

The Bruno Kreisky Forum for International Dialogue and the Diplomatic Academy of Vienna kindly invite to a lecture within the series

Africa - Dimensions of a Continent

by and with Irene Freudenschuss-Reichl and Georg Lennkh

and in cooperation with the Federal Ministry for European and International Affairs and the Federal Ministry for Defense/
Department for Security Policy

LE DARFOUR: Le chemin vers une paix durable?

Djibril Yipènè Bassolé

Joint African Union-United Nations Chief Mediator for Darfur

Welcome address:

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Moderator: **Georg Lennkh**

Special Envoy for Africa, Federal Ministry for European and International Affairs

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Diplomatic Academy of Vienna, Favoritenstraße 15a, A-1040 Vienna

Djibril Yipènè Bassolé

(born November 30, 1957) is a Burkinabé political figure and diplomat. He was a member of the International Committee for the monitoring of elections in Togo from 1993 to 1994, and from 1994 to 1995 he was a member of the Mediation Committee working towards the resolution of the 1990–1995 Tuareg Rebellion in Niger. On November 12, 2000, he became Minister of Security, serving in that position until he was appointed Foreign Minister. On June 30, 2008, Bassolé was appointed as the Joint African Union-United Nations Chief Mediator for Darfur.

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DARFUR: ON THE PATH TO SUSTAINABLE PEACE

I. A BRIEF HISTORY OF THE CONFLICT IN DARFUR

The history of the Darfur conflict is particularly long and also complex. I will therefore present this only very briefly and then limit myself to underlining a few aspects of the current situation that merit attention.

Situated in the western part of the Sudan, the Darfur region is home to an estimated seven million people. Over the past decades, the region has been affected by intermittent low intensity conflict, arising from competition over access to grazing land and water between farmers and pastoralists; rivalries between communities over representation in the local government structures; as well as impact of developments at national level and conflicts in neighboring countries. The situation was aggravated by the widespread circulation of small arms.

When the North-South negotiations were nearing their end, the Darfur conflict commenced. The main demands were a fairer division of resources and power between the center and the periphery, similar to those of the South, which was striking its own deal.

One of the major incidents occurred in February 2003, when a group known as the Sudan Liberation Army/Movement (SLA/M), initially called the Darfur Liberation Front, launched an attack on Gulu, capturing the city. The SLA demands included, amongst others, the socio-economic development of the region and the end to the activities of the tribal militias. A number of other attacks took place subsequently, particularly on El Fashir and Mellit, respectively the capital and the second largest city in North Darfur. In response to these attacks, the Government forces launched offensives against the SLA, including aerial bombings. Later in 2003, a second movement called the Justice and Equality Movement (JEM) emerged and joined the SLA in waging armed attacks. The Darfur crisis has spilled into neighboring Chad. More than 110,000 refugees have fled to Chad.

On 3 September 2003, in Abéché, under the mediation of President Idriss Déby, the Government of the Sudan (GoS) and the SLA signed a Ceasefire Agreement.

On 4 November 2003, during the second round of peace negotiations, the parties agreed to extend the ceasefire for a month. They also committed themselves to facilitating the delivery of humanitarian assistance, and undertook to resume negotiations, with a view to reaching a comprehensive agreement. Subsequently, another meeting was called in N'djamena on 16 December 2003; however, it collapsed shortly after it started.

Following the September Ceasefire Agreement, fighting largely stopped between the GoS and the SLM/A. However, violence intensified against the civilian population. A militia group called "Janjaweed" deliberately targeted civilians viewed as providing support to the SLA/M and the JEM.

II. INTER-SUDANESE MEETINGS AND THE BEGINNING OF POLITICAL TALKS ON THE DARFUR CRISIS

Given the magnitude of the conflict in Darfur, especially the growing humanitarian crisis, the African Union Commission intensified its efforts to end the conflict.

The inter-Sudanese political talks began in N'djamena on 31 March 2004, under the auspices of President Idriss Déby. The parties finally presented the issues that they felt needed to be addressed by the peace talks. These presentations were done in separate meetings, as the GoS was opposed to face-to-face meetings with the SLA/M and the JEM. The GoS stressed the following:

- both parties need to agree on the principles that would guide the negotiations and on the nature and extent of the crisis in Darfur;
- proposed solutions to the crisis have to address the interest of all the people in Darfur, as there are many other people who have been affected but have not taken up arms against the State;
- the problem in Darfur cannot be solved militarily, but only through dialogue; until the resolution of the conflict, there must be a cease-fire agreement to allow for the delivery of humanitarian assistance to all the affected areas in Darfur;
- the crisis in Darfur is an African problem – therefore, only the Chadian Government and the African Union should facilitate the talks, while the participation of other international observers should be limited to the discussions on humanitarian matters; and amnesty shall be given to those who have been involved in the armed struggle.

