a worst-case scenario of renewed civil war across a larger canvas than Darfur's.

In Darfur, the international process has become so complicated that disagreements among the P5, within the UN, between the UN and AU, and among Sudan's neighbours, not to mention the ongoing bitter contests for who controls US policy, have come to consume as much energy as the mediation of the conflict itself. This divided and acrimonious international environment contributes to the Darfurians' lack of confidence in any mediation process. The national crisis over elections and the likely partition of the country in 2011 interacts with the unresolved Darfur conflict to create frightening scenarios of violence and intractability. Failure to settle the Darfur conflict in time for the April 2010 elections threatens to delegitimize any new elected government. A violently contested secession in January 2011 could also easily reignite major armed conflict in Darfur.

The international community has applied an unprecedented number of instruments to the Darfur crisis, ranging from mediation and peacekeeping to arms embargoes and prosecution. None has succeeded. Spoken support for UNAMID, the centrepiece of international efforts ever since Abuja, has been deafening, but practical support has been disappointing—especially from the EU and, with the exception of the United States and Germany, the G8.¹⁰² It was only in November 2009 that UNAMID received (from Ethiopia) the first tactical helicopters required for the Darfur mission. The force still lacks a number of key enablers, including transport helicopters and two heavy transport units. By the end of 2009 troop numbers will be high, with 95 per cent deployment expected, but, lacking mobility, they will not have the capacity to move around as required to respond to incidents and protect civilians.

The horrific offensives that killed tens of thousands of civilians in 2003–04 have been replaced by an infinitely more complicated crisis: increased regional competition for influence, multiple internal wars, and a thriving war economy. As criminality replaces armed conflict as the main driver of insecurity, violent deaths have declined to an average of 100 a month, according to UNAMID statistics—a fact most observers attribute more to the proliferation of local reconciliation agreements than to UNAMID troops in their ‘supercamps’.¹⁰³ But humanitarian access has continued to shrink and UN officials warn that while UNAMID has created political space for reporting and monitoring, its ability to stop crimes is limited.

All serious analysts agree that lasting peace will come only through a multi-track process with investment at all levels that engages all communities and is supported, but not driven, by the international community. The likelihood of a peace agreement emerging in the present climate is unlikely, however. The current configuration of political forces will change dramatically in the next year, and the peace process will need to be reconfigured accordingly. In the meantime, the best option is not to tie the mediation up in new blueprints for peace, but to try to make the existing formula work, albeit with a shift of emphasis to engagement with tribes and IDPs, and to improving security arrangements on the ground through local communities already working towards reconciliation. If an inclusive peace is unattainable for the moment, it is time to step back and enable different groups to get together, including through

a reinvigorated DDDC, to address the root causes of the conflict and agree on a common vision of what post-war Darfur should look like.

The landscape of Darfur is not what it was in 2003. The region has urbanized faster than any other part of Sudan. South Darfur is now the second-most populated state in the country, after Khartoum.¹⁰⁴ Its capital, Nyala, has doubled in size since the conflict began. The IDP camps are serviced peri-urban settlements that require city planning and legal rights, including land rights, for those who will choose to remain there. Efforts are at last under way to attract donor funds to early recovery and development activities essential to adjusting to this new reality and creating a peace dividend.¹⁰⁵ But budgets are small relative to the humanitarian budget and that of UNAMID, and some donors appear to be motivated more by desperation about a humanitarian crisis that has no end in sight than by an informed understanding of the situation and how best to respond to it. Equally worrying is the lack of implementation capacity within the NGO community—especially following the March 2009 expulsions of NGOs and a rash of hostage takings.¹⁰⁶

Ending the war in Darfur was always going to be a gargantuan task, requiring simultaneous attention to multiple interrelated conflicts. With some 2,500 people killed in violence in Southern Sudan last year, conflict dynamics are even less auspicious than they were when mediation began. At the international level, attention is firmly on the CPA. At regional level, Chad will continue to support JEM as long as President Déby's personal future is uncertain. Peace in Darfur requires resolution of the political crisis in Chad—not through occasional visits by Darfur envoys and mediators, but through a separate process linked to Bassolé's. At the national level, the Darfur armed movements are unlikely to renounce the use of force while there is a possibility that the government could implode.

