STRATEGIC ISSUES WHICH HINDER THE REALIZATIONS OF
PEACE THROUGH NEGOTIATION IN SUDAN:
CASE OF DARFUR

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Sudan continues to experience armed conflict between non-Arab Darfurian rebels against the predominately Arab Government of Sudan (GoS) supported by its security forces and militias. Despite the international community's thirteen years effort to settle this conflict through negotiations, both sides continue to fight. The factors which have impeded the realization of peace through negotiations in Darfur are the subject of this study. This research used two case studies: the successful Sudan-South Sudan peace negotiations process signed on 9 January 2005 and the failed Sudan-Darfur rebels peace negotiations. Analysis of the two peace negotiation processes reveals factors which contributed to the success and failure of those peace talks. This research identified those factors that have impeded the realization of peace in Darfur as ineffective mediation, an incomprehensive peace agreement, and ingenuine power-sharing. Other contributing factors are the unilateral decision by the GoS to conduct a referendum for self-determination of Darfur, unguaranteed security of actors and populations, and mismanagement of spoilers during peace negotiations. This research concludes that the totality of neglect for these factors contributes to the failure of peace negotiations in Darfur and recommends thoughtful consideration of similar conflict resolution processes for a successful, long-lasting political settlement.

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ABSTRACT

STRATEGIC ISSUES WHICH HINDER THE REALIZATIONS OF PEACE THROUGH NEGOTIATION IN SUDAN: CASE OF DARFUR, by Major Jacob Samson, 1111 pages.

Sudan continues to experience armed conflict between non-Arab Darfurian rebels against the predominately Arab Government of Sudan (GoS) supported by its security forces and militias. Despite the international community's thirteen years effort to settle this conflict through negotiations, both sides continue to fight. The factors which have impeded the realization of peace through negotiations in Darfur are the subject of this study. This research used two case studies: the successful Sudan-South Sudan peace negotiations process signed on 9 January 2005 and the failed Sudan-Darfur rebels peace negotiations. Analysis of the two peace negotiation processes reveals factors which contributed to the success and failure of those peace talks. This research identified those factors that have impeded the realization of peace in Darfur as ineffective mediation, an incomprehensive peace agreement, and ingenuine power-sharing. Other contributing factors are the unilateral decision by the GoS to conduct a referendum for self-determination of Darfur, unguaranteed security of actors and populations, and mismanagement of spoilers during peace negotiations. This research concludes that the totality of neglect for these factors contributes to the failure of peace negotiations in Darfur and recommends thoughtful consideration of similar conflict resolution processes for a successful, long-lasting political settlement.

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ACRONYMS

AMIS	African Union Mission in Sudan
AU	Africa Union
CAR	Central Africa Republic
CDR	Committee for the Defense of the Revolution
CGSOC	Command and General Staff Officers Course
CPA	Comprehensive Peace Agreement
DDF	Darfur Development Front
DDPD	Doha Document for Peace in Darfur
DDR	Disarmament, Demobilization, and Reintegration
DLF	Darfur Liberation Front
DoP	Declaration of Principles
DPA	Darfur Peace Agreement
DRA	Darfur Region Authority
DRC	Democratic Republic of Congo
GoS	Government of Sudan
GoSS	Government of South Sudan
ICG	International Crisis Group
IDP	Internally Displaced Persons
IGAD	Inter-governmental Authority on Development
JEM	Justice and Equality Movement
LJM	Liberation and Justice Movement
NCP	National Congress Party
NOREF	Norwegian Center for Conflict Resolution

PDF	Popular Defense Forces
SAF	Sudan Armed Forces
SLA	Sudan Liberation Army
SLA/AW	Sudan Liberation Army/Abdul Wahid
SLA/MM	Sudan Liberation Army/Minni Minnawi
SM	Sony Movement
SPLA	Sudan Peoples Defense Liberation Army
SSR	Security Sector Reform
TDRA	Transition Darfur Region Authority
U.S.	United States
UN	United Nations
UNAMID	Africa Union-United Nation Hybrid Mission in Darfur
UNMIS	United Nations Mission in Sudan

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CHAPTER 1

INTRODUCTION

> In Tanganyika, we believe that only evil, Godless men would make the
> color of a man's skin the criteria for granting him civil rights.
> —Mwalimu Julius Kambarage Nyerere, "Resources Quotes"

From 1990, following the collapse of the Soviet Union, the world has been

overwhelmed with violence, conflict, and war. Many of these clashes have occurred in

Africa where civil, ethnic, and tribal disputes occurred as a result of the scramble for

resources often caused by maladministration of the governments in power. In fact,

fourteen of the sixteen wars fought in Africa from 1990 to 1997 were intrastate conflicts,

and in 1992, the African continent hosted 46.7 percent of all civil wars in the world

(Collier and Hoefler 2004). According to Collier, "the critical sources of conflict in

Africa is the diversity and complexity of many ethnicities and tribes exploited by the

political elites" (Collier and Sambanis 2005). Disputes in Sierra Leone, Liberia,

Democratic Republic of Congo (DRC), Rwanda, Somalia, and Sudan are excellent

examples.

These conflicts caused injury, death, movement within/outside of the country,

poverty, and diseases to the citizens of these countries. These situations led to the

involvement of the international community through United Nations (UN) Charter to

initiate peaceful means to solve these clashes. UN Charter Chapter VI, article 33

identifies peaceful means to settle international disputes. Peaceful means are negotiation,

inquiry, mediation, conciliation, arbitration, judicial settlements, and resort to regional

agencies or arrangements (UN 1945). To date, negotiations have been preferred because

they provide a useful and agreed upon outcome for both warring parties and provides a basis for better interactions to explore emotional and interpersonal dimensions of a conflict (Bercovitch and Jackson 2009). Most often, negotiated peace settlements include pre-negotiating agreements on how the warring parties will explicitly regulate or resolve their fundamental incompatibility, or intend to resolve disputes by reaching an agreement (Toft 2010). Negotiations have managed to contain most civil wars and are increasingly accepted as the preferred way of ending civil wars despite some negotiated settlements having a poor record of success (Bekoe 2005).

Background: Peace Negotiations in Africa

Through the use of peaceful means of resolving conflicts provided by UN charter, some of the conflicts in Africa have successfully and peacefully been fixed, and some have failed. The examples of the successful conflict resolutions are resolutions between Ethiopia and Eritrea to form two countries, and Sudan and South Sudan through Inter-Governmental Authority on Development (IGAD). However, other African conflict resolutions continue to fail. Among the reasons for failure are a lack of attention paid by the international community in pressing the parties in conflict to participate sincerely and fully in negotiations. Moreover, Shah Anup commented that "despite decades of armed conflicts, death, and tragedy, coverage of the issues in Africa has often ignored, oversimplified, or excessively focused on limited aspects" (Anup 2010). Furthermore, Bishop Tutu also commented that the UN, African Union (AU), and neighboring countries have often been too reluctant to confront tyrants, dictators and other warmongers (Villa-Vicencio 2009). The examples of current peace negotiations which

have taken a long time to realize peace are the peace process between Morocco and Western Sahara, and between the Government of Sudan (GoS) and Darfur rebels.

Sudan-South Sudan War

Until recent times, the northern part of the territory comprising modern Sudan formed part of the region known as Nubia; the history of Nilotic, or Southern Sudan, between the 1800-1900 years. When the Egyptian penetration of Nubia began about 2755-2255 B.C.E., South Sudan was a group of small, autonomous states, and remained so from the beginning of the Christian era until 1820-21 when Egypt conquered it and unified with the northern part of the country (DOJ 2003). In the period from 1820-1900, the Egyptians were unable to establish effective control of Southern Sudan, which remained an area of fragmented ethnic groups subject to frequent attacks by slave raiders. In 1898, the Sudan Country was officially colonized and placed under British-Egyptian administration. Great Britain took the South Sudan from France and Belgium to make the whole Sudan into an Anglo-Egyptian colony in the early twentieth-century period. British investments, governance, and development were in the north (Khartoum) leaving other parts of Sudan such as South Sudan and Darfur undeveloped.

Sudan became an independent nation in 1956 after the United Kingdom and Egypt granted it sovereignty in 1953. The transition period toward freedom began with installation of the parliament in 1954. Provision of the constitution of 1954 and 1956 was drafted with the purpose of making Sudan an Islamic state. Just before independence in 1955, the first civil war emerged between Sudan and South Sudan over the legitimacy of the government in Khartoum. The South Sudan people viewed the Khartoum government as illegal and feared mistreatment due to lack of representation in the government. The

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civil war continued for 17 years before being settled through the Addis Ababa Agreement in 1972 (Machar 2018).

Sudan was the largest country in Africa before the secession of South Sudan, and it is gifted with substantial natural resources. Sudan's economy was almost entirely agricultural until the start of oil production and exports in 1999. The income from Sudan's oil investments, discovered in 1978 in Southern Sudan, mainly benefitted those in the Khartoum regime and military.

