

**DARFUR CRISIS: ANALYZING THE ISSUES OF INTERNALLY DISPLACED  
PERSONS (IDPs) IN DARFUR**

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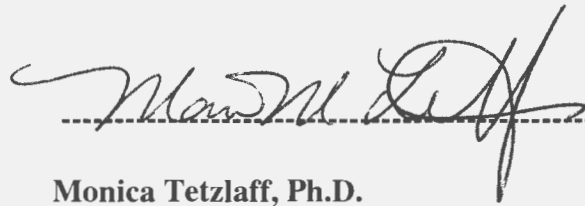
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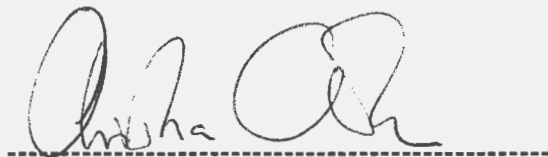
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## **Abstract**

This thesis is based on my experience of working in Darfur under the African Union/ United Nations Hybrid Operation in Darfur (UNAMID) in close interaction with IDPs in the camps of Darfur. In addition to drawing from my own experiences in Darfur, I utilized primary and secondary sources, such as scholarly journals as well as information gathered from books and newspapers that provided details of the IDP's situations and the issues they face. One of the worst humanitarian crises of the current time, the Darfur conflict has socially, politically and economically marginalized the Darfurian people since their incorporation into Sudan. Thus the current crisis is the result of a long-standing civil war between government forces and a number of rebel groups demanding equal opportunity for the people of Darfur. This thesis argues that unless the IDP issues are resolved, the Darfur peace process will not come to a logical end. Without the Sudanese government's keen interest in this issue, it will be virtually impossible to resolve the many problems faced by IDPs.

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## **Section I. The Darfur Crisis**

### **Part i. (a) Story of My Experiences**

Food, food! Water, water! Help me!” These are the cries we commonly hear during our patrol inside the IDP camp during routine work of the United Nations African Union Mission in Darfur (UNAMID). People ride donkeys and camels as a mode of transport. These are realities in Darfur, where I served for a year from March 2008 to March 2009 as a military staff officer. I was stationed in El-Fasher, north Darfur. I worked there as an administrative staff officer. My responsibilities were to perform all of the duties of a personnel staff officer as well as of the chief personnel (G1) during his absence. My duties included the compiling and processing of daily personnel strength records within the sector, the processing of the monthly attendance record (MAR) for the sector headquarters and the team site location personnel and then forwarding the reports to UNAMID Force headquarters. As an administrative staff officer, I was charged with coordinating with other members and patrols of nearby camps in order to know what their situation of IDPs was. While there, the security situation always remained unpredictable and fragile. I want to recall a fierce incident that happened to us one evening when one of my Nepalese friends was about take his UN vehicle from our house to the drive-way. All of a sudden a young militiaman covered by another member of militia, pointed a 9 mm pistol at him and hijacked the car. Such incidents happen frequently, and one can see how vulnerable and insecure the situation is for UN personnel as well as for IDPs, and civilians living there.

In short, hundreds of thousands of IDPs who are scattered throughout much of Darfur are living in dismal conditions in most of the camps. There, temporary shelters are

covered just by plastic sheets. Women and children cover their bodies with dirty rags. Children usually play unsupervised in the open areas of sand instead of going to school, compromising their right to study due to the worsening security situation. Frequent outbreaks of diarrhea, malaria, typhoid, tuberculosis, and a variety of skin conditions occur due to acute shortages of food, drinking water and medicine in the camps. Food scarcity was particularly acute in 2008 when Sudan expelled thirteen international humanitarian organizations after the International Criminal Court (ICC) issued a warrant for the arrest of Omar al- Bashir, accusing him of war crimes and crimes against humanity. The UN World Food Program (WFP), with the critical assistance of its supporting INGO partners, was able to reach as many as 3 million IDPs. In the wake of Khartoum's expelling of relief organizations, there was no way these figures could be approached due to the sudden expulsion. WFP estimated that some 35 percent of food distribution would be cut off and that it would directly affect 1.1 million IDPs. In fact, food distribution is already failing in serious ways. The World Food Program expresses the fear that, "the departure of these INGOS and NGOs will leave a huge gap in humanitarian access and may result in further chaos in the form of riots and population movement as poor groups move to other areas in search of humanitarian aid".

**(b) Where are Sudan and Darfur?**

Sudan is located in northeastern Africa. It is bordered by Egypt to the north, Ethiopia to the east, South Sudan to the south and Chad to the west. Sudan is the third largest country in the African continent. It got independence in January 1956 from Britain. Sudan's administrative central government is located in the northern region of



Khartoum. Sudan became dependent on the exploitation of its regional resources in both natural and human labor (Khalid, 1990. P. 39).