Darfur's conflict has become horrendously complicated and is constantly shifting. Power dynamics change in response to international mediation initiatives. It has been tempting for mediators and special envoys to believe that if they can fix the different pieces of the puzzle one by one, then they will have fixed the overall conflict. That formula is not working. The international community is being dragged deeper and deeper into micromanagement, and this is not sustainable. Mediators tend to assume that the conflicting parties

want to establish a stable 'normality' based on a written agreement, but in Darfur today there is so little confidence in any form of normality that the parties are seeking short-term advantage and expecting continuing turmoil. Realistically, the challenge is not to create stable normality, but to make the disorder manageable.

If peace is to survive the turbulent winds of Darfur, it will need to be leaner and fitter, locally nurtured, and minimally reliant on foreign mediation and support. 📄

Endnotes

- 1 A year earlier, on 25 April 2004, the three parties signed a political agreement in N'Djamena under Chadian auspices. The N'Djamena Accord called for the government to disarm all militias and permit a conference 'of all representatives of Darfur'. Within 48 hours, however, the SLA and JEM both disavowed the agreement, saying their delegations had exceeded their mandates.
- 2 Author interview with Jack Christofides, UN Mission in Sudan director of political affairs at the time, Beirut, July 2009.
- 3 'JEM, you can go!', Nigerian President Olusegun Obasanjo told JEM chairman Khalil Ibrahim when he demanded 'radical modifications' to the agreement. Abdul Wahid walked out after Obasanjo told him: 'I need to talk to you, boy' and pulled him by his collar into a side room (de Waal, 2007, p. 279).
- 4 Personal email to the author from a member of the mediation team, November 2009.
- 5 The AU High-Level Panel on Darfur headed by the former South African president, Thabo Mbeki, spent more than 40 days in what one member called 'town-hall style' meetings in Sudan, mostly in Darfur. Refugees and IDPs, tribal leaders, women, civil society activists, and pastoralists all felt that the rebel leaders had been a disappointment and told Mbeki that they did not want to be represented by them.
- 6 Written remarks by former Secretary of State Colin L. Powell to the Senate Foreign Relations Committee, 9 September 2004. See Powell (2004).
- 7 The P3 are the United States, the United Kingdom, and France, the Western members of the P5 (the five permanent members of the UN Security Council).
- 8 A member of the mediation in Abuja, speaking privately, judged two of the three commission heads 'incompetent' and interested chiefly in speedily concluding the process.
- 9 Mortality figures are fiercely debated and, until recently, based largely on guesswork. It is estimated that the period up to the signing of the DPA featured approximately 200,000 war-related deaths, including not only direct (violent) deaths, but indirect mortality caused by hunger and disease. In 2006, according to unpublished UN figures, some 3,800 civilians died violently. In 2007 about 1,000 died—half of them from Arab-on-Arab violence, mostly in South Darfur.
- 10 For background to the conflict, see Flint and de Waal (2008).
- 11 Arab tribes form about a third of Darfur's population. The camel-herding Abbala form the nucleus of the government's paramilitaries and are an essential part of any solution.
- 12 US Deputy Secretary of State Robert Zoellick led the way in threatening sanctions and other punitive measures even as AU advisers warned that months' more work was needed to reach an agreement on a workable ceasefire and disarmament measures.
- 13 The Save Darfur Coalition was founded in New York in July 2004 to coordinate Darfur advocacy efforts. In this report 'Save Darfur' refers to the hundreds of groups that have been formed to raise awareness of what they consider genocide in Darfur, not all of them linked to the official Coalition. See the website <<http://www.savedarfur.org>>. See also Lanz (2009).