The source of the conflict between north and south is based on the different religious beliefs of the population. Sudan and South Sudan are divided ideologically, with North Sudan dominated by Muslims and the majority of the South Sudanese are Christians. Furthermore, while Northern Sudan adopted an Islamic approach by including Islamic religious in politics, the South Sudanese wanted religion separated from politics. The clash between North Sudan Muslims and South Sudan Christians began in 1983, and lasted until the Comprehensive Peace Agreement (CPA) was signed in 2005. During this conflict, about two million people died from violence, famine, and disease. Moreover, an estimated six hundred thousand people sought refuge in neighboring countries, and other four million were displaced (Dagne 2010).

<p style="text-align:center">Sudan-Darfur Conflict</p>

Darfur is one of the regions in Sudan situated in the western part of the country. It borders Libya to the north-west, Chad in the west, the Central Africa Republic (CAR) in the south-west, and South Sudan in the south. According to De Wall, [the executive director of the World Peace Foundation at the Fletcher School of Law and Diplomacy at Tufts University], its size is about the same as that of France, but with a sparser

population (De Waal 2007a). Regarding climatic conditions, the northern part of Darfur is covered by desert and by savanna in the south and south-west of the region.

According to Mamdani, historically, Darfur was a Sultanate state created in the 1650s, and it was known as Darfur Sultanate. It was first ruled by the British in 1898 and recognized as nominally independent Sultanate. This arrangement changed in 1922 when Darfur was incorporated into the Anglo-Egyptian colony; it was renamed Darfur Province and placed under the GoS (Mamdani 2010).

Figure 1.   Map of Darfur Region

Source: Operation Broken Silence Team, "Sudan Conflict Overview: From Independence to today," *Operation Broken Silence Blog*, 1 January 2014, accessed 13 April 2018, https://www.operationbrokensilence.org/blog/sudan-conflict-overview/.

Majority of Darfur residents are non-Arab, including ethnic groups like Fur, Masalit, and Zaghawa, who in total make up two-thirds of the population (De Waal

2007a). They support themselves in farming and cattle herding. According to Salin, Darfur has confirmed oil, iron, uranium, copper, and gold, which when adequately managed, would support the economy of the region (Salin 2008).

Their agricultural activities depend on rainfall and availability of water sources from two lakes around Jebel Marra and great seasonal streams from mountain ranges. Darfur Arabs are mainly of two groups, the Baggara Arabs (farmers and cattle herders) who dwell in the southern area of the Darfur region and their agriculture also depends upon rainfall and the Abbala Arabs (camel herders) who reside in the northern part of the region. The north to south migration in Darfur was historically part of the life especially by Abbala tribes driven by drought and desertification of the northern region of Darfur. Their movement was timed with the seasons to provide water and vegetation for their camels.

Figure 2.   Satellite Map of Darfur Showing Vegetation

Source: ROFITIRAJ.HR. "Južni Sudan – u krvi rođena 55. afrička država," ["Southern Sudan. The Blood was Born 55th African Country"], posted 16 February 2011, accessed 13 April 2018, http://profitiraj.hr/juzni-sudan-u-krvi-rodena-55-africka-drzava/.

According to Mamdani, the severe drought of the 1980s facilitated local conflicts over land access, crop destruction, and water sources between the farmers and pastoralists regardless of their races (Mamdani 2010). The conflict worsened in 1987 when Chadian Arab insurgents (nicknamed Janjaweed) armed by the late Colonel Gaddafi as part of his effort to control Chad, went into Darfur and joined hands with Darfur Arabs (Abballa tribe) in a war against non-Arabs (De Waal and Flint 2008). The GoS failure to contain the conflict led the non-Arab Darfurians tribes to organize themselves into armed groups to defend against the Darfur Arabs in this inter-tribal conflict and organized the rebellion in 2003.

This conflict left almost hundred thousand people dead, about 2.7 million people displaced, and possibly one million refugees in neighboring countries such as Chad, CAR, and other parts of Sudan (Holmes 2008). The effort to bring conflicting parties to the negotiation table to restore peace in Darfur began in early 2004. A series of diplomatic efforts include some AU and UN-sponsored protocols, declaration of principles, and agreement made to settle the conflict. To date, these efforts have proven fruitless in bringing the GoS and rebels, who initiated the rebellion, to a negotiation table despite the number of peace agreements made, and the devastating impacts this conflict has had on populations. It is the author's opinion that, because innocent Darfur residents are still suffering, and their human rights violated, actions must be taken to stop this conflict.

<u>Purpose of Study</u>

This study seeks to explore the existence of strategic issues, which have hindered the realizations of peace in Darfur despite 13 years of effort made by the International Community to stop violence in Darfur. Policymakers in Africa grapple with the problem of how to use peace negotiations to resolve armed conflicts (Rupert 2005). This struggle is a result of the use of military means to determine the ends of the conflict, which became very costly regarding resources, death, injuries, and displacement of populations. Monica Toft writes that, in the conflicts where military victory worked, the cost was high regarding lives lost and often led the defeated party to plan for more disputes because the causes of the conflict were not addressed (Toft 2010). Most civil strife is deadly and took a long time to resolve as pointed out by Christian C. Ezeibe who described the 1994 genocide in Rwanda that caused about 800,000 deaths (Ezeibe 2014). About South

Sudan, Ted Dagne postulated that until the CPA was signed in 2005, the clash between North Sudan Muslims and South Sudan Christians left about 2,000,000 people dead from violence, famine, and disease. Moreover, it was estimated that 600,000 people sought refuge in neighboring countries, and another 4,000,000 were internally displaced (Dagne 2010). As mentioned above, the Darfur conflict also left about 4 million people affected (Holmes 2008). Kathleen O'Toole mentioned that African peace negotiations are often complicated due to the deadly pursuit of military victory by the warring parties, even during talks, and too many interests among the international community (O'Toole 1997). The good thing is that the negotiation approach was regarded by most African elites as the most civilized, cost-effective and efficient way of resolving conflicts and securing peace in the long term since not all conflicts can be mitigated militarily (Bekoe 2005). For negotiations to succeed, Moore recommends that warring parties must be willing and ready to negotiate, issues to settle must be negotiable, and resources to facilitate talks should be available (Moore and Woodrow 2010).

Other essential conditions are the availability of external mediators and facilitators to support negotiations and there is a sense of determination to end the conflict (Moore and Woodrow 2010). Despite the mentioned factors for successful peace negotiation, a number of them failed to either bring the warring parties to the formal peace talks table or to end the conflicts. As Sanam Anderlini described, negotiations are rocky with many challenges and require caution in preparing for spoiler groups that have interest in sabotaging the negotiations process (Anderlini 2000). This research aimed to explore the strategic issues which hinder the realizations of peace through negotiation in Africa, specifically in Darfur, Sudan.

Primary Research Question

The thesis explains the strategic issues, which have impeded the realization of peace in Darfur through a negotiation process between the warring parties. The research will focus on the examination of interests and strategic objectives of conflicting parties to thoroughly address the issues for the longtime peace achievement. The primary research question is: What are the impediments to peace and stability through conflict resolutions and management processes in Darfur? The first secondary question is: "How has management of negotiations affected the peace processes in Darfur?" This question aimed to explore the support from those parties in a conflict in the peace negotiation process. The next secondary question is: "How much have the critical player's actions contributed to the failure of peace processes in Darfur?" This question aimed to explore the role played by key players (GoS, rebels, and Mediators) in the peace process that hinder peace and stability in Darfur.

Assumptions

The assumption here, according to realism theory of international relation, is that the GoS is the only legitimate governing body responsible for taking care of its national interests. Second, since the GoS is part of the conflict as alleged by armed movements, another generated assumption is that there might be issues surrounding the GoS and rebels, which need to be addressed for the successful conflict resolution and peace management. Third, although it is about 13 years since the AU and UN began their unsuccessful efforts to bring peace to Darfur through negotiations, another assumption is that the warring parties have used these negotiations as a tool to buy time for deliberate implementation of their respective desired end states.

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<u>Definition of Terms</u>

<u>Darfur</u>: Darfur is the word made up of two words; an Arabic word Dar, which mean land, and Fur which is the non-Arab ethnic group lived in the western region of Sudan. Therefore, Darfur means "Land of Fur," the name was given after the non-Arab ethnic group controlled the Darfur Sultanate in the 1650s and who live in the central part of the Darfur region (De Waal 2007a).

<u>Janjaweed</u>: Janjaweed mean men on horseback (Prunier 2005). The original Janjaweed of the 1980s were a coalition of Chadian militia, armed by Libya as part of Gaddafi's attempt to control northern Chad. They were chased into Darfur by Chadian and French forces; the Janjaweed allied with drought-stricken Darfurian Arab nomads to spark a brief but intense war for land with the neighboring Fur (De Waal 2007b).

<u>Movements</u>: There are two definitions of movements provided by the two signed peace documents. According to DPA, Movements means the Sudan liberation movement/Army (SLM/A) and the Justice and Equality Movement (JEM) (DPA 2006). DDPD defined the movements as all the armed groups involved in the conflict other than State armed forces and associated militia: for the DDPD, the Movements means parties to the Doha Peace Process and are signatories to this Agreement (DDPD 2011).

<u>Armed Militia</u>: According to both DPA/DDPD, Armed militia means forces, whether or not associated with or affiliated with any Party, and includes any armed group engaging in or which has engaged in a hostile activity (DPA 2006).

