

THE DARFUR PEACE PROCESS 2003-2005
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“There has been a breakdown in negotiations because of unacceptable rebel demands. The talks have been suspended: it’s a failure.”

Chadian Government Peace Mediator, December 2003 [1]

“The S.L.A. started this war, and now they and Justice and Equality Movement are doing everything possible to keep it going.”

American State Department Official, October 2004 [2]

“The rebels came with preconditions from the start of this meeting, only to scupper any talks.”

Peace Talks Mediator, January 2005 [3]

“There’s not been any [peace] meeting in a half-year period...we can blame the (rebel) movements for starting yet – for postponing it too long”

Jan Pronk, United Nations Envoy to Sudan, May 2005 [4]

The need to find a peaceful solution to the horrendous war in Darfur is painfully self-evident. The peace process that has unfolded over the past two years has, however, been a difficult one. The Government of Sudan has repeatedly declared its commitment to a peaceful solution to the crisis. [5] Most recently, in January 2005, on the eve of signing the historic peace agreement ending Sudan’s north-south conflict, President Bashir reiterated his commitment to attaining a settlement of the war in Darfur. [6] This was echoed by the head of the government’s negotiating team, agriculture minister Dr Majzoub al-Khalifa, who stated that the government would carry on negotiating until there was a final peace deal. [7] The government announced in January that Vice-President Ali Osman Mohamed Taha, the man who negotiated an end to the long-running war in the south, would be focusing on the Darfur crisis. [8] Vice-President Taha has stated that the conflict should be easier to resolve than the north-south war. [9] The government has also involved northern opposition parties, including the National Democratic Alliance, in the search for peace. [10] The war was not of Khartoum’s making and it is abundantly clear that the Sudanese government has the most to lose in any continued conflict. Sudan has welcomed the close involvement of both the African Union and Chad as mediators, and has also agreed and urged the deployment of thousands of African Union peace-keeping forces. [11] The African Union has committed itself to attaining peace in Darfur. In January 2005, the chairman of the African Union, Nigerian president Olusegun Obasanjo, stated: “I want to give you one assurance on behalf of Nigeria and the AU. We will not rest until there is peace and perfect peace in Darfur and in the whole of Sudan.” [12] As early as February 2003, the government sought to defuse the conflict through negotiations. [13] Initial attempts to engage in a dialogue with the rebels in North Darfur were said to have had some positive results. A local tribal leader who had been abducted by SLA gunmen had been freed. [14] Sudanese Vice-President Ali Osman Taha has also had meetings with veteran Darfurian opposition leader Ahmed Ibrahim Diraiqe with a view to an immediate ceasefire. [15] Vice-President Taha and Mr Diraiqe agreed that the proper way to settle the conflict is through “dialogue”. [16] The Sudanese interior minister’s commitment to peace talks has been typical: “Whenever the rebels) are ready to talk, we are ready to talk to them. We have no conditions at all.” [17] It is also clear that the government appears to have had no

reservations about negotiating with any rebel organisations, including those movements that have recently been formed. This has included peace talks with a third force calling itself the National Movement for Reform and Development (NMRD). [18] NMRD came into being in April 2004, when a group of rebels, led by Nourine Manawi Bartcham, broke away from JEM because of a disagreement over the influence of the Popular Congress and Dr Turabi over the rebel movement. [19] In 2003, the Chadian government, parts of which are drawn from the Zaghawa tribe, offered to mediate between the government and rebels. The Sudanese government welcomed and has continued to welcome continuing Chadian mediation in the conflict. [20] The government of Chad was instrumental in negotiating ceasefires in western Sudan in September 2003 and earlier. It has been a challenging task. On 3 September 2003, however, as the result of indirect talks hosted by President Déby, the Sudanese government and rebels signed a six-week ceasefire in Abeche, Chad. On 17 September, the government and the SLA signed an agreement allowing “free and unimpeded” humanitarian access within Darfur. The government and rebels agreed to a tripartite ceasefire monitoring commission made up of five members from both sides and five Chadian military officials. In subsequent Chadian-brokered peace talks, the rebels proved to be intransigent. Chadian Government mediators declared in December 2003, for example, that the rebels had stalled peace talks: “There has been a breakdown in negotiations because of unacceptable rebel demands. The talks have been suspended: it’s a failure.” [21] Chad’s president called rebel terms for substantive negotiations “unacceptable”. [22] In what was seen as a deliberate attempt to derail the peace talks, the SLA demanded military control of the region during a transitional period, 13 percent of all Sudan’s oil earnings and SLA autonomy in administering Darfur. [23] It was claimed that Islamic fundamentalist opponents of the Sudanese government had been instrumental in sabotaging these negotiations. [24] The government named senior Popular Congress members Hassan Ibrahim, Suleiman Jamous, Abubakr Hamid and Ahmed Keir Jebreel as having been responsible. [25] JEM had hitherto displayed a stop-start attitude to joining mediated peace talks. [26] In March 2004, the Government of Sudan reaffirmed its commitment to a just and peaceful solution to the conflict in Darfur through consensus: “Through political dialogue a final agreement can be reached in the region. [27] Sudan’s deputy foreign minister al-Tigani Salih Fidhail said his government was willing to take part in a conference Chad has reportedly offered to host between Khartoum and the Darfur rebels: “We are ready to negotiate peace with any party but we reject any preconditions.” [28]