- 14 In meetings with senior officials, including Zoellick, in Europe in early March, Vice President Ali Osman Mohamed Taha said that in the event of a peace deal for Darfur, he would ensure that Khartoum would favourably consider a UN deployment. Speaking to journalists in London on 14 June 2007, Ian Cliff, the outgoing British ambassador in Khartoum, said that Ali Osman 'made several of us believe at one stage ... that it would be easy to involve the UN in the issue once an agreement on the Darfur issue was signed'.
- 15 The National Congress Party (NCP) of President Omar al-Bashir refused to relinquish any seats in the National Assembly from its quota of 52 per cent or to cede majorities in the Darfur state assemblies. After much debate, the mediators accepted the principle that the NCP should keep a bare majority in whatever government system was agreed for Darfur, as it had done in the CPA for the Nuba Mountains and Blue Nile. The Sudan People's Liberation Movement (SPLM) ruled out the proposal to create a vice presidential position for Darfur on the grounds that this would weaken its own gains in the CPA. It opposed individual compensation because the CPA did not give it to southerners, and instead supported rehabilitation packages for Darfurians.
- 16 When Déby initially hesitated to support the Zaghawa rebels by sending the Chadian air force against Khartoum's forces, his mother left N'Djamena, reportedly telling him: 'Then I will go and die with the rebels in Jebel Marra!'
- 17 The elections were initially required to be held between July 2008 and July 2009, but were delayed until 2010 because of delays in implementing the CPA, including passing a National Elections Act and organizing a census.
- 18 An AU translator was beaten to death during riots in Kalma camp, South Darfur, on 8 May as IDPs shouted: 'We don't want this peace! This is not our peace!' Five days later, one man was killed and several injured in riots in Abu Shouk camp, North Darfur.
- 19 The PCP appealed to many Darfurians who had seen other parties do nothing to address their problems. Turabi moved away from the traditional focus on the more orthodox Islam of the Nile Valley and its close association with the Arab world and reached out to the religious leaders of non-Arab groups in Darfur, acknowledging African Muslims as individuals and African Islam as an authentic tradition.
- 20 These efforts were led by AU Ambassador Sam Ibok and adviser Alex de Waal, who convinced Abdul Wahid to remain in Abuja and seek a 'supplementary document' that would make the DPA acceptable to his supporters.
- 21 A prominent Sudanese human rights activist opposed to this policy asked the AU to 'Stop it. Give us some time to get the rebels united with a responsible leadership. If you open the door for splinters to sign, positions, power and money will distract many from unity. That is what the government wants.' Government officials told representatives of the European Union that it was their policy to fragment the rebel movements and they were actively involved in doing so.
- 22 Kingibe was notorious within the AU for micromanaging. Colleagues said that Ibok, who eventually resigned, became increasingly frustrated with Kingibe's inaction.
- 23 For an account of the final hours of the Abuja process, see de Waal (2006).
- 24 This chronology is based on contemporaneous notes made and communications received by the author, including from senior US officials, during the efforts to bring Abdul Wahid and his supporters into the DPA.

- 25 Author telephone conversation with Abdul Wahid in Abuja, 24 May 2006.
- 26 Email to the author from Ibrahim Madibo, 20 June 2006.
- 27 The NRF was formed in Asmara on 30 June 2006 by JEM; the Sudan Federal Democratic Alliance; Khamis Abdalla of the SLA; and Sherif Harir, a Zaghawa academic close to Chad and formerly a member of the Sudan Federal Democratic Alliance. Abdul Wahid flew to Asmara, but then declined to join the NRF, believing that it was meant to relaunch JEM 'with different initials' and that the Eritreans' motives in sponsoring it were 'oil and money, that's all'. Eritrea continued its efforts to control the rebels for much of 2007, but lost the battle for influence to Chad. For details of Eritrea's involvement, see Flint and de Waal (2008, pp. 249–53).
- 28 Author telephone interviews with villagers in Bir Maza and their relatives in New York, June 2006.
- 29 One offensive cited by Amnesty International killed 72 civilians in the Korma area and wounded more than 100 others. Thirty-nine women were raped.
- 30 The Ceasefire Commission, established in April 2004, included representatives of the SLA and JEM and should have remained in existence under the terms of the DPA.
- 31 A confidential AU report on the 29 September attack said that rebel leaders in Haskanita accused AMIS before the attack on the base of 'connivance' with the government in Haskanita.
- 32 Statement by Abdullahi Osman El-Tom, head of JEM's Bureau for Training and Strategic Planning, 17 August 2006.
- 33 Jan Pronk, addressing reporters in Khartoum, 21 September 2006.
- 34 Resolution 1706 of 31 August 2006 proposed a force of 22,500 UN troops and civilian police, with a robust mandate for civilian and humanitarian protection. China abstained in the vote, but used the threat of a veto to insist that language be inserted 'inviting' Khartoum's consent.
- 35 Resolution 1769 of 31 July 2007 granted UNAMID a Chapter VII mandate to 'take necessary action' to support and prevent disruption to the DPA's implementation. See <<http://www.un.org/en/peacekeeping/missions/unamid/mandate.shtml>>.
- 36 In a posting on his blog on 14 October (see <<http://www.janpronk.nl/index264.html>>), Pronk had remarked on the low morale in the Sudanese Armed Forces following a series of defeats by rebels in North Darfur. A government spokesperson said that Pronk's comments would encourage the rebels to continue seeking a military resolution to the conflict.
- 37 On 14 September 2006 the Hollywood star George Clooney maintained in testimony to the Security Council that without 'real and effective measures' like NATO troops, 'millions of people' would die in Darfur in the coming months. In an editorial in the *Washington Post* (Rice, Lake, and Payne, 2006) on 2 October, three prominent members of the US Democratic Party forecast 'a second wave of genocide' and advocated giving the Sudanese government a week to accept a UN force or face a US strike, 'preferably with NATO involvement and African political support', against airfields, aircraft, and other military assets. These warnings of killings on an even greater scale than at the height of the war in 2003–04 were never subjected to critical analysis with the benefit of hindsight. In the months after the *Washington Post* editorial, UN data indicated an average of 100–200 violent deaths a month until mid-2007, with occasional spikes of mostly intra-Arab conflict. There was no 'second wave of genocide'.
- 38 At a closed-door meeting of senior policy-makers in Washington, DC in September 2007, attended by the author, senior officials acknowledged that the proposed UN force would be unable to 'protect' Darfur'. They said that the focus on the force was necessary, however, because of activist pressure.