<u>Negotiation</u>: According to Fisas Vicent Armengol, negotiation is the process which two or more opposing parties decide to discuss their differences within an agreed framework to find a solution to their demands (Armengol 2013). Bruce Button also

defined it as the back-and-forth communication designed to reach an agreement between two or more parties with some interests that shared and others that may conflict or merely be different (Patton 2005). According to him, successful negotiation comprises seven elements which are interests, legitimacy, relationship, alternatives, options, commitments, and communication (Patton 2005).

Mediation: Fisas Vicent Armengol defined mediation of the peace negotiations as the intervention of third parties in a conflict negotiation where two or more players face initial problems of incompatibility (Armengol 2013). He argued that the effective mediation must follow three stages of the peace process: the pre-negotiation, negotiation, and implementation of agreements (Armengol 2013).

Peace Process: According to Fisas Vicent Armengol in Norwegian Center for Conflict Resolution (NOREF), a peace process defined as the consolidation of negotiation framework once the agenda, procedure, timetable, and facilitation elements are determined (Armengol 2013).

Peace Documents: Peace documents (treaties) are documents considered as contracts intended to end or significantly convert a violent conflict so that it may be addressed further positively (Mezzera, Pavicic, and Specker 2009).

Scope

The study covers the issues impeding the realization of peace in Darfur by examining two peace processes involving the GoS, the case of longtime Sudan –South Sudan peace process and the Sudan-Darfur conflict resolution process. This study analyzes the variables used in the peace process to identify interests of the GoS and rebels in both peace processes to compare results in order to explore how differently the

variables treated to make the Sudan-South Sudan peace process successful, and Darfur peace process unsuccessful.

Limitations

The research for this study is limited to the document review method of data collection. Because it is qualitative research, the other means of collecting data such as an interview or focus group discussion were not used due to difficulties in obtaining a sample for the purpose of doing this research in the United States. Therefore, primary data collected from official reports and other documented peace agreements such as Darfur Peace Agreement and Doha document for peace in Darfur, and secondary data from other document sources such as journals, magazines, and other publications were used. The study is time constraints because the survey has to be done only in six months together with other activities required by the Command and General Staff Officer's Course (CGSOC). A funds problem also limits the study; no external financial resources were allocated for research.

Delimitations

Based on these limitations, the study will not suggest the change of the approaches used by GoS or rebels to achieve their end state, nor propose to stop the relationship between Sudan and South Sudan people, but rather to highlight the factors concerning conflict resolution processes.

Significance of Study

The topic is vital to the military profession and other scholars because it adds new experiences to the complexity in the field of conflict resolution and management

processes. It is significant for peace mediators to see this conflict genuinely regarding the strategic interest of the Sudan state for achieving the long-lasting peace.

Summary

The chapter introduced the proposed UN peaceful means of resolving conflict and cited examples of successful peace processes and unsuccessful peace processes to inform the reader that the process is complex and challenging. It introduced the background of the two Sudanese areas of conflict: South Sudan and Darfur have involved peace processes in familiarizing the readers with the researching topic. The introduction of the geography of the Darfur region, its history, which created from the 1650s as a Darfur Sultanate State to Darfur province, how the battle among Darfurian started, and the failure of local conflict resolutions effort made by local leaders before the eruption of 2003 rebellion (Mamdani 2010).

Moreover, this chapter introduced the 13 years of unsuccessful peace processes and management efforts made by the AU and the UN to find peace in Darfur (AU 2006). Despite the failure above, however, the thesis emphasizes the needs to explore those issues, which hinder peace realization in Darfur to stop continued violence in the region and set up the thesis questions, which will be the guide in this study. The assumptions and, definition of terms used in this study will be helpful to familiarize the reader with this research. The scope, limitations, and delimitations aimed to explain the range and justification for the research topic. This introduction also includes the significance of the study to highlight its importance and how useful the study may be in the future. The next chapter reviews the body of knowledge relevant to the investigation to gain more insight into the subject matter.

CHAPTER 2

LITERATURE REVIEW

Chapter 1 introduced the research topic about the strategic issues, which impede the realization of peace in Darfur. It covered the proposed UN peaceful means of resolving conflict and cited examples of successful and unsuccessful peace processes to familiarize the reader with the complexity of the process. Moreover, the geography of the Darfur region, its history, since the 1650s as a Sultanate state to Darfur province, the origins of the battle among Darfurians, and the failure of local conflict resolutions by local leaders before the eruption of 2003 rebellion was also presented (Mamdani 2010). Lastly, the 13 years of unsuccessful peace processes and management efforts of the AU and the UN to find peace in Darfur (AU 2006), became the motivation for the selection of this topic to search for the strategic issues that have hindered the realization of peace in Darfur.

The primary research question is: "What are the impediments to peace and stability through Conflict resolution and management processes in Darfur?" The first secondary research question is: "How has the management of negotiations affected the peace process in Darfur?" The next secondary research question is: "How much have the critical player's actions contributed to the failure of peace processes in Darfur?" These research questions focus on examination of the interests and strategic objectives of the conflicting parties which need to be thoroughly addressed by all actors in the peace process for achievement of a longtime peace.

This research examined the bodies of knowledge which are relevant to peace processes and which the study uses as variables during its analysis in chapter 4. The

chapter covers the following areas of literature to determine answers to the research

questions posed earlier.

1. Effectiveness of mediation process,

2. Comprehensiveness of the peace agreement

3. Power Sharing in peace processes

4. Referendum for self-determination in the peace process

5. Which Security dilemma? Mitigating ethnic conflict, and

6. Spoilers' problem in the peace process.

<center>Effectiveness of Mediation Process</center>

Negotiation is defined as the process which two or more opposing parties use to

discuss their differences within an agreed framework to find a solution to their demands

(Armengol 2013). According to Bruce Patton, effective negotiation comprises seven

elements which warring parties need to observe for successful talks (Patton 2005). These

elements are interests, legitimacy, relationship, alternatives, options, commitments, and

communication (Patton 2005). Employment of all seven elements improve the chances

for successful negotiations. According to Patton; -

The demands submitted by the party are what called interests, and the legitimacy

is the feeling of being fair or unfair options presented in the negotiation table. The

relationship implies the open or hostile sentiments among the negotiating parties, and the

alternative is when the part decides to choose his course of action whether to continue

with negotiation or quit. Options are possible agreements upon which negotiators must

possible agree, or anything might help to satisfy the parties' interests. A commitment is

an agreement, demands, offer, or promise by one or more parties, and any formation of

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that agreement it is signaled using the word I will offer, I promise not to, etc. (Patton 2005).

It is possible to conduct negotiations with the help of third party facilitation. Mediation, therefore, is the intervention of third parties in a conflict where two or more players face initial problems of incompatibility (Armengol 2013). Mediation has three stages of the peace process: the pre-negotiation, negotiation, and implementation of agreements (Armengol 2013). Typically, formal talks have a pre-negotiation or exploration phase where the framework of a future consultation is defined (Armengol 2013). According to NOREF, a peace process is, therefore, the consolidation of negotiation framework once the agenda procedure, timetable and facilitation elements are defined (Armengol 2013).

In organizing peace negotiations, the international community, individuals, institutions, governments and civil society play various roles to ensure warring parties agree on an amicable solution to the armed conflict (Lyons and Khadiagala 2008). The mediators are essential since they are involved in setting the peace negotiations agenda, acting as official third-party mediators, facilitators, and trusted brokers, sponsoring and hosting peace negotiations, offering support and encouraging warring parties to negotiate, and establishing verification mechanisms for the implementation of the accord (Toft 2010). The mediator must help the warring parties for successful negotiation, guard against spoilers, monitor the adherence to the ceasefire agreement, and provide necessary support to the warring parties. According to Jacob Bercovitch, negotiations require effective mediation, which is vital in minimizing obstacles during the negotiations process through arranging interactions between warring parties, controlling formal talks

and structuring the agenda for the negotiations (Bercovitch and Jackson 2009). Jacob Bercovitch further states that, there are three strategies used by mediators for the successful mediation process; these approaches are communication-facilitation, procedural, and directive strategies (Bercovitch 1992). Bercovitch postulate that, communication-facilitation strategy describes mediation behavior at the low end of the intervention spectrum, where the mediator adopts a relatively passive role in the process (Bercovitch 1992). The procedure-formulating strategies enable a mediator to exert a more formal control over the mediation process concerning the environment of the mediation (Bercovitch 1992). The directive strategies are the most potent form of intervention where they affect the information and substance of the negotiating process by providing incentives for the parties and changing their motivational calculus (Bercovitch 1992). Therefore, to ensure the successful integration of the elements of negotiations into the negotiations, the mediator should use various strategies passive and coercive for negotiation process success.