On their part, the SLA and JEM presented the following negotiating positions:

- commitment to negotiate a temporary humanitarian ceasefire in the Darfur leading to unrestricted and unconditional humanitarian access;
- the Janjaweed militias should be disbanded, as they constitute the main threat to civilian life;

- a mechanism for a political solution should be envisaged that would include face-to-face negotiations in the presence of the Chadian Government, the UN, the USA, the EU, the AU and the international humanitarian NGOs,
- as well as the establishment of an international mechanism for verification of compliance with any agreement that would be signed.

On the basis of the positions articulated by the two parties, the Chadian Mediation Team, with the help of the AU and other members of the international community, assisted in narrowing the gap between the divergent views of the parties.

On **8 April 2004**, under the auspices of President Déby of Chad and the Chairperson of the AU Commission, as well as in the presence of international observers and facilitators, the two parties signed a Humanitarian Ceasefire Agreement on the Darfur Conflict and a Protocol on the Establishment of Humanitarian Assistance in Darfur. It is also under this aegis that the African Union Mission in Sudan (AMIS) was deployed, initially with 66 Military Observers. By the end of its mission in December 2007, AMIS had a force strength of about 7000 personnel, including military and Police.

The inter-Sudanese talks were transferred to Abuja, Nigeria, with the first meeting holding on **23 August 2004**, under the auspices of the AU and with the support of its Partners. The talks continued for 7 Rounds and culminated in the signing of the Darfur Peace Agreement (DPA) on **05 May 2006**. Unfortunately only the GoS and the Sudan Liberation Movement led by Minni Minawi signed the agreement.

The lack of inclusiveness of this agreement, and the failure to implement it fully, created frustration and mistrust both between the Government and the armed movements and between the signatory and non-signatory movements.

Under these circumstances the DPA found itself in a stalemate. The Government of Sudan strongly objected to AMIS being replaced by a wholly UN mission. Following intensive diplomatic efforts, the international community agreed with the GoS to a UN sponsored support package to the AU in three phases: the Light Support Package (LSP), the Heavy support Package (HSP) and finally for transformation of AMIS in to a Hybrid AU-UN Mission (UNAMID). The discussions on these issues culminated in the 10 November Addis Ababa Resolution, created a hydra-headed mediation initiative for Darfur.

The UN Secretary General and the AU Chairperson appointed Jan Eliasson and Salim Ahmed Salim as their respective envoys. The envoys set out a roadmap intended to bring all the initiatives on Darfur under one umbrella, b) unify the movements and, c) result in final peace talks. These final talks were organised in Sirte/Libya on the 27 October 2007, but the main belligerent factions turned down the invitation to attend and so very little progress was made at Sirte. Every attempt at bringing these factions together in formal and informal meetings also failed.

To try to restart the process and resolve the challenges created by having two mediators the AU and UN decided to appoint one joint chief mediator based in Sudan. I took up my duties in July 2008.

After a few months of my activities as the Joint Chief Mediator, I would like to update you about the work of the Mediation Team and to share our perspective for the short, medium and long term.

III. Brief Summary of the General and current Situation

In recent months, Darfur has experienced a situation of neither peace nor war that is characterised by a high level of insecurity and exacerbated tension. The actions and behaviour of the different actors in Sudan are certainly influenced by a series of past and anticipated events that have an impact upon the Darfur question:

- The attack on Omdurman by JEM-Khalil Ibrahim and its effect upon Sudan-Chad relations;

- The ICC judicial process against President Bashir, and also the request against certain leaders of armed Darfur movements.
- The general elections scheduled for 2010 in the Comprehensive Peace Agreement (CPA) is also another decisive factor in future political developments in Sudan. The crisis must therefore be seen in the fragile political context of Sudan, particularly in light of the challenges to the implementation of the CPA and its electoral calendar. The search for solutions to the crisis in Darfur is being conducted with great sensitivity to the overall political framework in Sudan.
- The gravity of the humanitarian situation, caused by the conflict is a major factor in this crisis. It is absolutely imperative to create a safe and secure environment for civilians, to alleviate the suffering of the population and to allow them to return to their livelihoods.
- With regards to the mediation, Qatar has proposed hosting the peace talks between the Government and the Armed Movements. The Qatari authorities are in touch with the principal movements and are attempting to remove their concerns about the impartiality and sincerity of this Doha Initiative. The Sudanese Government has expressed the wish that the Mediator should oversee the talks. The Mediation is therefore working in close coordination with the Qatari authorities and wishes to convince all parties to accept the principle of meeting in Doha. However, this mediation process is being rendered particularly complex by 3 crucial factors: 1) the deterioration of the Chad-Sudan relations, 2) the splintering of the Darfur movements, and as already mentioned above, 3) the decision of the Pre-trial Chamber of the ICC to indict the President of the Republic of The Sudan. I shall try to develop a few of these points further.