The April 2004 Humanitarian Ceasefire Agreement on the Darfur Conflict On 8 April 2004, in Ndjamena, the Government of Sudan and both rebel movements signed a Humanitarian Ceasefire Agreement on the Darfur Conflict and a Protocol on the Establishment of Humanitarian Assistance in Darfur. [29] Ahmad Alammi, the spokesman of the Chadian mediation team, noted: “The humanitarian ceasefire was a priority, but at the same time it includes political clauses.” [30] Under the Ceasefire Agreement, the parties agreed, amongst other things, to: cease hostilities and proclaim a cease-fire for a period of 45 days automatically renewable, unless opposed by one of the parties; establish a Joint Commission and a Ceasefire Commission, with the participation of the international community, including the African Union; free all prisoners of war and all other persons detained because of the armed conflict in Darfur; facilitate the delivery of humanitarian assistance and the creation of conditions conducive to the delivery of emergency relief to the displaced persons and other civilians victims of war, in accordance with the Protocol on the Establishment of

Humanitarian Assistance in Darfur, referred to above. The parties also agreed to: combine their efforts in order to establish a global and definite peace in Darfur; meet at a later stage within the framework of a conference of all the representatives of Darfur to agree on a global and definite settlement of the problems of their region, especially concerning its socio-economic development; contribute to create an environment conducive to negotiation and stop hostile media campaigns.

Sudan welcomed the decision by the African Union to send monitoring teams to follow up implementation of the cease-fire agreement between the government and the armed groups in Darfur. [31] The AU's commissioner for peace and security, Said Djinnit, said: "Nigeria, Ghana, Senegal and Namibia have agreed to send military officers to be deployed as observers in Darfur. They will be on the ground as soon as possible." [32]

Almost immediately, SLA spokesmen stated that they would not honour the ceasefire and would not attend peace talks aimed at establishing the envisaged joint ceasefire monitoring commission. On 17 April 2004, however, Reuters reported that they had changed their minds and would go after all: "Rebels from western Sudan said on Friday they would go to peace talks and had not threatened to withdraw from a ceasefire, adding that previous reports to the contrary were incorrect...Earlier on Friday SLM/A spokesman Musa Hamid al-Doa said the Justice and Equality Movement (JEM) would not go to the peace talks and would not abide by a ceasefire in effect since Sunday...But Al-Doa later said he had been given misleading information and another spokesman retracted his comments." Mohammed Mursal, a spokesman for the SLA secretary-general stated: "No officially sanctioned statements were made by the Sudan Liberation Movement/Army (SLM/A) to imply that we would not abide by the ceasefire or not go to Addis Ababa or Chad." Reuters reported that "Analysts say there is infighting in the SLM/A's leadership with a power struggle between prominent figures in the armed and political wings. Mursal said there would be an internal investigation to establish what had led to the confusion." [33]

The International Crisis Group documented some of the rebel splits during the April peace talks: "The presence in N'djamena of exiled political activist Sharif Harir as a coordinator for the SLA team was a precursor of some of these internal tensions. He apparently sidelined SLA chairman Abdel Wahid...A similar split occurred in JEM. Hassan Khames Juru, a self-proclaimed political coordinator, announced the dismissal of the JEM president, Khalil Ibrahim, his brother Jibril, the general secretary, Mohamed Bechir Ahmed, and the coordinator, Abubakar Hamid Nour, who had led JEM negotiators at the ceasefire talks. JEM's military spokesman, Colonel Abdalla Abdel Karim, quickly denounced the statement and said Juru represented only himself." [34] The International Crisis Group also noted the results of these splits: "Confusion reigned among the rebels at the political talks in late April [2004], with the two groups eventually repudiating the deal their delegations accepted. The mixed signals are indicative of serious infighting between the military and political wings...The SLA sought to settle some of these differences in prolonged consultations between its chairman, Abdel Wahid Mohamed Nour, and its military coordinator, Minni Arkou Minawi. JEM, reflecting the strong position of its political leader, Khalil Ibrahim, took a different approach, firing dissident commanders and political cadres deemed disloyal." [35] In April 2004, for example, Khalil Ibrahim dismissed the movement's second-in-command, Jibril Abdel Karim Bare.