Comprehensiveness of the Peace Agreement

This research assumes that peace accords have the potential to provide timely and efficient entry points for the international community to engage in state-building processes in post-conflict situations. Peace treaties usually are considered as contracts intended to end or significantly convert a violent conflict so that it may be addressed more positively (Mezzera, Pavicic, and Specker 2009). The implementation of the peace agreement is the test to show the comprehensiveness of the peace accords (Mezzera, Pavicic, and Specker 2009). Hoglund notes that the most significant challenge facing warring parties at the negotiations table is not how to resolve disagreements, but

designing a treaty that convinces the combatants to shed their partisan armies and surrender to the government (Hoglund and Isac 2003). Bekoe notes that for peace agreements to be effective, contracts should contain provisions of broad power-sharing arrangements and international intervention for implementation to succeed (Bekoe 2005). Furthermore, Barbara F. Walter pointed out that, negotiations become complicated if the root source of the conflict is not identified and addressed. According to Walter, the talks have no chances to succeed unless warring parties can resolve the issues driving the armed conflict (Walter 2001). William I. Zartman wrote that, the strength of peace negotiations is in addressing the causes of the conflict, offering a confidential process, helping warring parties to think of possible solutions and working towards dispute resolution rather than seeing one side win (Zartman 1985). Furthermore, Paul H. Nitze added on context of peace negotiations when wrote that, the factors that may determine the outcome of the peace negotiations are the nature of the conflict, the quality of negotiating parties, the mediators, the context of peace negotiations (Nitze 2010). Other factors Nitze pointed out are the external influence, pre-negotiating conditions (timing), resources, leadership, and the processes that facilitate the holding of peace negotiations (Nitze 2010).

The governance components in the peace accords encompass three core functions: security governance, organizational- economic governance, and political governance (Mezzera, Pavicic, and Specker 2009). According to Marco and his peers, each governance component may include some activities for the peace accord to accomplish: -

The security governance component may consist of Security Sector Reform (SSR), Disarmament, Demobilization and Reintegration (DDR) processes. The

Administrative-economic governance may include reorganization of administration,

decentralization, transparency, and corruption and land reform provisions. Political

governance component may consist of constitution drafting, election provisions, and

consultative mechanisms on the design and running of elections (Mezzera, Pavicic, and

Specker 2009).

There is a direct relationship between the inclusion and exclusion of specific

governance constituents in the selected peace agreements and the product of the peace

process. While the integration provides better results in the peace negotiations, the

exclusions in most cases end up with the failed peace negotiations. The detailed

provisions of the articles included in the components, the comprehensive is the peace

documents. The study will use the reviewed information to analyze the contents of DPA

and DDPD using governance components as stipulated in these two peace documents.

Power Sharing in Peace Processes

Contemporary Peacemaking: Conflict, Violence, and Peace Processes. Consists of

twenty-one chapters, contributed by different authors that explore the essential

components of modern peace negotiation processes. This part will involve a review on

power-sharing as necessary ingredients in peace negotiation processes.

On the part of power-sharing, the study reviews the literature by Timothy D. Sisk

who introduces his insight about this issue. Sisk was the program officer of United States

Institute of Peace (USIP); he wrote on Power Sharing and International Mediation in

Ethnic Conflict in 1996. His book was co-published by the USIP and the Carnegie

Commission on Preventing Deadly Conflict. Sisk clarified the complications with peace

accords that created power-sharing among different ethnic groups and contends that

while it may be appropriate and essential, power-sharing is not a feasible long-term solution to manage ethnically divided societies (Sisk 1996). He argued that contemporary wars are almost all internal ethnic conflicts which usually end with settlements that put power-sharing as the solution.

According to Sisk, power sharing is usually designed to put in place the foundations of democracy in deeply divided societies, and that it involves unique political arrangements (Sisk 1996). He explained the principle of power-sharing such as autonomy, the group building-block approach and the integrative approach which entails matching problems to solutions depending on the enmity between the contending groups and the trajectory of war (the extent of ethnic separation) (Sisk 1996). He argued that it is a fallacy to think of all power-sharing institutions as corporatism because there are many options to the power-sharing institutions (Sisk 1996).

Furthermore, in the "Contemporary Peacemaking: Conflict, Violence, and Peace Processes" edited by John Darby and Roger Mac Ginty contributed to this study on power sharing and self-determination by arguing that the transitional period in peace processes placed in two categories; separation or integration (Darby and MacGinty 2003). They stressed that the groups that peace process or transition fits into would play an essential part in the extent and nature of the symbols used. Moreover, they pointed out that symbols play crucial roles in peace processes and transitions, either positively or negatively, depending on the way deployed by the elite (Darby and MacGinty 2003).

The reviewed article from Yash Pal Ghai, a Kenyan academic in constitutional law, as of 2007, he headed the constitution advisory support unit of the United Nations Development Program (UNDP) in Nepal, and until 2008, he was a Special Representative

(SR) of the UN Secretary-General in Cambodia on human rights. Yash Pal Ghai has been a fellow of the British Academy since 2005. Yash Ghai mentioned among the challenges in a consociational structure is about democracy, transparency, and accountability (Ghai 2005). Bogaards also commented that paradoxically, first institutions of power-sharing under international supervision contributed to an increasing monopolization of power by already entrenched groups that used their favored position in the transitional arrangements to support their hold on power, with adverse consequences for the consolidation of democracy (Bogaards 2006). From Burma's contribution on transitional bodies in Cambodia, East Timor and Afghanistan, one learns that what comes after power-sharing may not be democratic consolidation and deepening, but rather the monopolization of power and increased conflict (Bogaards 2006). According to Matthijs Bogaards, in the many multinational democracies around the world today, there is growing evidence of a potential trade-off between equality and the establishment or revision of power-sharing arrangements (Bogaards 2006).

Since many peace agreements in Africa includes power sharing criteria, which were considered a critical factor in bringing peace through negotiations, the literature will be very helpful to explore the reasons for success or failure in this study. Writing will help to analyze and answer the question that, if the issue were the marginalization of the region in the case study, why they are still fighting despite power-sharing offered in peace agreement? These answers will help in determining the goodwill and sincerity in power-sharing among actors in the conflict resolution.

<u>Referendum for Self-Determination in Peace Processes</u>

Sisk argues on other options apart from power-sharing by saying that parties in internal conflicts usually have two choices for settling their disputes, either through separation or power sharing. He gave an example of the outcome of divorce as seen in Eritrea and East Timor, which both instances involved historical claims to self-determination, and the Soviet Union and former Yugoslavia are also cases of partitions.

Yash Ghai made contributions on self-determination as solutions to ethnic conflicts. Yash Ghai observed that the pursuit of territorial restructuring and the distribution of power are the solutions to national differences, whether through a federation, devolution, or autonomy (Ghai 2005). According to him, federal states are the hardest to achieve as it entails divided sovereignty, while decentralization provides for full self-government and autonomy usually refers to a symmetrical relationship of a part of the state to the central authorities. He explained that in practice the distinctions among these three forms of three-dimensional sharing of power, which he refers to as self-rule, are not clear-cut (Ghai 2005). He stresses the importance of independence and provides a sound discussion on the legal basis of self-government (Ghai 2005).

Referendum is the process of deciding the divorce of a region from its parent state. Milne comments that, as the outcome of the 2004 referendum in Cyprus illustrates, political participation may threaten fragile elite power-sharing arrangements (Milne 2003). Ben Reilly lists five reasons why majoritarian devices such as referenda are likely to heighten tension and increase polarization. (1) In a yes/no ballot, one side will always win; (2) Referendums more or less continuously disadvantage minorities; (3) It tends to turn into an ethnic census; (4) Polls may serve to legitimize choices that have already

decided on the battleground; (5) Plebiscites may be little more than an empty figurative

activity (Reilly 2003).

Even the successful referendum on the Good Friday Agreements in Northern

Ireland, which passed with an overwhelming majority, is viewed with concern (Reilly

2003). The principle of popular consent to the self-determination agreement means that

the referendum can be repeated in the future, casting the stifling shadow of constitutional

politics over the difficulties of day-to-day cooperation (MacGinty, Wilford, Dowds, and

Robinson 2001). The dilemma is clear and well-formulated by Michael Lusztig in his

analysis of the failure of constitutional initiatives in multinational Canada: "the

requirements of mass input into and legitimization of constitutional bargaining in deeply

divided societies are incompatible with successful constitution-making" (Lusztig 1994).

If mass legitimatization undermines effective elite accommodation, then the choice is

between power-sharing *or* (direct) democracy (Lusztig 1994). Paradoxically, there may

be no democratic way to establish power-sharing democracy (Lusztig 1994).

The reviewed literature emphasizes the importance of broad analysis before

peacemakers decide to include self-determination option in conflict resolution

agreements for long-lasting peace achievement. All of them agree on inclusions of the

self-determination criteria as an essential aspect of conflict resolution agreement. Why in-

depth analysis is needed to explore the right approach is because, in highly divided

society, one of the two plans, self-determination or autonomy, might be the best approach

towards long-lasting peace. Peacemakers have to protect the minority and direct their

primary efforts in adopting the best and right approach for peace regardless of the

opposition from a robust opposing party (e.g., the government in power).

<u>Which Security Dilemma? Mitigating Ethnic Conflict</u>

Paul Roe is an Assistant Professor in the Department of International Relations and European Studies at Central European University, Budapest. This study uses his word to review 2004, Paul Roe article on "Which Security Dilemma? Mitigating Ethnic Conflict: The case of Croatia," to gain insight on issues surrounding the conflict resolution processes. In his article, Paul Roe included other vital writers who wrote on the security dilemma to broaden the understanding of the concept.