Darfur is the western region of Sudan and is almost the size of France. It was an independent state for several hundred years but was later incorporated into Sudan by Anglo- Egyptian forces in 1916 and has been the site of much crisis. Darfur, which means the land of the Fur has faced many years of tension over land and grazing right between nomadic Arabs and farmers from indigenous communities. The Darfur region is divided into three federal states: North Darfur, South Darfur and West Darfur. Darfur is resourceful with oil, gold, uranium and other minerals.

**(c) History of Darfur Crisis**

The Darfurian people have been marginalized socially, politically and economically since their incorporation into Sudan. The situation turned even worse when the current President, Omar al-Bashir, declared sharia as the law of the land, after coming to power in 1989 by ousting the elected government. The Sudanese government's oppression of black Africans and its granting of religious favor to Arabs created hatred and resentment among the Darfurian people who, in turn, took up arms against al-Bashir's government.

Thus, the crisis in Darfur today is the result of a long standing civil war between the government forces and a number of rebel groups demanding equal opportunity for the people of Darfur (Sikainga, 2009). In 2003, two rebel groups of Darfurians, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), began attacking government installations, accusing Khartoum of oppressing black Africans in favor of Arabs. In response, the Sudanese government supported indiscriminate military attacks

and raids by its Arab-backed militia, the Janjaweed. The conflict claimed the lives of more than 200,000 people (Lanz, 2006). The United Nations has estimated that about 2.7 million people, one third of the total population of Darfur, are internally displaced and are living in camps (Lanz, 2006). Additionally, two million people have sought refuge in Chad. Indeed, the displacement and violence has been so extensive that the United Nations and the United States have termed the situation “the world’s worst humanitarian crisis” or “genocide” (Quach, 2004).

#### **(d) Causes of Darfur Crisis**

The crisis in Darfur can be attributed mainly to: 1) land disputes, 2) political, religious and cultural differences between the Arabs and the indigenous Darfurians, and 3) disputes over the distribution and use of natural resources (Saikanga, 2009). The land dispute started when the nomadic Arab herders intruded into the lands of the indigenous African farmers. A few decades ago, the indigenous African communities allowed the Arab herders to graze cattle on their lands in anticipation that the cattle would fertilize their lands. However, following a major drought and famine in the 1980s, the Arab herders started encroaching into the African farmers’ lands. This started disputes between the Arab herders and the African farmers that owned the land; this eventually contributed to the current crisis.

The political difference between the Arabs and the indigenous Darfurians also played a critical role in fueling the crisis. In 1989, military ruler Omar al-Bashir abolished political parties and banned associations, taking away the rights of the Darfurians to participate in any political activities. Moreover, the Sudanese government favors Arab Muslims religiously and culturally. Thus, Arabic was enforced as Sudan’s

official language and sharia law was instituted as its legal system. This furthered the discontentment of the Darfurians with the Sudanese government.

Additionally, disputes over the use of natural resources such as oil, gold and uranium in Darfur also contributed to the current crisis. Sudan, the third largest oil producing country in Africa, exports 80 percent of its oil to China and 15 percent to India. However, the revenues obtained from such exports have not been equally distributed throughout the country. As a result, Darfur, where most of these natural resources are found, remains the least developed. However, the capital of Sudan, Khartoum, is well developed. This uneven distribution of wealth favoring Arab Muslim of northern Sudan (Khartoum) is also an important reason for the current conflict.

#### **(e) Result of Darfur Crisis**

The armed attacks by the Sudanese military forces and the Janjaweed militia have affected hundreds of villages throughout Darfur; over 400 villages have been completely destroyed and millions of civilians have been forced to flee their homes to be internally displaced. In short, in the Darfur conflict, the IDPs are the victimized people; they lost their homes, properties, and above all, their loved ones due to this conflict.

To this date, there have been about five peace agreements between the Sudanese government and rebel forces in an effort to resolve the IDP issues. However, none of the agreements have been implemented completely. As a result of this and due to various compounding factors, the issues have become more complicated. Unless all the IDP issues are addressed properly and their demands satisfied, the Darfur conflict will not come to a logical end. In this thesis, I analyze the existing issues of the IDPs in Darfur and identify probable resolutions of the issues.

**Part ii. (a) Who are the IDPs?**

Internally displaced persons (IDPs) are those persons who are forced to abandon their homes and livelihoods out of fear for their personal security and wellbeing. Their own state must assume responsibility for this population. The UN’s Guiding Principles on Internal Displacement (1998) defines IDPs as “person or groups of persons who have been forced or obliged to flee their homes in order to avoid the effects of armed conflict, and who have not crossed an internationally recognized state border” (Chang, 2007).

While refugees are also forced to take flight to avoid the effects of conflict, the main difference between them and IDPs is that IDPs stay within their own country and therefore remain under the protection of their government, even if that government is the reason for their displacement. As a result, IDPs are among the most vulnerable people in the world. The following table based on data by Reeves (2015) illustrates displacement in Darfur over the past ten years.