The two rebel groups have rejected government proposals for round-table conferences on Darfur – despite having agreed on 19 April to attend a peace and development conference in Khartoum for all Darfur leaders, including the rebels, to be chaired by

Idriss Déby, the Chadian president. A 130-strong preparatory committee were planning for some 1,700 delegates. The JEM leader stated: “We will not participate in this conference nor do we recognise it.”

In late April 2004 the rebels declared once again they would not participate in the ceasefire talks in Addis Ababa or the political negotiations in Ndjamena. Reuters reported that Darfur rebels were unlikely to attend peace talks to end the fighting in Darfur. The SLA had said “it would not attend the political talks due to reconvene on April 24 in Chad, adding it wanted Eritrea to mediate instead of [Chadian] President Idriss Debby [sic].” Reuters noted that “Sudan has poor relations with Eritrea”. Reuters also quoted JEM leader Khalil Ibrahim: “I don’t think we are going to Chad. The Chadian President should not chair any meeting nor any of his executives.” [36] Even the hitherto rebel-friendly United States warned the rebels against boycotting the talks aimed at creating a commission to monitor the Darfur ceasefire. A State Department spokesperson stated: “The United States expects the parties...to actively engage in the planning and implementation of the ceasefire monitoring team. Failure of any party to fully participate in this crucial part of the ceasefire agreement is a clear statement of bad faith and will affect our relationship with them.” [37]

In early May 2004 Chadian peace mediators reported that the government had complained at rebel violations of the ceasefire, citing government claims that “The rebels are looting and threatening civilians”. The complaint also accused rebels of livestock rustling, a particularly provocative action in western Sudan. [38] By late May 2004, the Government stated that there had been 26 rebel violations of the ceasefire in West Darfur alone. On 24 May the governor of South Darfur state said that there had been several rebel attacks on villages and civilians. He cited attacks on Abga Rajil village, 50 kilometres south of the state capital of Nyala: “The outlaws attacked this area, looting and burning down the village, and when our forces arrived to the area they were already gone.” He also said that on 18 May rebels had also attacked Labarwa village, about 60 kilometres (40 miles) northeast of Nyala and kidnapped 28 civilians. He stated that most rebel attacks and violations were along roads from Nyala to other key provincial towns, particularly Dyeing and Buram to the south: “The outlaws in high-speed cars will attack an area, and when we arrive they are gone”. [39]

On 22 May 2004, the SLA rejected AU proposals to meet with the government and finalise the formation of a ceasefire commission, claiming that Ethiopia was too closely aligned to the Sudanese government. [40] Nevertheless, on 28 May the government and rebels signed an agreement establishing a joint ceasefire commission along with the modalities for international observers. On 4 June 2004, the African Union and other international observers finalised an agreement with the government setting out the terms of the ceasefire observer mission agreed in the April ceasefire protocol. The agreement set out the relationship between Khartoum and the ceasefire committee in Darfur and which gives the observers free entry into Sudan and free movement inside the country. In total, an initial group of 120 observers from the AU, the European Union, the United States, the Sudanese government, the two rebel groups in Darfur and the mediation team from neighbouring Chad was to be deployed in the region. [41] On 9 June 2004, the African Union established a headquarters in al-Fasher from which to monitor the ceasefire, and from which to deploy these military observers. [42]

During a June 2004 summit of nine African presidents and government officials attending a Common Market for Eastern and Southern Africa summit in Kampala, the Sudanese president restated his desire to end the conflict in Darfur: “We are

committed and determined to resolving the current conflict in Darfur in western Sudan.” [43] Government attempts to reach a peaceful solution included both domestic and international efforts. In mid-June 2004, for example, the government outlined plans for the convening of a National Conference for Development and Peaceful Co-existence in Darfur to be held in Khartoum aimed at addressing issues of concern and reaching a peaceful solution for the Darfur issues. [44] And a week later the government continued with international efforts. Sudanese government peace negotiators left for peace talks with the representatives of Darfur rebels in Berlin. [45] Shortly afterwards peace negotiators led by Sudan’s Deputy Humanitarian Affairs Minister, Mohammed Youssef Abdallah, travelled to France for peace talks with representatives of JEM. [46]