39 Confidential communication to the author, 14 December 2006.
40 Email to the author from Ingrid McDonald, policy adviser, OXFAM, January 2008.
41 Email to the author from Ingrid McDonald, policy adviser, OXFAM, January 2008.
42 For the case against a no-fly zone, subsequently accepted by most of those in Save Darfur, see Flint (2007).
43 This phenomenon was prefigured in Somalia in the 1990s. What seems to happen is that the increased aid presence makes the territory more attractive to criminals, which then justifies an intervention.
44 These were the words used by UN Secretary-General Kofi Annan in announcing the new peace push at UN headquarters in Addis Ababa on 16 November 2006. See <<http://www.un.org/apps/sg/printoffthecuff.asp?nid=950>>.
45 The group, the Popular Forces Army, was the first Arab-led rebel group to declare itself, in late 2006, but by the time of the Arusha meeting, it had already been eclipsed by other formations.
46 Confidential author telephone interview, 17 December 2007.
47 Confidential author interview with a member of Eliasson's team, July 2009.
48 Author interview with Britain's special envoy, Michael O'Neill, London, June 2006.
49 The JMST was the secretariat of the mediation, composed of personnel drawn from the DPA implementation team, the UN, and expert advisers.
50 UNMIS was established by Security Council Resolution 1590 of 24 March 2005 'to support implementation of the Comprehensive Peace Agreement'.
51 Christofides was brought in to head the JMST on 25 October, on the eve of the Sirte conference. This was too late, according to most analysts.
52 This section is based on author interviews with UN and AU officials and Western diplomats who were involved in the peace process in this period.
53 See IRIN (2007).
54 See McDoom (2007).
55 These included the wars between Chad and Sudan and their proxies, between the Sudanese government and the Darfur rebels, and within the armed movements. Other conflict lines included Arab v. non-Arab; Fur v. Zaghawa; Abbala camel herders v. Baggara cattle herders; Arab v. Arab over land and water; and IDPs v. immigrants.
56 UN officials initially feared what one called 'a mass movement of people from camps without NGOs to camps with NGOs' within a month. This was not the case.
57 Before Sudan's independence, British administrators co-opted traditional leaders into a Native Administration—*idara ahlia*—that ruled according to customs and traditions rather than modern law. Native Administration chiefs managed the use of natural resources, settled land disputes, and regulated the movements of nomads between areas of sedentary population.
58 The individuals singled out by the United States were two government officials accused of liaising with the 'Janjaweed'—Ahmad Mohamed Haroun, minister for humanitarian affairs, and the head of military intelligence, Awad Ibn Auf—and JEM chairman Khalil Ibrahim. The companies targeted included government-run businesses involved in the oil industry and the Jazeera Project, the biggest agricultural project in central Sudan.
59 Author telephone communication with Meidop commander Suliman Marajan, August 2007.
60 This section is based on a series of author interviews and email exchanges with Andrew Natsios, Richard Williamson, and other senior US officials in 2009.