**Newly Displaced Civilians in Darfur, 2007-2016**

Year	Newly displaced civilians
2007	300,000
2008	317,000
2009	250,000
2010	300,000
2011	200,000
2012	150,000
2013	480,000
2014	321,929
2015	233,000
2016	35,000 (Jan. 2016)

Source: Reeves, 2015.

The newly displaced people mostly concentrate in IDP camps around Nyala, south Darfur, and Zamzam on the outskirts of El-Fasher, as well as in the Tawilla and Kutum localities, in North Darfur, and in El Genina in west Darfur (<http://unocha.org/>).

**(b) Racial Epithets, Rape and Sexual Violence Following Displacement**

“Kill all the blacks,” were the slogans reportedly heard in Janjaweed militia campaigns against the African population in the western region of Darfur (Quach, 2004). The Janjaweed militias shouting racial epithets, undertook ground assaults on African villages. They called villagers “Nuba,” a derogatory term for black Africans (Gerard, 2005). Other example of derogatory, racist epithets includes the following: “Dog, sons of dogs, and we came to kill you and your kids, you donkey, you slave; we must get rid of you. You blacks are not human. We can do anything we want to you. You cannot live here. We kill our cows, when they have black calves. We will you too. You are dirty black. We will kill any slaves we find and cut off their heads” (Gerard, 2005).

There are several examples from survey interviews that were conducted in (US Department of State 2004) that illustrate the context of these joint attacks that featured racial epithets. Here, I include some of them. A 71 year old Zhagawa male living in north Darfur reported that attackers shouted, “Nuba, Nuba”. The attackers reportedly also shouted that they wanted to kill the blacks and take their land (Gerard, 2005). In another incident, A sixteen year old Fur woman in North Darfur reported that the attackers shouted that “they will destroy all the people with black skin” and that they wanted to kill all the black people and clean the ground. In yet another case a thirty year old Zaghawa female from North Darfur reported that during the attack a soldier yelled, “You dirty

servants, we killed your husband and should take you to be servants of our wives”

(Gerard, 2005).

Women are not only the victims of such racially charged epithets; males are also victim. Males are also victim to such abusive and degrading treatment. For example A 61 year old Masalit male from a medium sized town in west Darfur reported that attackers were shouting Nuba, Nuba (Gerard, 2005, p. 15). In another incident A 36 year old Zaghawa male who lived near Kornoi reported that Janjaweed wearing uniforms said. “We came here because we want to kill all the black people” (Gerard, 2005). All of these racial epithets used by government forces and the Janjaweed are extremely dehumanizing to the Black Africans of Darfur. Such estimate indicates that Arab Darfurian extremely hate for Black Darfurian and want to eradicate all black skin completely from Darfur. In addition to seriously angering Black Africans, such comments leave black waiting to take revenge against the Arab tribes of Darfur. Such incidences obviously create long-term hostility between the two groups.

In addition to the above, Human Rights Watch has documented numerous incidences of rape and sexual violence in Darfur, in which women and girls have been exposed to rape and other forms of sexual violence by both the Sudanese government and the Arab Janjaweed militia. For example, a thirty-five year old Fur woman and mother of five children, From Krolli village South Darfur, told Human Rights Watch that when the Janjaweed militias attacked her village many of the village residents gathered in the police station to seek protection. She said:

“Janjaweed would pass their hands touching the heads and legs of women, If a woman has long hair and fat legs and silky skin she is immediately taken away to be raped. There was panic among all of us and we could not move. They took girls away for long hours and brought them back later. Girls were

crying”. We knew they raped them. Some of us were raped in front of the crowd. I was sitting with the others on the bare floor, very exhausted, thirsty and scared. Two of them came to me from back and started raping me. I could not move after that. Some young men tried to protect us from [rape], they received shots in both their legs (Human Rights Watch Report, 2005).

A forty year old Fur woman from a village in South Darfur told Human Rights Watch of a similar attack. One in which the Janjaweed militia members tried to rape her fourteen year old daughter.

I covered her with my body and prevented them from taking her. They became very angry. They lashed me and decided to have me. They took my outer garment off and tore my dress while I was resisting them. They took me a bit far from the group and started raping me. One would rape and while two others would guard him. There were about thirty women in the same place. They took their turn raping me. After that they hit me hard, took me on the floor back to the crowd and threw me beside them.

In interviews with Human Rights watch, some Sudanese women and girls reported undergoing abuses while trying to collect firewood for sale or fuel. Women and girls continued to face the risk of rape and assault by civilians or militia members when collecting water, fuel or grass near the Chad border also.

### **(c) Issues of IDPs**

A survey conducted in March 2012 by the Joint Mission Analysis Center (JMAC) of the United Nations African Union Mission in Darfur (UNAMID) identified the following issues that were of important concern to IDPs: 1) relocation, 2) livelihood, 3) education and future of children, and 4) the prospect of return to their home village (JMAC IDPs Survey, 2012).