In early July 2004, both the SLA and JEM stated that they would not attend further peace talks in Chad. A SLA leader said: “We do not want Chad to mediate for the political issues because they were not fair in the humanitarian talks.” [47] The president of the African Union, Alpha Oumar Konare, announced that the first round of AU-mediated political negotiations between the warring parties to try to end the crisis were to begin in mid- July in Addis Ababa: “The problem with Darfur is political, its solution is political, hence the necessity for the parties to quickly begin political negotiations... on July 15 in Addis Ababa. We hope that all the parties are properly represented”. [48] The Justice and Equality Movement declared, however, that it would not be joining political negotiations in the Addis Ababa aimed at ending the crisis: “These negotiations are coming too quickly”. It is worth noting that the United Nations placed on record a renewal of attacks on humanitarian convoys in Darfur by gunmen from this date onwards. [49]

Rebel attacks on humanitarian aid personnel continued. In the first week of July, the SLA attacked 26 aid workers, working for Save the Children UK, delivering emergency assistance in northern Darfur. They also stole six vehicles. On 13 July 2004, the British government urged Sudanese rebels to return the stolen vehicles. [50] Rebels also attacked a relief convoy near Orishi in North Darfur, murdering nine civilians and several policemen. They also attacked another aid convoy north of al-Fasher, killing four truck drivers. Rebels also abducted Abass Daw Albeit, the traditional leader of all the tribes of eastern Darfur. [51]

In early August the African Union announced that the Sudanese government had agreed to increase in peacekeeping forces and monitors in Darfur from 300 to 2,000 soldiers. [52]

The second round of African Union-sponsored inter-Sudanese peace talks was held in Abuja, Nigeria, from 23 August to 17 September 2004. The government declared: “Our concern is to find a quick peaceful solution to all the unresolved questions.” [53] The Nigerian President, Olusegun Obasanjo, hailed the adoption by both sides of a broad agenda of humanitarian, security and political issues as a “first step in the right direction”. The negotiations were almost immediately deadlocked when the Darfur rebel groups backtracked on the previously agreed agenda. Abdel-Wahid Mohamed Ahmed al-Nur, leader of the Sudan Liberation Army, stated: “We in the movement reject this agenda completely.” The rebels’ move was described by mediators as a “blow to the African Union”. The leader of the Sudanese government delegation, agriculture minister Majzoub al-Khalifa, reiterated that “We adopted this agenda in front of President Obasanjo and AU and UN representatives this morning, and we are good to our word. We are very keen to continue these negotiations.” The Sudanese government also accused the rebels of several breaches of the existing ceasefire agreement, including an attack in which four Sudanese humanitarian workers and two

journalists were kidnapped. The government spokesman Ibrahim Mohammed Ibrahim stated: "Despite all that, we will continue to participate in these negotiations with the same spirit. Hopefully there will be an agreement between us and the rebel groups."

[54] The agenda, made up of the following items - humanitarian issues, security issues, political issues and socio-economic issues - was eventually agreed. On day three of the talks, the Sudanese government agreed to accept a larger African Union peacekeeping force in Darfur if the troops are used to contain and demobilise rebel forces. The African Union had suggested the supervised cantonment of rebel and government forces as a step towards a peaceful solution to the crisis. [55] Rebel leaders subsequently refused to discuss the issue of cantonment. The JEM spokesman stated: "We insist that this point be taken off the agenda." [56]

Rebel intransigence was being increasingly noted. The New York Times's Scott Anderson observed: "In recent months, the SLA has repeatedly stalled peace talks being brokered by the African Union by setting unrealistic preconditions or quibbling over such details as where the talks should be held; for its part the Justice and Equality Movement faction had, until recently, boycotted the talks altogether." Anderson cited an American diplomat: "The first notion anyone's got to disabuse themselves of is that there are any good guys in this. There aren't. The S.L.A. started this war, and now they and Justice and Equality Movement are doing everything possible to keep it going." [57]

American journalist Sam Dealey pointed to possible reasons for apparent rebel indifference to peace talks: "The international community may wish to restrain from setting early deadlines for intervention. Such deadlines only encourage rebel intransigence in pursuing peace deals, as last month's unsuccessful talks in Ethiopia proved. With outside action threatened, there is little incentive for the rebels to negotiate a lasting cease-fire." [58] This was a general point also raised by the Sudanese foreign minister during his September 2004 address to the United Nations general assembly. [59]

The talks nevertheless ended with the agreeing of a Protocol on the Improvement of the Humanitarian Situation in Darfur which addressed the issue of free movement and access for humanitarian workers and assistance as well as the protection of civilians. Sudan agreed to the deployment of more than three thousand AU peacekeeping troops in Darfur. [60] The parties also agreed the establishment of a Joint Humanitarian Facilitation and Monitoring Unit - based in al-Fasher - to ensure a more effective monitoring of the commitments they had entered into. It was also agreed to request the UN High Commission for Human Rights to expand the number of its human rights monitors in Darfur.