- 61 A project of the Center for American Progress founded in 2007 to end genocide and crimes against humanity. See <<http://www.enough.org>>.
- 62 Author telephone interview with Andrew Natsios, October 2009.
- 63 At a meeting in the White House in November 2007, a month after the SPLM suspended its participation in the Government of National Unity in Khartoum, President Bush told the SPLA leader, Salva Kiir: 'There will be no military solution. Do you understand me?' One of those present at the meeting said that Salva was 'furious', having been led to believe, apparently by some advocacy groups, that Washington would support military action to bring down the NCP regime.
- 64 The United States is not a signatory of the Statute of Rome, fearing examination of its own record by an independent tribunal that is not subject to Security Council vetoes.
- 65 In April 2007 US Secretary of State Condoleezza Rice sent her deputy, John Negroponte, to visit Bashir with proposals for improved relations. Natsios had met Bashir on four occasions and had made a series of agreements that the government had respected, including one on improved humanitarian access. Negroponte's visit raised doubts in Khartoum about Natsios's authority in Washington, however, and the latter's access to Bashir ended.
- 66 Although China's peace-building activities in Sudan are marginal and compromised by continuing military support for Khartoum, Beijing's appointment of a special envoy for Sudan—Liu Guijin—and its behind-the-scenes work to get UNAMID accepted are agreed to have been central to Khartoum's acceptance of a UN force. For an examination of China's role in Sudan, see Large (2008).
- 67 The heavy support package was the second part of a three-step operation consisting of a light support package, a heavy support package, and an AU-UN hybrid force. It included a signals unit, a communications unit, and logistics staff.
- 68 Washington had indicated that normalization would include lifting bilateral sanctions imposed in 1997, providing development assistance, facilitating debt relief, and possibly bringing a major US oil company to Sudan.
- 69 The following section is based on author interviews with Richard Williamson in August and October 2009.
- 70 The United States regarded Libya as a pariah state for decades after Colonel Gaddhafi seized power in a military coup in 1969. Relations started improving in 2003 after Libya announced that it would dismantle its weapons of mass destruction programmes and renounce terrorism. In 2006 Washington resumed full diplomatic relations with Tripoli and removed Libya from the State Department's list of states sponsoring terrorism.
- 71 For more on the disillusionment of some Arab militia, see Flint (2009).
- 72 The Office of the High Commissioner for Human Rights found that security forces 'used lethal force in an unnecessary, disproportionate and therefore unlawful manner' in Kalma, but noted that 'South Darfur governmental authorities have frequently asserted that there is a presence of political, criminal and armed movement elements within the camp'.
- 73 Djibril Bassolé addressing reporters in Khartoum on 20 July 2008.
- 74 The first choice was Jean Arnault of France, Kofi Annan's special representative for Georgia. The second, the veteran Algerian diplomat Mohamed Sahnoun, reportedly declined because of advanced age.
- 75 Author telephone interview with a member of the JMST, August 2009.