1. **Relocation:** Eighty-five percent of the participants interviewed had relocated once or twice, and fifteen percent had relocated more than twice. The survey also found that

women had relocated more often than men. Respondents specified that security was the major reason of their relocation into the camps; a majority of respondents considered the security situation within the camps to be far better than in their communities. They felt more secure within the camps because they were constantly observed, monitored, and patrolled by the UNAMID peace keepers. It is important to note that the Sudanese government does not provide security to the IDPs.

2. **Livelihood:** A majority of respondents described that before the conflict, they relied on traditional means of livelihood such as farming and herding. Many IDPs lost their traditional means of livelihood because of the conflict. Of the IDPs living in the camps, only 25 percent of respondents had found alternative ways to generate income; this included seasonal farming, petty trading, and jobs with the UN and Non-governmental organizations (NGOs).
3. **Education and Future of Children:** Most of the survey participants described that they were highly interested in the education of their children and that their children were receiving formal education in the camps. With regard to their children's futures, most participants in IDP camps did not want their children to return to their traditional means of livelihood. This was particularly true for IDP camps in urban areas as there were very few schools in the rural areas of Darfur. However, this might have changed since the survey was completed, as numerous humanitarian agencies working in Darfur today have likely improved the education system in most camps.
4. **Right of Return:** A majority of the participants wished to return to their original villages. However, they were concerned about their security. In particular, IDPs in urban camps were less interested in return, and women were less willing than men to



return to their original homes because of the likelihood of rape by the Janjaweed, as occurred to many women during the conflict. Moreover, many IDPs in the urban camps had found employment with NGOs and United Nation's agencies stationed in Darfur. Additionally, IDPs in urban areas also had the opportunity to run small businesses near the camps, and their children had greater opportunities to attend school.

Despite such concerns, the Joint Mission Analysis Center survey revealed that more than half of the IDPs who had lived in the camps for over 9 years were willing to return to their homes even though the condition in Darfur remains unfavorable for them. In addition, international law does not fully protect the IDPs. In 1951, the international community took a significant step with the introduction of the United Nations Geneva Convention relating to the status of refugees. With this convention an international law was passed that aimed to protect refugees (Chang, 2007). According to this law refugees have the individual right to safe asylum. However, while IDPs often flee their homes for the same reason as refugees do to avoid the effects of armed violence. They do not enjoy the same legal protection as refugees because they remain within their own country, rather than crossing its borders into another country.

#### **(d) Why Study Darfur?**

The Darfur case offers an opportunity to examine and analyze the situation of IDPs who have been displaced because of violent armed conflict on a massive scale in a situation where the government is unwilling to provide assistance and support to them. In the case of Darfur, the situation is particularly tragic. As noted above, Darfurian IDPs have been systematically targeted by militias armed by the government. Under such

circumstances, it is apparent that the government is unwilling to protect them because it is a strong party to the conflict itself.

In an effort to resolve the prominent Darfurian issues, five permanent members of the UN Security Council (the United States, China, Russia, France and the United Kingdom) proposed United Nations Security Council Resolution 1556, which was adopted unanimously in 2004. The resolution demanded that the Sudanese government disarm the Janjaweed militia and bring to justice those who had committed human rights violations in Darfur. The resolution was approved by 13 council members while China and Pakistan abstained. Russia, India and China spoke strongly in favor of noninterference, stating that the sovereignty of all states must be respected first and foremost (Chang, 2007). This illustrates the practical difficulties of dealing with the Sudanese government even though the international community is aware of Sudan's neglect of its population.

The government of Sudan has used the claim of sovereignty as a shield to violate the basic rights of its own citizen (Chang, 2007, p.5). Citing sovereignty, the Sudanese government argues that it has the sovereign right to make decisions regarding its own internal affairs without interference from other states (Chang, 2007). Thus, one of the challenges that the international community faces in protecting the IDPs is how best to ensure the sovereignty of Sudan. Specifically, the international community must be deployed in Darfur to assist displaced people when there is an immediate need of food, medicines and accommodation. To do this, humanitarian organizations have to bring food supplies and other basic necessities in convoys with the approval of the Sudanese

government. The Sudanese government frequently hinders the process by delaying permission to move the convoys, accusing the organizations of violating its sovereignty.

### **Part iii. (a) Guiding Principles and International Law for IDPs, How IDPs Are Not as Well Protected as Refugees**

As the nature of conflict has changed over the years, the number of internally displaced persons has increased from 1990 onwards. In 1992, former United Nations Secretary General Boutros Boutros-Gali appointed Dr. Francis Deng, a former Sudanese diplomat, as the representative of the Secretary General to investigate the issues of IDPs and how best the UN could assist and protect them. Deng, submitted his report in March 1996 and strongly recommended that the UN immediately mobilize and coordinate with the Security Council and other member countries to provide humanitarian assistance, and protect the IDPs. The Guiding Principle (GP) is defined as a piece of soft law. It does not have legal status. States are not obliged to adopt the GP into their national legislation. They are only bounded by the actual International Humanitarian Law and the International Humanitarian Refugee Law. Thus, the GP is only a lens through which to interpret the international humanitarian law with respect to whether a person is displaced or not. In the case of Darfur, it is evident that there is much work needed to be done for Sudan to accept and adopt the GP into its own national legislation (Chang, 2007). At the policy level, the Guiding Principles on Internal Displacement have served as a tool through which international humanitarian law and international human rights law were used to identify the rights of IDPs and subsequently to protect them (Chang, 2007). International human rights law is made up of contracts between states and is intended to

legally bind the parties that have agreed to them. At the operational level, a collaborative approach among the existing UN organization such as the World Health Organization, the World Food Program and the United Nations Human Rights Commission for Refugees has been established to work solely to assist refugees and IDPs (Chang, 2007).