In the lead-up to the next rounds of talks the rebels intensified their attacks in Darfur, attacks which severely impeded the delivery of emergency aid to Darfur. In October 2004, the UN confirmed rebel responsibility for attacks in Darfur, quoting the UN's Envoy to Sudan: "Mr Pronk said rebel groups - the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) - were responsible for much of the recent violence, which is restricting humanitarian access to many areas within Darfur, a vast and desolate region in western Sudan." [61]

The third round of African Union-mediated Darfur peace talks was held in Abuja from 21 October to 9 November 2004. Despite the urgent and immediate ongoing humanitarian crisis, the rebels refused to discuss humanitarian issues. A JEM leader said: "The government is insisting on discussing the humanitarian issue. It only wants to waste time and avoid the real issue on ground." [62] The rebels also stalled the peace talks because of the African Union's seating plans, stating they did not wish to

sit near the government negotiators. Abubakar Hamid, the coordinator of the joint JEM/SLA team, declared: "We are not going to participate...because they are trying to force us to sit with government delegates." [63] He added: "We'd rather the African Union appoints two separate teams to negotiate with the two groups." [64] When the rebels returned to the negotiations, having agreed to sit with the government, they then continued to refuse to sign a humanitarian aid agreement essential for the provision of relief to those affected by the war. A European diplomat said: "We've told the rebels that for them to be seen as blocking the signature of the humanitarian protocol is not very good...The rebels should not take the international community for granted. They think they have all the international sympathies, but if they are seen as the ones who are stalling they will have to pay a price." [65] The second round of AU-sponsored talks had focused on the humanitarian crisis but the rebels refused to sign new humanitarian arrangements. JEM's Haroun Abdulhameed said that the rebels would focus only on power-sharing: "We are not going to harp on humanitarian issues. There is no need for that...The government in insisting on discussing the humanitarian issue only wants to waste time..." The Sudan Liberation Army spokesman stated: "We must tackle the political issue above everything if we are to make any progress..." [66]

After considerable time invested in mediation, this round of talks resulted in the signing of a Protocol on the Enhancement of the Security Situation in Darfur and the signing of the Protocol on the Improvement of the Humanitarian Situation in Darfur, as discussed and agreed at the previous round of talks on 9 November 2004. The government and rebels agreed to renew a cessation of hostilities and, for the first time, the government agreed to renounce "hostile" military flights over Darfur, except in cases of self-defence. [67] The two sides had also initiated discussion on a draft Declaration of Principles which would constitute the basis for a just, comprehensive and durable settlement of the conflict. [68]

In early November 2004, in an official report, the UN Envoy to Sudan pointed to deliberate attempts by the rebel movement to provoke government responses: "Some commanders provoke their adversaries by stealing, hijacking and killing". [69] In November, the Sudanese government attacked the United Nations for not highlighting rebel involvement in attacks and human rights abuses, while focusing undue attention on the government. The humanitarian affairs minister, Ibrahim Hamid, said the international community must pressure rebel groups, and not the government alone, to end the Darfur conflict: "The silence of the United Nations and its reluctance to denounce the rebels and exercise pressure on them has encouraged the rebels to go on with their violations and spur insecurity. We believe...the international community should exercise pressure on the rebels instead of seeking to condemn the government over minor issues." [70]

The SLA's November 2004 Violation of the Peace Accords

Despite having signed the Abuja ceasefire protocols on 9 November, less than two weeks later the SLA mounted several systematic attacks on police and civilians in Darfur. The African Union noted that "in late November, the Sudan Liberation Movement/Army (SLM/A) carried out attacks on various places, including Tawila, in North Darfur, Adwah village, in South Darfur, the town of Um-Asal and at Draida. These attacks constitute serious and unacceptable violations of the...N'djamena Agreement and the Abuja Protocols." [71] The rebels coordinated attacks on, amongst other targets, Tawila in North Darfur and Kalma in South Darfur. On 22 November 2004, some 80-100 rebels attacked the police station on the edge of the Kalma IDP camp in South Darfur. This resulted in the death of four policemen, and the wounding

of several others. The WFP confirmed the attack and stated that “ominously, the attack appeared to have been launched from inside Kalma camp”. [72] The UN Envoy to Sudan said that he condemned “in the strongest terms the killing of policemen and civilians around Kalma camp”. [73] In a separate attack, coordinated to start at the same time as the assault on Kalma, several hundred SLA rebels, travelling in land-cruisers and lorries, attacked Tawila, killing a doctor, 22 policemen and several civilians, and by their actions, forcing the evacuation of aid workers from the surrounding refugee camps. [74]