- 76 Author interview with a former Darfur governor, Tijani Sese, London, July 2009.
- 77 In August 2009 JEM speaker el Tahr Adam el Faki told the USAID-supported Sudan Radio Service: 'The leadership is JEM. But there are some birds who are trying to move away from the flock. This is the problem.'
- 78 On 9 November, speaking to Radio Dabanga, Khalil Ibrahim called on Darfurians to boycott the elections. He said they would only serve to re-elect President Bashir and protect him from the ICC.
- 79 Interview with Ahmad Idriss of SLA-Unity, August 2009.
- 80 Bassolé and UNAMID Joint Special Representative Rodolphe Adada had a history of poor personal relations dating back to their days as foreign ministers of their respective countries.
- 81 The government wanted a ceasefire. JEM wanted the release of its fighters captured after the attack on Omdurman, among them Khalil Ibrahim's half-brother.
- 82 Confidential author interview, May 2009.
- 83 Author telephone interview with a UN official in New York, August 2009.
- 84 Most significantly, those of the AU High-Level Panel, Bassolé, Gration, Libya, Egypt, and Eritrea.
- 85 A decision to defer an ICC investigation or prosecution under Article 16 requires an affirmative vote of 9 members of the 15-member Security Council. A negative vote by a permanent member of the council would prevent the resolution from being adopted. The make-up of the Security Council raised doubts over whether Sudan could garner the nine votes needed for a deferral. In addition, political pressure from domestic constituencies in the United States, the United Kingdom, and France made it highly unlikely that those three permanent members of the Security Council would either abstain or vote for deferral.
- 86 A philanthropic organization set up by the northern Sudanese telecommunications billionaire Dr Mohamed Fathi Ibrahim to promote good leadership in Africa.
- 87 *New York Times* columnist Nicolas Kristof (2009) called for 'international pressure [to] be focused on Khartoum to allow this initiative to proceed' many months after Mo Ibrahim himself had decided not to go ahead with the initiative.
- 88 Author interview with Mohamed Suliman, director of the London-based Institute for African Alternatives and adviser to Mo Ibrahim, London, August 2009.
- 89 At time of going to press, an official version of the Doha Declaration still had not been made public. An unofficial translation can be found in English at <<http://www.darfurinfo.org/doha-english-rough.pdf>> and in Arabic at <<http://www.darfurinfo.org/doha-arabic>>.
- 90 Author confidential interview, London, July 2009.
- 91 Author interview with Said Abdul Rahman, Libyan ambassador to Chad, Abuja, March 2006. The talks identified three major areas of disagreement: the demand of government-aligned delegates for amnesty; and the armed movements' demands for a single region and a vice president for Darfur.
- 92 Author telephone interview with a senior UN official in Khartoum, August 2009.
- 93 Author interviews with rebels and observers who were present in Tripoli, September 2009.
- 94 Regarding the DDDC, see Box 4, above.
- 95 These were the words used by Gen. Gration in testimony to the Senate Foreign Relations Committee on 30 July 2009.
- 96 Author telephone interview with Suliman Jamous, JEM humanitarian coordinator, November 2009.

- 97 Confidential minutes of a visit to Kass IDP camp, South Darfur, 21 May 2009.
- 98 Interview with Richard Williamson, August 2009.
- 99 Salah Gosh had headed the NISS since the end of the 1990s and was one of the most powerful men in Sudan—powerful enough to overrule even the army and military intelligence, according to Human Rights Watch. After the 9/11 attacks in New York and Washington, Gosh boosted cooperation between the NISS and its American counterpart, the Central Intelligence Agency, and in 2005 was flown by the agency to its headquarters in Langley, Virginia. Many considered him a possible successor to President Bashir. A UN Panel of Experts ranked him second in a list of individuals who should be held accountable for the Darfur killings, accusing him of ‘failure to identify, neutralize and disarm non-state militia groups’.
- 100 French sources say that the main Khartoum-backed rebel coalition led by Timan Erdimi, the Union of Resistance Forces, has been pulled back, but other, smaller groups remain in the vicinity of the border.
- 101 Personal communication to the author, October 2009.
- 102 Created as a forum for governments of the world’s richest countries, the G8 comprises Canada, France, Germany, Italy, Japan, the Russian Federation, the United Kingdom, and the United States.
- 103 To understand how these initiatives can inform higher-level activities, the UN Environment Programme is leading the way in research to find the points of authority within a system that appears chaotic, but which is structured all the same. UNAMID Civil Affairs is supporting some local reconciliation conferences, including in West and North Darfur.
- 104 The 2008 census puts the population of Khartoum State at 5,274,321, followed by South Darfur at 4,093,594. The Southern government disputes the census numbers for southerners in the South (8.2 million) and North (520,000), claiming some 15 million and 1–2 million, respectively. Many northerners assume the census was rigged. But senior UN officials say the census technicians are confident, based on aerial photos, that they have a sound result.
- 105 Until there is ‘separate’ or new funding, recovery activities risk eating into still-needed humanitarian funding.
- 106 In 2009 gunmen, often unidentified, abducted at least 14 foreigners, including two International Committee of the Red Cross staff, in Darfur and in neighbouring Chad and the Central African Republic.

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