He starts by pointing out the Jervis remarks that, it is through the involuntary impact of diminishing the security of others, the states seek to increase their safety. That unintentional cost suggests that decision makers find themselves in security difficulties that are not of their making (Jervis 1988). Moreover, Paul Roe pointed to the Butterfield idea at grouping the issues that exacerbate the security uncertainty in three traditional levels of analysis within international relations: the individual, the state, and the global system (Butterfield 1951). Herbert Butterfield concentrates on how uncertainty displays i*tself at the individual level through the supposition of humans as inherently fearful in the traditional realist theory: "You may vividly feel the terrible fear that you have of the other party, but you cannot enter the other man's counter fear. As this operates on both sides, neither sees the nature of the predicament that he is in, for each only imagines that the other party is being hostile and unreasonable" (Butterfield 1951).

Perceptions concerning states behavior derived from several considerations on whether or not the state is democratic, observes national culture and identity or has a specific focus on domestic (bureaucratic) political processes (Glaser 1997). Regarding international spheres, the essential consideration (neorealism) dominated the anarchical

environment, which gives rise to self-help conditions; states tend to undertake the worst. That is the capability that others can do, they will do, given a chance (Jervis 1976).

When analyzing the security dilemma regarding tribal conflict, Snyder and Jervis realized that it is a crucial concept for third parties to consider in mediating tribal strife. Perse, "Mediators must meet not only the situations that constitute the security dilemma but also, the concepts and social forces that produced the dilemma in the first place, and that may replicate it unless the interveners can neutralize them" (Snyder and Jervis 1999).

Furthermore, Snyder and Jervis explain that almost any conflict characterized by a mixture of "security fears" and "predatory goals," which are difficult to put them apart. However, if possible, mediators must separate them: to set the security fears and predatory goals apart, enables peacemakers to determine what kind of actors are involved, what type of conflict they are dealing with, and thus, what mediation strategies are best employed. According to Snyder and Jervis, the security dilemma signals three kinds of treatment. The formation of a sovereign authority capable of imposing hegemonic peace upon all fearfully opposing parties. Second, to develop a condition in which the parties can provide for their security through strictly defensive measures; and third, is for the contending parties to lock themselves into an institutional framework that guarantees their mutual self-restraint once they lay their weapons down (Snyder and Jervis 1999).

The reviewed literature shows that the security dilemma is a product of realism mode of international relations. Though it was due to inter-states conflicts before cold war, it also plays a significant role in intrastate disputes and can be grouped into the individual level, state level, and international level. The issues surround the security

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dilemma of actors are those threaten the interests of the mentioned groups regarding individual unsafety, national insecurity, perceived economic deprivations, and a threat to survival and existence of the state. The literature provides a clear image of how the mediators need to thoroughly study the mediation environment to ensure there is enough security of actors for successfully peace processes.

The literature will help in the analysis of the data acquired through documentation to determine the impediment of the peace realization in Darfur. The security dilemma of actors from the literature will help in the analysis on how the Darfur peace agreement conducted, to identify the challenges faced, the reasons for failure, and intellectually interpret them to determine the impediments of the peace process.

<center>Spoilers Problem in Peace Processes</center>

The author Stephen John Stedman is a senior research scholar at the Center for International Security and Cooperation at Stanford University (Stedman 2000). In Spoiler Problems in Peace Processes, Stephen J. Stedman argues that the armed and unarmed groups in the conflict resolution and management process who perceives that the talks not beneficial to them likely to sabotage the peace process (Stedman 1997). According to Stedman, spoilers can be inside or outside a peace process.

Inside spoilers sign a peace agreement, which signals a willingness to implement, and yet fails to fulfill critical obligations of the accord or tend to use strategies of stealth to sabotage the signed contract (Stedman 1997). For example, the former Rwanda President Juvenal Habyarimana, who failed to comply with Arusha Accords to end his country's internal war (Stedman 1997). Moreover, Stedman pointed out that, the inside spoilers for strategic reasons have some incentives to keep their menace hidden and thus

minimize the amount of use of force to achieve their interest; the inside spoilers want the peace process to continue as long as there is an assurance of advantage against their rivals. Furthermore, the interior spoilers observe signed agreement enough to persuade others of their kind will, but not so much that it fades the spoiler's army competence (Stedman 1997).

Outside spoilers are those who are left out or decided by themselves not to be part of the peace process and subsequent peace settlement. Stedman further articulates that the spoilers outside of the agreement would pose a significant threat to the predictions for durable peace as they believe their interests are not represented in the deal. The outside spoilers use strategies of violence to undermine the peace process and to achieve their ends, which proves to be catastrophic for prospects of a durable peace (Stedman 1997). The strategies are comprised of eliminating moderates who stand for a negotiated peace, butcheries concur with any progress in reaching a negotiated agreement, and aligning with conservative members in the armed forces to sabotage any settlement. According to him, the Committee for the Defense of the Revolution (CDR) in Rwanda, which committed genocide to prevent the implementation of the Arusha Accords, is an example of outside spoilers (Stedman 1997).

Stedman simply stated that spoiling peace process by actors is always deliberate and there is strategic interest in the spoilers. The sabotage happens irrespective the actors are part of the negotiation process or not. So long the negotiated peace is not in favor of their interests, they sabotage it by any means possible. That is to say, spoiling peace process is just the means towards achieving the desired end state of the protagonists and by itself cannot be the factor, which hinders the peace process.

According to Stedman, the crucial difference between the success and failure of spoilers is the role played by international actors as custodians of peace (Stedman 1997). He said where foreign custodians have created and implemented coherent, effective strategies for protecting peace and managing spoilers, the damage has been limited and peace has triumphed, and where have failed, spoilers have succeeded at the cost of hundreds of thousands of lives (Stedman 1997). According to Stedman, the custodians of peace processes in the 1990s first, the inducement, or giving the spoilers what it wants. Second, socialization, or changing the behavior of the spoilers to adhere to a set of established norms; and third, coercion, or punishing spoiler behavior or reducing the capacity of the spoilers to destroy the peace process (Stedman 1997). Therefore, mediators can employ more than one strategy, either simultaneously (with different priority and emphasis) or in sequence (Stedman 1997).

Other writers, such as Adri Ngeleza wrote that, for peace negotiations to be successful, warring parties must show a sincere commitment to peace, build trust, and show goodwill of faith. Moreover, involving all parties to the conflict, and keep the spirit of change alive with genuine help from outside supporters (Nieuwhof and Handmaker 2005). Shirwa Abdullahi Mohamed pointed out that, the accepted view is that peace negotiations present the best opportunity to end armed conflicts, primarily where the process owned by the whole community with features of inclusiveness, openness, and joint ownership (Mohamed 2008). Peacemakers also attributed the failure of negotiations as to lack of political will among warring parties and the existence of spoilers who find wars more profitable (conflict entrepreneurs), politically and economically than peace (Haysom 2002).

Failed peace negotiations tend to support those who argue that international community should give a chance for the war, and military victory as the only way to securing durable peace (Toft 2010). The Stedman review on peace spoilers is beneficial in this study because it will help to analyze and explain the reasons for spoiling actions by actors, and inconsistent strategy of participation. Specifically, to demonstrate the lack of compliance and mistrust in failed peace processes and to explore the issues behind the peace processes, which hinder the realization of peace through negotiations and how to manage them. The answers to the questions why spoilers and so what would help to determine the actual impediments of peace processes and the strategy behind.

<u>Summary</u>

The writings on effective mediation, comprehensiveness of a peace agreement, power-sharing and referendum for self-determination, security dilemma of actors, and spoilers in the peace process provided the researcher knowledge of the relevant factors included in the peace processes. All these factors have been used in many conflict resolution management convened by UN or any other authorities managing peace in conflict areas. In general, these factors explain interests of the conflicting parties and their complexity during peace negotiation. Information identified such as requirement for effectiveness of mediation process, comprehensiveness of peace agreement, power-sharing, a referendum for regional administration factor, security dilemma of actors, and the management of spoilers in the peace process are considered variables which this study will use for analysis in chapter 4. According to the knowledge acquired in the writings, the better understanding and treatment of these factors, the higher possibility the

conflict resolved. The detailed explanation of their required status during measurement

for successful conflict resolution and management processes provided in chapter 3.

CHAPTER 3

RESEARCH METHODOLOGY

This study sought to answer the thesis question to "What are the impediments to peace and stability through conflict resolutions and management processes in Darfur?" The first secondary question was "how the mismanagement of variables used in the peace negotiation affect the peace process?" The next secondary question was, "How much do the critical player's actions contribute to the failure of peace processes in Darfur?" These questions guided the researcher to develop a method used to achieve the required objective.

The purpose of chapter 3 is to familiarize the reader with the methodology used in this study. It discusses how data was collected and analyzed by using the variables identified in chapter 2 of this study. This section is organized to discuss the meaning of qualitative methodology, selected case study design method, criteria used for case study selection, case study justification, data collection methods, information presentation, and information analysis method. This organization will help both the researcher and reader to systematically follow the process of how this problem was approached.