As The New York Times noted, these attacks, and the ones that preceded them, ended the stability, a “respite” that had been achieved in Darfur - especially with regard to the provision of humanitarian assistance to waraffected communities: “But what respite had been achieved over the last several months has steadily unravelled in recent days”. The government noted that the Tawila and Kalma attacks had brought the number of rebel violations since the signing of the Abuja ceasefire protocol to 19: 12 in South Darfur, six in North Darfur and one in West Darfur: “Now the international community has seen for itself. We consider this a very serious escalation and a very alarming index of the rebel attitude.” [75] That the attacks had disrupted a period of relative peace was also confirmed by the African Union’s own ceasefire monitoring commission. In its October 2004 report, for example, the ceasefire commission noted that there was a “relative calm”. [76] The British aid agency Oxfam confirmed that there had been “improving humanitarian access” but that the attacks had reversed any gains that had been made: “Humanitarian access is worse than it was 6 months ago.” [77]

These attacks, and particularly the one on Tawila, were very important for several reasons. It illustrated once and for all the indifference the Darfur rebels displayed to the internationally-mediated peace and ceasefire protocols it had signed only a few days previously. They were designed to provoke a government reaction in the lead-up to several important international meetings on Sudan – at the expense of suffering to hundreds of thousands of the very people the rebels were claiming to be protecting. As much was confirmed by British television news coverage some days after the attack: “What happened here was an act of war. But it was an act of war provoked by the rebels to make the government look bad ahead of this week’s peace talks.” [78] The attacks also showed that the indifference of the rebel movements to the devastating humanitarian consequences of its actions. The attack on Tawila shut down WFP operations in North Darfur: “All WFP staff and many NGOs were withdrawn from the field.” The rebel action resulted in 300,000 IDPs being “cut off from WFP food aid”. [79] It was also significant because it was one of the first occasions when the international community chose to unambiguously challenge the Darfur rebels. The New York Times described the attack and some of the consequences: At dawn on Monday, according to the United Nations, the rebel Sudan Liberation Army, or SLA, attacked a strategic town just west of [al-Fasher], called Tawilah, killing nearly 30 police officers and taking control of the town...Insurgents from a second group, called Justice and Equality Movement, seized another Darfur town, called Gareida, before pulling back. In a refugee camp in South Darfur, rebels struck at a police post in the middle of the night. Rebels battled government troops in Kuma, just north of [al-Fasher], on the edge of rebel-held territory last weekend. The human consequences of the rash of violent actions are getting grimmer. Practically all roads out of El-Fashir, the North Darfur state capital, are off limits to aid workers, for security reasons...Mobile clinics that once roamed to rebelheld villages north and south of here are now staying off the road. [80]

International criticism of these attacks was universal, immediate and unambiguous. The UN Envoy to Sudan Jan Pronk stated that the SLA was solely responsible for breaching the ceasefire and restarting the fighting in north Darfur: "This was a unilateral violation of the agreement by SLA, not by the government." [81] He declared that: "I do really think that the international community should hold them (SLA) accountable for not complying with international agreements and their own promises." [82] The rebel attacks were also condemned by the American government. The State Department said: "The latest incidents of violence were instigated by the Sudan Liberation Movement/Army, and they have resulted in the suspension of humanitarian activities in the areas of fighting." [83] Chris Mullins, Minister of State at the Foreign and Commonwealth Office, noted that: "The recent difficulties have been caused by a series of violations predominately initiated by the rebels." He cited the finding by the UN Envoy to Sudan that "the rebels have been the principal cause in the last two months of incidents that have caused the breakdown of the ceasefire..." [84] His views were echoed by the British international development minister, Hilary Benn: "Recent rebel attacks on Tawila and on humanitarian convoys in Darfur, along with the murder of two Save the Children UK staff are particularly horrific." [85] Three days after the attack the Sudanese government called for the rebels to honour their commitments and seek a peaceful solution to the crisis. The government also called for the return of the aid workers who had been evacuated as a result of the attacks. [86]

In early December 2004, the SLA admitted to kidnappings, attacks on civilians and obstructing aid workers. The organisation promised there would be no more incidents. [87] On 5 December 2004, the Sudanese government released documents which it said showed that the rebels had killed 89 people in more than 300 armed robberies since the April 2004 ceasefire. A Sudanese interior minister stated that the number of armed robberies in Darfur in eight months following the ceasefire was higher than in the previous 15 months. The documents indicated that from 1 January 2003 to April 2004 there were 251 armed robberies in which 80 people had been murdered. From April until the end of November there were 320 armed robberies during which 89 people were killed. [88]