Hence, unlike refugees, IDPs do not have international legal status and therefore can only rely upon the rights as citizens of their own country. The difficulty with this, however, is that their rights have already been overtly violated, leading to displacement in their own country. Finally, as noted above, the Guiding Principles themselves are still a piece of soft law that is not legally binding. Thus, they are somewhat "weaker" than the binding force of traditional law. The Guiding Principles are comprised of 30 principles that are divided into the following sections:

1. **General Principles:** This section states that IDPs should enjoy the same rights as any other citizen and their rights should be observed by national authorities.
2. **Principles Relating to Protection from Displacement:** This section maintains that persons have the right not to be arbitrarily displaced.
3. **Principles relating to Protection during Displacement:** This principle asserts that during displacement, persons have the right to be protected against vulnerabilities they may be exposed to.
4. **Principles Relating to Humanitarian Assistance:** According to this section, humanitarian assistance shall not be diverted or denied for any reason whatsoever.
5. **Principle Relating to Return, Resettlement and Reintegration:** This principle notes that IDPs have the right to be fully resettled when displacement ends (The Brookings Institution, 2007).

Despite such protections, adopting the Guiding Principles into state law is not a requirement, and states are only bound by international humanitarian law and international humanitarian refugee law (Chang, 2007). The Guiding Principles have been used only to assess the applicability of the international humanitarian law and international humanitarian refugee law in protecting IDPs. Given the above shortcomings in international law, the IDPs of Sudan remain in a fragile position.

While three peace agreements, namely the Comprehensive Peace agreement (CPA), the Darfur Peace Agreement (DPA), and the Darfur Document for Peace in Darfur (DDPD), have been signed between the government and the rebel groups, none of these agreements have been implemented successfully and none of the agreements provided adequate compensation to IDPs and a secure environment for them to return to their homes. Because IDPs are the greatest victims of the conflict, having lost homes, properties and loved ones, I argue that unless the IDPs' issues are resolved, the Darfur peace process will not come to a logical end. First, however, I look at each of the five major peace agreements thus far negotiated and their lackluster performance.

## **Section II. Failed Peace Agreements**

There have been five major peace agreements signed between the Sudanese government and rebel forces after the conflict began in early 2003. However, none of the agreements have been successfully implemented. Below, I describe the different peace processes and the factors that accounted for their failure.

**Part i. (a) Humanitarian Ceasefire Agreement on the Conflict in Darfur, 2004:** This agreement was signed by the government of Sudan and two rebel groups, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM). All parties agreed on the cessation of hostilities and declared a 45-day ceasefire. Also, the government of Sudan committed to counteracting the Janjaweed militia forces, and the rebel forces agreed to stop their rebel movement in order to facilitate the delivery of humanitarian assistance.

**(b) Protocol on the Improvement of the Humanitarian Situation in Darfur, 2004:** This agreement, signed by the government of Sudan, SLA and JEM, established that all signing parties committed to allowing humanitarian access to Darfur and protecting the civilians.

**(c) Final Comprehensive Peace Agreement, 2005:** This agreement was signed between the government of Sudan and SLA, to establish revenue sharing provisions for both parties. The agreement assigned two percent of all revenue to be shared by oil-producing states, and the remainder to be split evenly between the government of southern Sudan and the states of northern Sudan. It also set a timetable for the southern Sudanese voting on independence.

**(d) Darfur Peace Agreement, 2006:** This agreement was signed between the government of Sudan, the SLA and the JEM. It addressed four main components: i) security arrangements, ii) power sharing, iii) wealth sharing, and iv) Darfur-Darfur Dialogue and Consultation.

- i. ***Security Arrangements:*** The major security terms included disarming the Janjaweed; the disarmament, demobilization and reintegration of the rebel forces; and the provision of security for the IDPs.
- ii. ***Power Sharing:*** The rebel forces demanded national power sharing by being represented in the presidency, having parliamentary seats allocated in proportion to Darfur's population, and securing other positions in government.
- iii. ***Wealth Sharing:*** This included agreements on compensation for lives lost, property destroyed or looted, and any suffering that had been caused. The compensation was originally opposed by the government, but the final document included the formation of a compensation commission with a pledge of \$30 million dollars from the government.
- iv. ***Darfur-Darfur Dialogue and Consultation:*** This involved peace talks between the government, SLA, and representatives from civil society, including IDPs, refugees and others. It intended to deal with issues of land rights and ownership, inter-communal reconciliation, the safe return of refugees, and other related community issues that were not addressed by the peace agreements.