Qualitative Research Methodology

Qualitative research methodology is the process that seeks to understand a social or human problem from multifaceted perspectives, conducted in a natural setting that involves a process of building a complex and holistic picture of the occurrence of interest (Creswell 1994). Catherine Marshall also described the qualitative research design as a methodology, which by its nature, interprets events or situation and makes an inquiry into

patterns and reasons that govern behavior (Marshall 1998). It helps to explain why and how the phenomena are happening in addition to what, where and when it arrived (Yin 2003). Because by nature the qualitative methodology is used to interpret human behavior, events and phenomenon, the selection of this methodology helped to describe the relationship of variables in the peace negotiation to explain the successfulness and failure of the process.

The qualitative research design is based on case studies to reveal the relationship of variables between two peace processes (Yin 2003). One successful and one failed peace process were used in this case study and were analyzed by comparing the treatment of variables during both processes to answer the primary research question (Yin 2003). This methodology is preferred because of the qualitative design focus on how and why people do or believe on a large scale (Creswell 1994). The researcher was able to analyze and interpret data from the general to the specific without risking analytical integrity (Ambert 1995). According to Taylor-Powell, the qualitative design methodology wants the examiner to focus the analysis centered on the material and classify the data by identifying patterns and organizing them into coherent categories (Taylor 2003). According to him, the design enables the researcher to proceed with data interpretation where meaning and significance to the analysis are attached (Taylor 2003).

The case study design method was chosen because it is a subset of qualitative design methodology, which required a thorough study of the proper use of the selected conflict resolution variable in each case study, then compared the two case studies to deduce the issues, which impeded the peace process. It is a detailed examination of an aspect of historical explanations that may be generalized to other similar events (Taylor

2003). There are some weaknesses of using case study design method as noted by Yin that the major shortcoming of the case study method is that one may not always be able to generalize from a single case study to many situations (Yin 1989). Baxter also commented on the case study weakness when said it creates problems from the academic point of view by an inherent element of subjectivity and generalization (Baxter 2008). Despite the mentioned weakness, the study will establish the criteria for variable analysis and develop using standards in the examination. The study considers the observation by Ambert that in the case study research method, most often the variables may not have standard measures, instead only show behavior, attitudes, opinions, and beliefs (Ambert 1995). The study considers these shortcomings and explore as much information as possible, establish the standard in each particular variable to ensure the measurement is as accurate as possible, ethically acceptable and biasedness avoidable.

<u>Case Study Methodology Applications</u>

The applied case study research method in this study had four steps: - data collection, data presentation, data analysis, and conclusion and recommendations. It collected information and presented, analyzed, compared and contrasted the variables used in the case study. The first step was data and information collection; this step gathered facts about the variables from various sources used for analysis to seek answers to the research questions. Its aim was fieldwork designed to find relevant information according to the author's thesis statement. The second step was data/information findings and presentation. The information collected was presented to give the reader an overall picture of the study, and what the researched identified from the facts and considerations gathered. The third step was data analysis where the variables were explained, standards

established, and criteria for measurements was discussed in order to reach the goals of this study. The conclusion and recommendations in chapter 5 will summarize the research outcome.

Criteria Used for Case Study Selection

There are many standards when one wants to make a case study selection. The rule considered regarding the selection of the case study is the existence of dominant actors in the conflict (Ploughshares Project 2018). The conflict duration and the geographical confinements of the disputes, which allow the researcher to localize the variables concerning the case study (Ploughshares Project 2018). The conflicting parties should have defined political objectives for peace negotiation to continue (Ploughshares Project 2018). The existence of a legitimate and internationally recognized part of the opposing parties to justify the talk through international bodies such as UN (Ploughshares Project 2018). Lastly the similarities and nature of the conflict and conflict resolution variables used in the negotiations for the smooth establishment of the standard and the application of the same variables in both successful and failed peace process for analysis and comparison (Yin 1989).

Case Study Justification

Both case studies selected for research are from Sudan. One was the resolved Sudan-South Sudan conflict considered because of the successful Comprehensive Peace Agreement (CPA) peace process and the second is the ongoing Sudan-Darfur conflict with almost 13 years' peace efforts through Darfur Peace Agreement (DPA) and now Doha Document for Peace in Darfur (DDPD). These two case studies were selected

because they have similarities in their nature of conflict and have commonalities of variables used during negotiations. These two similarities contributed to establishing a standard for both successful and failed peace processes for analysis and comparison. Both are internal conflicts, from the same state with similar demands of the Government of Sudan (GoS), but with different geographic locations, and background. They have considerable similarities in the political claims made by peoples involved and the variables used for peace are similar to explain why one was successful and the other remains unsuccessful. Thus, following the above criteria, the selected cases met the requirement and are justified.

Data Collection Methodology

The study used document review methodology of data collections to gather required information from the selected documents to find answers to the research questions. It involved the data reviewed from both primaries, as well as secondary, sources to get as much information as possible about the variables used for analysis in each case study. The stated methodology was chosen because of the availability of many documents from the library and online sources with enough information on the subject matter. Moreover, the far distance to the research region, inaccessibility of the research area, and the absence of funds for this study also contributed to the selected methodology of data collections.

Information Findings and Presentation

In this step, findings and information gathered from document review was presented. Since the thesis statement is about the issues that impede the realization of

peace in Darfur, the data collected was relevant to conflict resolutions between Sudan, South Sudan War, and the Darfur conflict. The information presented gave the reader a broad picture of the two peace processes before the analysis. The presentation covered the areas where variables were easily drawn for analysis. The study first presented the facts on peace process in Sudan, South Sudan War. It included the CPA between Sudan-South Sudan and its outcome, and then on Sudan-Darfur conflict to discuss the interest of conflicting parties and how they affect the peace processes through converging or deviating from the requirements of the conflict resolution and management process.

<u>Information Analysis Methodology</u>

The method design used in this research is case study method in which content from the individual case study analyzed then compared the useful application of the variables between the two peace processes Sudan-South Sudan peace process and Sudan-Darfur peace processes. The examination dealt with the individual cases then examined them to reveal the negotiation problems in Darfur. The study analyzed information collected and presented in step 2, then compared the two cases of Sudan-South-Sudan successful peace process using CPA with the Sudan-Darfur peace process to search for the issues impede the realization of peace in Darfur. Key information, derived from the bodies of knowledge about how peace through negotiation can successfully be achieved in chapter 2, was used as variables to answer the research questions. The variables used for analysis were:

1. Effectiveness of mediation process (Bercovitch 1992),
2. Comprehensiveness of peace agreement (Hoglund and Isac 2003),
3. Power-sharing in a peace process (Sisk 1996),

4.   Referendum for Regional Administrations (Ghai 2005),

5.   Security dilemma of actors and populations (Snyder and Jervis 1999), and

6.   Spoilers management in the peace process (Stedman 1997).

These variables were used because of their commonality and creditability in many peace processes and particularly about the selected case studies. The applied standard is based on how effective these variables were addressed in both case studies. The criteria for analysis of each defined variable in both case studies was one (1) for successful implementation and zero (0) for failure or unsuccessful implementation.

Effectiveness of Mediation Process

Negotiation is well-defined as the process by which two or more opposing parties decides to discuss their differences within an agreed framework to find a satisfactory solution to their demands (Armengol 2013). According to Bruce Patton, effective negotiation comprises seven elements which warring parties need to observe for successful talks (Patton 2005). The elements are interests, legitimacy, relationship, alternatives, options, commitments, and communication (Patton 2005). Negotiation can be a direct negotiation between the warring parties or with facilitation from the third party. The third party must be impartial, neutral, excellent communicator, and both calm and composed. The role of the mediator is to assist the warring parties for a successful negotiation, guard against spoilers, monitor adherence to the ceasefire agreement, facilitate consultation and provide necessary support to the warring parties. According to Jacob Bercovitch, the mediator may use three different approaches which are communication-facilitation, procedural, and directive strategies depending on the nature of the conflict and mediation (Bercovitch 1992). These methods vary from passive to

more formal to the successful tackling of the problems identified during peace negotiations. Comparison of the mediation process in Sudan, South Sudan peace process and Darfur peace process will help understand the role negotiations played in the respective peace processes. Proper conduct of mediation scored a (1), and a (0) rating was used for poor mediation.

Comprehensiveness of Peace Agreement

An agreement is the best entry to negotiation between warring parties. For the peace agreement to be legitimate, it has to have the consent of both parties in conflict, and it must be comprehensive. Comprehensiveness entails the inclusiveness and detailed and well-explained information to deter any ambiguity which may arise during negotiations. The peace agreement should address as many issues of interests of all conflicting parties as possible and should leave room for amendments and additions of the options explored before or during negotiation. The more comprehensive a peace document, the more legitimate it is among the warring parties. A well-defined peace agreement received a (1) score, and weak or ill-defined agreement received a (0) mark.

Power-Sharing in Peace Process

Power-sharing is one of the most crucial variables which peacemakers must address appropriately for a successful peace process. It is vital because the source of many African conflicts is a claim of marginalization in political, social and economic affairs. Peacemakers must direct their efforts to ensure as many interests in power-sharing are met if the negotiations are to lead to long-lasting peace. Accommodation of

power-sharing issues during peace negotiations received a (1) score and weak or lack of accommodation received a (0) mark.