Keeping the Aid Corridors Open

In the 5 December briefing the Sudanese government recorded that rebels had attacked over 200 trucks: "The policy, we understand, is aimed at strangling the main towns in Darfur. The rebels seem to not be keen on committing themselves to the accords they signed. Although we are committed to the letter to the agreements and protocols ... the state could not be expected to tolerate this nonsense." [89] This point was also restated later in December: "[The rebels] block roads, impede commercial activities, rob people and commit all sorts of crimes. No responsible government can fold its hands when things like these are happening." [90] This underpins the quandary facing the government. While committing itself to a ceasefire, government forces cannot stand by and let humanitarian and other traffic be attacked on its main roads. Such attacks do indeed strangle the logistics needed to feed the hundreds of thousands of displaced people in camps throughout Darfur. Not to do so would result in deaths and more misery amongst displaced communities. When Khartoum does militarily respond, with or without airpower, it is then accused of violating the ceasefire.

This dilemma was reported upon by the United Nations Secretary General in his report of January 2005. [91] The Secretary-General stated, for example, that the fighting which broke out on 7 December was a result of "government road-clearing

operations, which the Government defined as operations aimed at clearing the roads of banditry". The Secretary-General noted that the government had briefed the United Nations on their intentions and that Khartoum had "specifically stated that it was not intending to attack or occupy SLM/A-held areas during these operations". The government went on to identify several key aid corridors. The Secretary-General also noted that in its attempts to keep aid corridors open the government had previously offered to place any necessary police forces under African Union command. The UN noted that this offer had been declined at the 24 November 2004 meeting of the Joint Implementation Mechanism. [92] The Secretary-General also noted government concerns about SLA attacks on roads. In addition to obstructing the flow of aid to war-affected communities in Darfur, these attacks "have brought constricting pressure to bear on supply lines, leading to rising commodity prices and insecurity of strategic goods to the population of state capitals". The Secretary-General himself also noted "SLM/A vehicle and fuel hijacking operations aimed at vital tactical commodities". He also reported on a "new trend" in the pattern of attacks on, and harassment of, international aid workers: "While previous incidents have only been aimed at looting supplies and goods, December has seen acts of murder and vicious assaults on staff, forcing some agencies to leave Darfur." [93] The government position is a clear one. It has called for the complete deployment of all the AU forces envisaged for Darfur: "If the African troops can't defend the roads and civilians, the government must do that. We can't leave the rebels to cut the roads that reach the 5 million civilians in Darfur)." [94]

In early December 2004, nonetheless, Sudan's Minister for Humanitarian Affairs, Mohamed Yusuf Abdallah, reaffirmed Khartoum's desire for a negotiated settlement to the crisis, stating that a settlement for Darfur could be part of a broader constitutional reform also affected other regions: "The southern peace agreement will have a positive impact on Darfur. By induction we expect to sign the agreement in Darfur in the next two months...I hope the situation becomes like the south where the rebels commit themselves seriously to a ceasefire." [95] The first week of December, however, saw continuing rebel attacks which forced the withdrawal of more aid workers from Darfur. Attacks, for example, on Saraf Ayat in north Darfur, had resulted in Médecins Sans Frontières evacuating its staff and the displacement of 2,000 civilians. Some 4,500 people were affected by this attack and others. [96] In December the SLA, and its obstruction of the peace process, came under close scrutiny by The New York Times. The newspaper reported that: "The SLA has been accused of stalling at the last round of African Union-mediated peace talks in Abuja. Despite promises, it has yet to disclose the location of its fighters, on security grounds. Privately, some aid workers and diplomats accuse the SLA of sowing the seeds of further conflict by acts of provocation." The New York Times gave an example of such provocation: "For instance, the rebel group has blocked the seasonal migration routes of a large and powerful nomadic Arab tribe just south of [Thabit]. To date, the leaders of the tribe have remained neutral in the Darfur conflict, but blocking the movement of their animals and thus threatening their livelihood and their way of life could be disastrous." The newspaper quoted a Western diplomat as saying that the rebels were "broadening the conflict base. The SLA knows what they are doing." [97] Under pressure from the international community, the rebels came back to the peace table. The fourth round of African Union-mediated Darfur peace talks was held in Abuja from 11 to 21 December. Reuters reported that the government indicated its wish to reach a peace deal in the African Union talks which had recommenced in Abuja. Majzoub al-Khalifa, head of Sudan's delegation said there was "a lot of