(e) **Doha Document for Peace in Darfur, 2011:** This agreement was signed by the government of Sudan and the JEM. The agreement identified the needs for economic recovery, development and poverty eradication in the aftermath of the conflict in Darfur. It also underscored the provisions for the safe return of the IDPs and refugees.

## **Part ii. Factors That Accounted For the Failure of the Above Peace Agreements**

While all of these peace agreements were an effort to bring about negotiated peace in Darfur, none of them has succeeded. In fact, after a number of efforts at pre-negotiation talks, peace talks, and failed peace agreements, the conflict has become less manageable and has even- worsened. The government of Sudan refused to renegotiate the presidency's position and the seats in the assembly. The government repeatedly failed to disarm the militias. Moreover, it rejected the idea of merging the SLA into the national security forces and/or making security arrangements for the safe return of IDPs. Below, I describe and analyze some of the more specific factors that account for the failures of the peace agreements.

### **(a) Internal Factors**

The first factor that led to the failure of the agreements was the lack of political commitment and the mistrust that exist between the government of Sudan and rebel forces. Despite committing itself to various ceasefire agreements, the government continued its attacks on insurgency areas and failed to disarm the Janjaweed. The rebel forces, which were weaker politically and organizationally, were unable to defeat the government military forces. Secondly, the Comprehensive Peace Agreement (CPA) between the government and south Sudan took precedence over the Darfur peace processes and set limits on the demands that the rebel forces could make. This was



especially the case with regard to power sharing and wealth sharing. To start, the demand by JEM for nation-wide political reform was obstructed from the outset as mediators and the government of Sudan stressed that nationwide political reform would be addressed in the implementation of the CPA and the establishment of a new Sudan (Tesfamichael, 2008). The CPA also allocated 52 percent of the seats in parliament to the National Congress Party (the ruling party of Sudan) and 28 percent to the Sudan People's Liberation Movements of South Sudan (the political party representing southern Sudan), leaving only 20 percent of the seats for other northern and southern Sudanese opposition parties (Tesfamichael, 2008, p.6). As a result the Darfurians' demands for proportional representation in parliament could not be accommodated within these limitations. This eventually led to the withdrawal of the rebel factions that had previously signed the CPA.

Thirdly, the rebels' demand of separate compensation for lives lost and property destroyed was never fulfilled by the government; the government argued that compensation was part of reconstruction and development funding. The rebels argued that compensation was a priority in their resource-sharing claims and that without compensation the agreement would not fulfill the demands of the IDPs, refugees and other war victims. Opposing the individual compensation claim, the government only agreed to contribute \$30 million for compensation. It also agreed to contribute \$500 million over a period of three years, 2006 - 2008, to rehabilitate the returning IDPs and refugees. Most of the rebel forces opposed these wealth sharing provisions, demanding more wealth sharing and higher compensation for victims.

#### **(b) Regional Factors**

In addition to the internal factors discussed above, a number of regional

actors, including Chad, Egypt, Eritrea, and Libya, played dual roles of sustaining the conflict, on the one hand, while facilitating the peace process, on the other, depending on what best served their perceived national interests. Chad played a dual role in the Darfur peace process depending on the situation that most favored its own government (Hanson, 2007). Similarly, Egypt wanted to balance its relations with the government of Sudan as well as with the rebel factions, even though it was also one of the nations that participated in the Darfur Peace Agreement. Likewise, Eritrea has also played a similar role. While its involvement in peace talks and in pushing factions to form an alliance has been encouraging, its role in hosting the rebel factions that did not sign the DPA has been criticized. In short, the role of regional actors has been mixed, sometimes pushing and strengthening the peace process, while other times weakening it (Hanson, 2007).

**(c) International Factors**

The role of the broader international community has been consistently negative as it failed to back the Darfur peace processes in two ways: 1) It failed to establish a secure environment that would allow for IDPs to return to their homes and, 2) It failed to put diplomatic pressure on the government of Sudan as well as the rebel factions during the peace talks (Hanson, 2007).

Even though the Darfur peace process has thus far failed to bring lasting peace to the region, and although there is very little hope of resuming previous peace efforts, the suffering of the innocent civilian population of Darfur should not be continued. In fact, the people of Darfur need peace and support to rebuild their lives. After so much

destruction and untold human suffering, there is still a need to find a peaceful solution to the bloody conflict in Darfur that can bring lasting peace to this conflict-plagued homeland. Hence, despite the many obstacles to a resolution of this conflict, in the following section I attempt to outline some possible resolutions.