The Sudan shares with Chad a boundary of 1,360 KM, along the western edge of Darfur. Since the attack on N'djamena in February 2008 by the Chadian armed movements and in Omdurman in May 2008 by the Justice and Equality Movement, each of these neighbouring countries has accused the other of trying to destabilize it through support to its respective armed opposition. The recourse of the parties to military action has increased tension and insecurity and also destroyed any confidence between them. Without confidence no successful dialogue is possible. The diplomatic efforts of Libya, Senegal and other African countries to improve Chad-Sudan relations have been helpful but have not led to a definitive thaw at this movement.

Another crucial factor that has affected the negotiation of this conflict is the splintering of the Darfur movements. The rivalries and leadership quarrels among them have considerably affected cohesion. The dissension in their ranks has led to bouts of fratricidal fighting between and within these movements. Despite their differences, often along ethnic lines, certain movements in the field are aware of the need to band together to face the Government and to conduct talks with it.

The final key factor is the 4th March decision of the Pre-Trial Chamber of the International Criminal Court to approve an international arrest warrant for the Sudanese President. This is having a significant impact on the various actors in the crisis. Moving beyond the controversial reactions to this decision, the Mediation is focused on finding a means to save the fragile peace process that it has initiated.

However, it has to be observed that the recent actions of the main actors have neither reduced tensions nor reflected the spirit of compromise necessary for a successful peace process. The approach of the Mediation to search for compromise and bring the parties together to negotiate is currently being rendered difficult by the intransigent positions of some of the warring factions, following the decision of the Pre-Trial Chamber to issue an arrest warrant for the President of The Sudan. In all likelihood, the process to find a political solution to the crisis in Darfur has been significantly slowed. Despite these various difficulties impeding the process and the high state of tension between the Sudan and the members of the International Community, the Mediation believes that the Sudanese will be able to overcome their differences and bring peace and development to Darfur.

IV. Key Success Factors for the Peace Process

To accelerate the political dialogue and facilitate the resolution of the Darfur crisis, the Mediation is very interested in confidence building and tension reducing factors, particularly:

1. An improvement in Sudan-Chad relations;

2. A continuation of the preliminary discussions between the Government and the JEM (in Doha), which culminated in the signing of the Goodwill Agreement on 17 February 2009;
3. Sufficient cohesion and flexibility of the Armed Movements to allow them to resolve the delicate question of leadership;
4. Concrete actions by the Government to promote peace and to address the socio-economic problems of Darfur;

V. Other keys elements affecting the peace process include:

1. The tensions created by and persistent rumours about the military activities in Darfur of the armed rebellions in Chad and Sudan constitute serious obstacles to the effective cessation of hostilities. The Mediation hopes that the recent restoration of diplomatic relations between Chad and Sudan signals the beginning of a rebuilding of confidence and good neighbourly relations;
2. The preliminary meeting between the JEM and the Government, which as seen earlier led to the signature of the Goodwill Agreement, especially given the very specific nature of JEM's agenda. The Mediation encouraged this meeting and is also working now on the same approach with the other movements, as this could help reduce the risk of a resumption of widespread hostilities;
3. Without making this a precondition or major priority, the Mediation is encouraging the Armed Movements to resolve the question of their participation and representation in future peace talks. It would be tragic for the population of Darfur if the division of the Movements compromised the realisation of peace and development in their region;
4. The Mediation is also seeking to include the Darfur civil society in the peace process. We are working on an appropriate mechanism on bringing the views of the civil society to the negotiation table and from the negotiation table to the civil society. This will assure inclusiveness and assure the acceptability of an eventual peace agreement by the populations of Darfur.
5. Along these lines, the urgent humanitarian issues must be dealt with. These include the creation of conditions for the voluntary return and reintegration of displaced people, the socio-economic development of Darfur, including traditional compensation, the fair resolution of land disputes and the creation of a safe and secure environment. This will require improved relations and increased confidence between the Sudanese authorities and the partners of the International Community.
6. Finally, concrete actions by the Government, starting with an effective cessation of hostilities as they have promised, would draw the Movements into the peace process. A response in kind from the movements will also encourage the Government to pursue a negotiated settlement to the crisis.

Despite the complexity of the conflict and the interests involved, there is cause for optimism. The Mediation, which I lead, believes that with a rigorous method and approach and the support of all of the partners of Sudan, peace is possible. As an African sage observed, however deep the darkness of the night, dawn will arrive.