common ground for agreement". He said: "We are very much hoping to come to a final peace agreement in this round" adding that the government would do its best to reach an agreement "before the end of this year so that peace in Sudan will be finalised by January in all parts of Sudan". JEM leader Khalil Ibrahim dismissed the meeting, declaring "[t]his is not a serious round of talks" and that JEM had lost faith in African Union sponsorship of Darfur peace efforts. [98] News agencies reported in mid-December that the rebels had pulled out of the Abuja peace talks. [99] This also coincided with new rebel attacks aimed at disrupting peace process. The African Union confirmed as much. [100] The African Union's chief mediator, Sam Ibok, said that all the international representatives at the talks had advised against the walk-out because "there was no justification for such a suspension." The Sudanese government commented that: "Only negotiation and talks will solve the problem of Darfur. Withdrawal from the talks means more trouble for Darfur." [101]

The rebels returned to the AU-mediated talks and progress appeared to have been made during these negotiations. The government agreed to withdraw its forces from positions it had moved into following the rebels' November offensive in Tawila and elsewhere. [102] And while the rebels rejected new proposals for peace [103], they promised no more attacks and violations of the ceasefire agreements. [104] The SLA and JEM committed themselves "to cease all attacks against humanitarian and commercial activities and to restrain their forces from attacks on government infrastructure, including police posts". [105] The rebels broke their word within days with two serious attacks. On 27 December, rebel forces attacked the town of Ghubaysh. The United Nations said that "notably" this was "the second attack by the SLA since 19 December when the Government of Sudan agreed to an immediate cessation of hostilities." [106]

In late December Reuters reported that JEM had refused any continuing African Union mediation in the Darfur conflict, citing a rebel spokesman: "JEM is rejecting the African Union, We are not going to Abuja again under the auspices of the African Union." [107] This was a particular blow to the peace process as the future rounds of peace talks were to focus on the political solution to the Darfur conflict. The government had already announced a range of proposals focusing on a federal solution to the problem. [108] The Sudanese government showed its frustration at the unwillingness of the Darfur rebels to seriously commit to the peace talks: "At the last round in Abuja where the vital political issues was to be discussed, [the] government came ready with six ministers. That shows we were here for business. But the rebels had a different agenda. They delegated very junior officers who could not agree on anything. It is no wonder that [they] keep frustrating the talks via incessant walkouts." [109]

In early 2005, the rebels announced that they would be leaving the ceasefire commission in Darfur. Reuters reported that the UN had said "a rebel threat to withdraw from a cease-fire monitoring commission in Sudan's troubled Darfur region would spell disaster for the faltering peace process". A UN spokesperson warned: "Obviously, if the SLA make this threat a matter of fact...that would be a disastrous thing to happen because we do not believe that any of the parties have any interest in destroying the little fragile gains they have made." [110] Reuters reported that officials at the January 2005 cease-fire talks "blamed the rebels for the meeting's failure". A peace mediator stated: "The rebels came with preconditions from the start of this meeting, only to scupper any talks." [111] The rebels subsequently suspended their participation in the ceasefire committee and rebel attacks continued. [112]

It has also emerged that while promising no new attacks – having clearly been stung by the international community’s criticism following the Tawila and Kalma attacks, the SLA has been using front groups for some of its new attacks. In December 2004, a group styling itself the “Sudanese National Movement for the Eradication of Marginalisation” (SNMEM) commenced attacks on civilians and policemen. It attacked an oil field at Sharif in Darfur and then a town in western Kordofan, an area neighbouring Darfur, killing 15 people. [113] Reuters reported in early January 2005 that “[the] government and some observers have said the group is a front for...the Sudan Liberation Army”. [114] The government stated: “There is evidence showing the involvement of the Sudan Liberation Movement in the attack”. [115] Reuters cited an international observer as saying: “It seems the SNMEM is the SLM with a different name. They feel that if they use another name, they can act without being bound by the agreements they have signed with the government.”

On 13 January 2005, the Sudanese government urged the complete deployment of the African Union peacekeeping force in Darfur. The foreign minister, Dr Mustapha Osman Ismail, stated that less than half of the 3,320 troops committed by the African Union had arrived: “We are still waiting for the African troops.” [116] This echoed his previous call on 1 December 2004 for the African Union to fulfil its commitment to Darfur. [117] Sadly, rebel intransigence continued well into 2005. Speaking in late May 2005 United Nations Special Envoy to Sudan, Jan Pronk observed: “There’s not been any [peace] meeting in a half-year period...we can blame the (rebel) movements for starting yet – for postponing it too long” [118]

Footnotes

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