### **Section III. Probable Solutions to the IDPs Issues**

#### **(a) Possible Resolutions of the Conflict**

To resolve the conflict, mediators must first deal with the protracted IDP situation that has not been addressed with a durable solution. Instead, the government of Sudan has continued to view the return of IDPs as the preferred solution. In 2005, the United Nations Human Rights Commission for Refugees (UNHCR, 2011) and the government of Sudan signed a letter of understanding that stated that the UNHCR would monitor the right of return to villages. As of 2010, however, the majority of the IDPs had not opted to return due to general insecurity and lack of law and order, particularly banditry, crop destruction, looting, and the harassment to women when returning from cultivation (UNHCR, 2011). Moreover, while the government of Sudan maintains that the return of IDPs is a durable solution to the crisis, evidence indicates that the majority of IDPs will likely stay in urban areas due to urbanization as well as to the questionable security situation in the remote villages of Darfur.

Another factor that needs to be considered is constructing villages in areas that the IDPs are likely to inhabit. Specifically, enabling the IDPs to access and own land in their villages of origin is crucial for permanent return of the IDPs (Pantuliano, 2007). Thus far, the villages that have been constructed have not been built in the original places of the IDPs. Consequently, the majority of the villages remain uninhabited. Further, findings suggest that when returns do take place, population movements have been seasonal, rather than permanent, with the vast majority of IDPs leaving IDP camps to engage in cultivation as a complementary livelihood strategy and returning after harvest to areas of displacement.

Complicating this issue is the fact that nomadic communities are changing their lifestyles and have started to permanently settle in areas where IDPs assert land rights (UNHCR, 2009). The current administration is too weak to address this situation by defending the land tenure rights of IDPs. To make matters worse, these issues remain politically sensitive and complicated by different understandings of the native administration and the state as well as by the lack of legal documentation of land ownership (Daun, 2011).

Third, livelihoods and food security are a major factor affecting returns. Decreasing food rations in the IDP camps have led to larger numbers of IDPs returning seasonally to their traditional homes as a livelihood strategy but not to the extent that they would consider remaining there permanently. Those who have returned permanently tend to be those who still depend on agriculture as their primary livelihood (UNHCR, 2010).

The fourth factor that prevents return is social and ethnic identity. Specifically, the IDP status still confers a political status based on the IDPs' perception of victimization during the conflict. Many permanent returnees continue to consider themselves IDPs and are not willing to give up that status. As a result, those IDPs remaining in the camps are reluctant to return permanently, fearing the loss of their IDP status. (De Waal, 2009). As a result, the political rights associated with the IDP status should be preserved even after IDPs are returned to their home communities.

Fifth, most IDPs living in camps currently have better access to humanitarian assistance and services, mainly education, sanitation, and health, than they had before displacement. The provision of such social services in rural areas (including their villages of origin) is still largely non-existent. Government ministries, such as those of Education

and Health, have so far been largely unable to place staff in rural areas. Thus, return may not be the preferred durable solution for many IDPs in West Darfur. Although there are some opportunities for return it is not likely to take place on the scale that has been envisioned and promoted by the Sudanese government.

In short, the IDPs in West Darfur have become part of a larger trend of urbanization in Sudan. From the start of the conflict until now, the cities in Darfur have doubled in size. Aside from the IDPs living in camps that are in close proximity to towns, there has been an additional influx of people from the rural areas (Pavanellon, 2010). De Waal (2009) has pointed out the relevance of recognizing urbanization as an important element affecting durable solutions for IDPs: Whatever political resolution is achieved, many IDPs, perhaps the majority, will have a future in the cities. If we recognize this reality, it can only help in finding workable solutions to the immediate challenges of livelihoods, services and protection for these people (De Waal, 2009).

Thus, despite the strong focus on return, even the Sudanese government acknowledged in 2010 that a significant percentage of IDPs are now urbanized and will likely not return to their villages of origin. Most of the IDPs have spent over six years in the camps and their livelihoods and social structures have changed from before their displacement. The changes in livelihood are strongly linked to access to services provided by the international community to urbanized IDPs, whose coping strategies, educational attainment and employment opportunities have undergone profound shifts in the past years. Further, children growing up in IDP camps do not have the experience of living in rural areas with a rural farming lifestyle and cannot be expected return to

villages in the rural areas where subsistence agriculture is the only possible livelihood (UNHCR, 2011).

Therefore, there is a need to rethink the strategies to a durable solution. Despite the Sudanese government's intense political focus on return, there are likely greater opportunities for IDPs in urban areas. Thus a stronger focus should be on those IDPs, who have in fact locally integrated with urbanized communities but still needed humanitarian assistance. Despite the fact that it has now been recognized that many IDPs will never return, few NGOs have focused on increasing the extension of services, such as vocational training, to create sustainable livelihoods for IDPs in urban areas. Although the 2010 government policy for Darfur focused heavily on return. As a result, more emphasis should be given to sustainable development programs, and it is essential that the national and local authorities become more involved in the process of assessment, planning, and priority setting for such programs. Since rapid urbanization means that many will not return to rural villages, more effort needs to be given to local integration, opening up possibilities for new land share arrangements in return areas. Thus a constructive conversation with the government of Sudan on land occupation is necessary. This should include supporting and strengthening traditional conflict solving mechanisms in villages with land disputes between returning IDPs and pastoralist populations. Such interventions can assist in creating peaceful coexistence between them. Hence, besides a change in strategy from the international humanitarian community, a successful, durable solution will foremost depend on the government's willingness to commit political will to address prolonged conflict and to provide economic resources and support to the IDPs of Darfur. I offer several specific recommendations below.