Referendum for Regional Administration

Self-determination is one of the critical variables, which are sometimes included in peace accords to substitute or supplement the power-sharing variable. In many cases, the process is submitted to the people for them to decide through a referendum about the permanent status of their region. For credibility, polls conducted by independent electoral commission, the confidence instilled among the citizens, education about the meaning of referendum provided, and regional claims for self-determination must be addressed. A referendum can be considered successful if a majority of the parties involved can agree to terms and conditions. A successful referendum had (1) mark and an unsuccessful referendum had (0) score.

Security Dilemma of Actors and Population

Security dilemma is a significant factor for peacemakers to accomplish their mission successfully. If the warring parties feel insecure, they will not guarantee their presence, and this could stall or cancel the peace process. A security dilemma may arise from participant's fear of prosecution for war crimes, lost political positions, state separation, and ultimately power. It is because of security issues that some parties in conflict opt to act as spoilers in the peace process. Ceasefires and final security arrangements, and addressing constitutional power-sharing, relationships are practical tools used during negotiations to build up confidence among warring parties and reduce

the security dilemma of actors. Fruitful consideration of this variable had a (1) score and failure to secure the parties involved a (0) score.

Spoilers Management in Peace Process

One among the hindrance of peace through negotiation is the existence of spoilers. Peacemakers must ensure spoilers reduced as much as possible. Among the techniques used to minimize the number of spoilers in a peace process is the inclusion of as many stakeholders as possible, encouragement of the unification of armed movements, and commitments of warring parties to the process. Considerations of compelling interests submitted by parties in conflicts, impartiality, and neutrality of mediators may also encourage the parties to participate in peace process sincerely. Better handling of spoilers received a (1) score and poor management of spoilers a (0) mark.

The Results

The score from each study was either 1 or 0 regarding the success or failure of each variable. Comparison of the score explained why one case was successful and why the other one failed. Chapter 4 provided analysis of the outcomes in detail with consideration of ethical issues to minimize the biases of the research results. The analysis displays each variable's score in tabular form prepared using the following format.

Table 1. Assessment of Variables in the Peace Process		
Variables	Sudan-South Sudan Peace Negotiations	Darfur Peace Negotiations
Effectiveness of mediation process		
Comprehensiveness of peace agreement		
Power-sharing in peace process		
Referendum for regional administrations		
Security dilemma of actors and populations		
Spoilers' management in peace process		

Source: Created by author.

Summary

A qualitative case study design method helps to study the behavior of parties in conflict in order to achieve the purpose of this research. This methodology presents a comprehensive and non-biased view of the actors involved for credibility of this study. The criteria used for selection of this method were explained, and justification for the two case studies was provided for the reliability of this research. Presentation of data is in the flow of how the research variables were analyzed and interpreted. The variables examined for the case of Sudan-South Sudan peace process and, then the Sudan-Darfur peace process are compared to create meaning in this study. The content analysis methodology helps to relate the actual outcome of mediations with the anticipated results, according to fundamentals and principles identified in chapter 2. Information analysis also created the criteria and defined the interpretation for measurement of success or

failure to a particular variable. The data analyzed provided the information necessary to

answer the research questions and recommend a way forward; both contained in

chapter 5.

CHAPTER 4

ANALYSIS

This study aimed to explore issues that have impeded the realization of peace in Darfur through peaceful means. The study sought to answer the thesis question, "What are the impediments to peace and stability through conflict resolutions and management processes in Darfur?" The secondary questions were, "How could the mismanagement of variables used in the peace negotiation affect the peace process in Darfur?" and "How much do the critical player's actions contribute to the failure of peace processes in Darfur?"

Chapter 4 used the case study design methodology described in chapter 3, to guide the reader through the information provided and analysis conducted in order to answer the primary and secondary research questions. The Sudan-South Sudan war and Sudan-Darfur conflict were used in this case study to compare the two peace processes in those two particular areas. This study used the variables presented in chapter 3; they are the effectiveness of mediation process (Bercovitch 1992), comprehensiveness of peace agreements (Hoglund and Isac 2003), power-sharing in peace process (Sisk 1996), referendum for regional administrations (Ghai 2005), security dilemma of actors and populations (Snyder and Jervis 1999), and spoilers' management in the peace process (Stedman 1997). The same variables were used for both cases, their success or failure were evaluated, overall results compared, and an analysis of those results provided.

Sudan-South Sudan Negotiations Process

Following the clash between North Sudan Muslims and South Sudan Christians broke out in 1983, estimated 2 million people died from violence, famine, and disease; 0.6 million people had sought refuge in neighboring countries; and other 4 million people displaced (Dagne 2010). Several initiatives were taken to bring the parties in conflict to the negotiation table without success. IGAD led initiative in March 1994, raised the issue of self- determination of South Sudan for the first time after three previous failed peace initiatives. First, the failed efforts by former U.S. President Carter in December 1989 to bring the warring parties to the negotiation table (Barltrop 2011). Second, failed peace talks by former U.S. Assistance Secretary of State Herman Cohen in March 1990 due to the unwillingness of the GoS to pursue the peace process seriously (Barltrop 2011), and third, through negotiation in Abuja, Nigeria, in 1992 and 1993, (Barltrop 2011). The IGAD consultation produced the 1998 Declaration of Principles (DOP), which endorsed the right of self-determination for Southern Sudan (Barltrop 2011). This declaration led to the signing of Comprehensive Peace Agreement between (CPA) between Sudan and South Sudan in 2005, which gave birth to the independence of South Sudan in 2011.

By the time the peace negotiation began, the South Sudan rebels (SPLM) controlled the Southern Sudan region leaving the GoS in the north and brought a military stalemate after 20 years of fighting. The military stalemate became an essential factor for serious peace talks between the warring parties since both parties in conflict have negotiation power. Because of the impasse, no warring part dared to use the negotiations process to buy time for the replenishment of its military. Since the conflict took 20 years,

both parties in dispute knew what to negotiate in the peace process which made political

goals easily identified.

<center>Effectiveness of Mediation Process</center>

Mediation in the Sudan-South Sudan conflict was managed by the IGAD, an

African sub-regional organization. The mandate of the mediator was to assist the

conflicting parties to come to the negotiation table, agree on principles of negotiations,

monitor compliance of the ceasefire agreement, manage spoilers in the peace negotiation,

facilitate the peace talks, and provide necessary support to the warring parties (Young

2007). Mediation was characterized by increased pressure from the international

community especially from America and the UK who supported the mediation process

and thus enabled the mediators to apply different strategies to encourage the warring

parties to comply with the peace agreement. Pressure became even higher after the 11

September 2001 terrorist attacks in the U.S. American foreign policy changed against the

Khartoum regime after it had been listed as a sponsor of terrorism in the world and the

USG pressured the GoS to go to the negotiation table (Williams and Taylor 2004). It was

not easy for the GoS to accepts the articles in the peace negotiations because the GoS

believed it could solve this conflict militarily. However, pressure from outside helped the

mediation effort and produced the DoP document with provisions of the right to self-

determination, but with national unity remaining a priority (Ted, 1998). The variables

provided were: separation of religion and state; a system of governance based on

multiparty democracy; decentralization through a loose federation or a confederacy;

respect for human rights; and a referendum to be held in the south with secession as an

option (Ted, 1998). These different strategies used in the mediation process with the

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support from outsiders, led to signing of the CPA and the successful secession of South Sudan in 2011. The mediation process here was successful; thus, it scores a one (1) mark.

<u>Comprehensiveness of Peace Agreement</u>

The CPA incorporates various chapters of the protocols which were the agreements made between the GoS and SPLM/A in previously. These protocols are: -

The incorporated agreements are the Machakos Protocol, dated 20 July 2002, and the Agreement on Security Arrangements, dated 25 September 2003. The Agreement on Wealth Sharing, dated 7 January 2004, and the Protocol on Power Sharing, dated 26 May 2004. The Protocol on the Resolve of the Conflict in Southern Kordofan and Blue Nile States, dated 26 May 2004, and the Protocol on the Resolution of the Conflict in Abyei Area, dated 26 May 2004 (IGAD 2005).

These protocols added to CPA detailed information about critical issues involved in the peace negotiations (IGAD 2005). All the essential requirements for peace negotiations such as power sharing, wealth sharing, resolution of Abyei conflict, security arrangements and implementation modalities were included (IGAD 2005). Directives were given such as prohibiting unilateral decision contrary to the peace agreement. The CPA included separates items for peace as discussed and signed by both parties in conflict in separate protocols and contracts to ensure that all issues were discussed in detail and agreed on by parties in conflict (IGAD 2005). The document was able to define the interim period and the responsibility of the implementation of the peace agreement between the two parties to prevent the violation of the ceasefire. Power-sharing in the transitional period was described from national level to states level for accountability (IGAD 2005). A military stalemate and pressure from outside also helped conflicting

parties to cooperate and sign the protocols and agreements on power sharing, wealth

sharing, and ceasefire and final security arrangements (IGAD 2005). The

comprehensiveness of the document played a prominent role in reaching peace through

CPA, therefore, scores a one (1) mark.

<u>Power-Sharing in Peace Process</u>

As explained in the literature review, power sharing is a critical factor and

considered a driving force to succeed in the peace negotiations. Because of the difficult to

achieve wealth sharing and security dilemma of actors without power-sharing, mediators

need to pay attention to this issue. It is only through involvement in the decision making

and implementation of the laid down policies; one can be sure of the allocation of

resources in his area for development. Clear and detailed principles and political structure

adjustment are imperative at this juncture. The management of the sincerity of the parties

in conflict to observe, comply, and implement the peace document requirement needed

for successful peace negotiation process.