**(b) Recommendations**

Reports show that human security in Darfur has deteriorated dramatically. The Darfur peace process cannot bring peace when Darfurians do not feel safe and secure at home and during their daily work life (Netabay, 2009). It is necessary that twenty six thousand troops of the African Union United Nations Hybrid Mission in Darfur (UNAMID) be deployed as soon as possible to protect civilians and clear the ground for a political solution. The international community should put strong pressure on the government of Sudan to uphold its commitments to facilitate the full deployment of UNAMID.

Local and international mediators should take initiative for cross-tribal negotiations as well as encourage all religious leaders into these negotiations. This will help build mutual trust and confidence among Darfur's tribes and will create a favorable situation for negotiation. Because tribal and religious leaders exercise legitimate authority over their communities, successful peace negotiations require mutual understanding among all stakeholders in the conflict. Thus, cross-tribal negotiations and engagement of religious leaders would enhance mutual understanding among the various tribes in Darfur and help narrow the social divide created by the conflict.

Future Darfur peace negotiations must include unarmed civilian groups, including women, tribal leaders, religious leaders, and civic associations. This would enhance the legitimacy and success of the peace process (Netabay, 2009). Similarly, Arab militias and some faction rebel groups have stayed outside of the peace process. They must also be invited for the final inclusive peace negotiations.



Russia is a very close ally of Sudan. Russia strongly supports Sudan's territorial integrity and opposes the creation of an independent Darfurian state. Also, Russia is Sudan's strongest investment partner and political ally in Europe and Russia has repeatedly and significantly regarded Sudan as an important global ally on the African continent. Moreover, Russia, sells about 87 percent of arms to Sudan. This means Sudan and Russia have very close relation. As a result, the United Nations should put serious diplomatic pressure on Russia to bring the government of Sudan to the negotiating table with rebel forces in order to end the long standing civil war.

China is another close ally of Sudan. Oil and the uranium that has been recently discovered in Darfur are the main interests of China in Darfur. Indeed, China's lenient policy toward the Sudanese government encouraged the government to utilize overwhelming force against Darfurians with impunity. Thus, the United Nations Secretary General as well as the Security Council's other members should put diplomatic pressure on China to stand with Darfur and the Darfurian people rather than the government of Sudan to support justice in Darfur.

The United Nations and the United States termed the situation in Darfur as the "world's worst humanitarian crisis or genocide" (Quach, 2004). As a global super power, the United States should take extra diplomatic efforts to convince both Russia and China to stand together in order to bring Darfur's armed conflict to a logical end by sorting out the unresolved IDP issues.

## **Conclusion**

The issues of the IDPs remain a focal point for the resolution of the Darfur conflict. Of all people in Darfur, IDPs are the most victimized by the armed conflict. Addressing the issues that confront them would require addressing the substantial social, political, economic, and religious marginalization of this people.

While this thesis has argued that five peace agreements were an effort to bring about negotiated peace in Darfur, none of them has succeeded. And today, the situation faced by IDPs is even worse. Thus, in addition to reviewing various factors that account for the failure of the peace agreements, including internal, regional and international factors, this thesis has maintained that there are five possible resolutions of the conflict. As I have argued, a successful resolution requires a concerted effort by all international mediators to deal fairly, but firmly, with the government of Sudan. It will also require making it possible for IDPs to return to their home communities with an emphasis on both physical and economic security, which will require economic development throughout Darfur. Most importantly, the Sudanese government should take the greatest initiative in dealing with the IDP problem. Without the government's keen interest in this issue, it will be virtually impossible to sort out the IDPs' problems. For this to occur, the government of Sudan must cooperate with the United Nations and be willing to sit at the negotiating table with all stakeholders of the conflict including the IDPs. Only in this way will the parties involved be able to reach a solution that guarantees security as well as adequate compensation for the loss of their homes and properties.

In my opinion, the Guiding Principles are not permanent laws yet. The GP have to be turned into permanent law through an international convention of the UN. If the GP

acquires the force of international law, the immediate effect will be that international organizations will have greater freedom and easier access to IDPs without Sudan being able to use sovereignty as a bargaining chip.

Unless such steps are taken, no one will be safe from the violence. Seventy year old Bashir Ali, an elder at the Al-Salam IDP camp told his story: One morning, an armed group entered the village. The armed group opened fire indiscriminately, set homes on fire and stole whatever was available from the homes of people. Bashir Ali lost everything. He only managed to escape, arriving at the Al-Salam IDP camp after walking for three days (WFP, Report April, 2007).

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