Chapter 2 of the CPA provides detailed information of power-sharing during the

peace process between the GoS and SPLM (IGAD 2005). The CPA through Machakos

Protocol provided the structure of the governments in the interim period (IGAD 2005).

Part II of the CPA provided the government of national unity, Part III provided the

Southern Sudan government, and Part IV provided the institutions at States level of

government, (IGAD 2005). The parties agreed on these principles guiding the power-

sharing which included the recognition of the autonomy of the government of South

Sudan and the states throughout Sudan (IGAD 2005). They also decided on the

involvement and participation of the people of South Sudan at all levels in the

government and national institutions as an expression of the national unity of the country

(IGAD 2005). Peace negotiations panel also took considerations in determining the

constituents of fair representations of the people of South Sudan in both legislative

chambers that is national assembly and council of states (IGAD 2005). Sincerity in the

negotiation led to the following ratio in the distribution of power according to CPA.

Table 2. Power-sharing through CPA				
Institutions	NCP	SPLA	Northern Parties	Southern Parties
National Executive	Presidency	0	0	0
	2nd Vice Presidency	1st Vice Presidency	0	0
National Executive	52 %	28 %	14 %	6 %
National Assembly	52 %	28 %	14 %	6 %
States Governments N.	70 %	10 %	20 %	0
States Governments S.	15 %	70 %	0	15 %
Abyei, Blue Nile, Nuba Mountain States	55 %	45 %	0	0

Source: Created by the author using data from Peace Accords Matrix, "The Comprehensive Peace Agreement between the Government of the Republic of Sudan and the Sudan People's Liberation Movement," 2005, University of Notre Dame, accessed 04 March 2018, https://peaceaccords.nd.edu/sites/default/files/accords/SudanCPA.pdf.

The agreement stipulated the 75 percent requirement to make decisions for the

implementations of the laid down policies (IGAD 2005). The peacemakers also

recognized the power of first Vice President that he remained a president of the South

Sudan government and Commander in Chief of the Sudan People's Liberation Army

(SPLA). That is Sudan was to have two governments: a national government with

representation from both sides of the North-South conflict and a separate Government of Southern Sudan (GoSS). In brief, the power-sharing issues between GoS and GoSS were sincere, clear, transparent, and detailed to ensure the permanent achievement of peace. Implementation of the power-sharing variable in Sudan, South Sudan peace negotiations scores a one (1) mark.

<u>Referendum for Regional Administration</u>

A referendum is a democratic process which requires transparency throughout the process from registration to announcing the results. The process involves campaigning and educating people about the importance of conducting the referendum. A joint and independent election commission is needed, and international monitors are essential for credibility of the election outcome. The side in a conflict which wants to decide its fate is almost always the one who undertakes such poll. Therefore, influence from the majority must be strictly observed for credibility. The peace negotiation process, through the CPA, had this responsibility to ensure South Sudan choose wisely for its future regional administration.

The CPA ended the peace process between Sudan, and South Sudan by implementing a six-years ceasefire and making requirements for a referendum vote in the South on 9 January 2011. The referendum was to give South Sudan the ability to either remain in union with North Sudan or separate as an independent nation (IGAD 2005). The geographic areas, which had additional complications, especially along the border such as Abyei due to the availability of oil resources, were to hold their referendum to decide alignment with North Sudan or South Sudan.

Many vital issues concerning resource distribution such as water rights, citizenship issues, and debt apportionment were discussed, and arrangements made (Sudan 2010). Pressure from outside, especially the U.S., played a massive role for the constitutional rights of South Sudan to conduct fair and transparent elections during the referendum for their independence. United Nation Mission in Sudan (UNMIS) was involved in monitoring the NCP, SPLM ceasefire, disarming of both sides, and assisting the electoral commission during election and referendum voting (IGAD 2005). There was a joint technical team from both south and north to resolve those problems that arose before and during conduct of the referendum. Despite the challenges they faced, the South Sudan people got an opportunity to decide their fate and voted for separation from North Sudan in 2011. This process was successful in the area of self-determination and thus scores a one (1) mark.

<u>Security Dilemma of Actors and Populations</u>

The security arrangement in monitoring ceasefire and final security arrangement are critical for confidence and trust building among warring parties. Participation of the forces from both parties was required at the border to monitor the ceasefire and security arrangements. According to CPA, the peace negotiation during the interim period decided to form and deploy one joint battalion in the border area (IGAD 2005). Deployment of international monitors under UN in the border was agreed to in the comprehensive ceasefire agreement done throughout the interim period (IGAD 2005). As the part of power-sharing, the structure and arrangement of all law enforcement organs affected and tied to the appropriate level of the executive (IGAD 2005). Joint Integrated Units (JIUs) formed with equal numbers of soldiers from the North, and the South deployed during the

six years of the interim period. The JIUs used in Abyei, Southern Kordofan, and the Blue Nile while others forces from North Sudan and South Sudan deployed outside these areas (IGAD 2005).

Recognition of SPLA responsibilities, their involvement in the JIUs, and in the senior position in the headquarters of the security organs, built confidence and trust in the peace process. The transparency and cooperation in the implementation of ceasefire agreement were tremendous and boosted a lot in the success of the peace process despite the challenges encountered. Assurance for the safety of leaders, soldiers, and SPLA, supported by the absence of SAF in the south removed fear and security dilemma among South Sudanese. Monitoring of the buffer zone by JIUs and UN Military Observers ensured accurate, quick reports of any violation of the ceasefire between the two parties. Thus, actions were taken immediately to solve the violations and restore the peace process. The peace process scores a (1) mark in the area of management of security dilemma during the interim period and successful accomplishment of the peace process.

<center>Spoilers Management in the Peace Process</center>

According to literature, spoilers can easily distract peace negotiation if not managed. The spoilers may be the signatories of the peace accord or non-signatories. The signatories are using the peace talks to buy time by not implementing the requirement of the peace agreement merely because they do not believe that it is for their interest. Non-signatories opted out from the peace talks because their demands are not considered and often decide to use violence to press their claims.

Mediators can manage the spoilers by identifying the main actors in the conflict, encouraging the small armed groups to unit with the stronger parties in conflict, restrict

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the spoiling acts, and monitor the actors who might spoil the peace talks, and encourage the main actors to participate in the peace negotiations. For example, IGAD Mediators were credited for having persuaded strong and critical personalities to take part in the peace negotiations process especially Dr. John Garang of the SPLM and the Vice President Taha of the GoS (Young 2007). Having the knowledge that the main parties in the conflict were SPLA, and the CPA, mediators, encouraged other political parties to choose one side to represents their demands and restricted the involvement of individuals, civil society, and other political parties to avoid the distractions of peace negotiations. To encourage the GoS to be fully involved in the peace talks, the mediators played a prominent role in managing and controlling any acts and actors which might spoil the peace process. For example, the mediation team rejected the attempt of the United States to dominate, dictate and direct the peace process (Mason, Augusto, Aberg, Laederach, Lanz, and Litscher 2008).

Though the negotiations faced a lack of ownership, because of limited inclusiveness in the actual peace process, management of inside and outside spoilers made these talks successful. Signing of the CPA and peaceful secession of South Sudan according to the agreement symbolized achievement of a large portion of the peace negotiation's goals and thus scores a one (1) mark.

Table 3. Scores for Sudan, South Sudan Peace Negotiations	
Variables	Sudan-South Sudan Peace Negotiations
Effectiveness of mediation process	1
Comprehensiveness of the peace document	1
Power-sharing in peace process	1
A referendum for Regional Administrations	1
Security dilemma of actors and populations	1
Spoilers management in peace process	1

Source: Created by author.

The study determined that Sudan-South Sudan peace negotiation was successful because of the practical mediations, comprehensiveness of the peace document (CPA), proportional distribution of power-sharing, and management of security dilemma of actors and population. Other factors were a clear and well-programmed referendum for regional administration regarding the agreement, equality in wealth sharing, and management of spoilers during the peace process. The actors refrained from taking actions which might have jeopardized the peace process, and all parties were committed to peace.

Sudan-Darfur Negotiation Process

The severe drought of the 1980s facilitated local conflicts over land access, crop destruction, and water sources between the farmers and pastoralists regardless of their race (Mamdani 2010). The conflict worsened in 1987 when Chadian Arabs insurgents (nicknamed Janjaweed) arrived into Darfur and joined forces with Darfur Arabs (Abballa tribe) in the war against non-Arabs (De Waal and Flint 2008).

Local tribal leaders made efforts to address the problems that occurred throughout the 1990s using historical inter-tribal conflict resolution methods, but these failed because of lack of support from the GoS (De Waal 2007b). According to De Waal, GoS Security forces were observed to favor the Darfur Arabs by arming them and disarming the non-Arab Fur, Masalit, and Zaghawa defense groups (De Waal 2007b). In 1991, the Sudan Liberation Army (SLA) supported by SPLA began a rebellion, which was crushed by GoS with the help of Arab Militias. The two movements, SLA led by Abdul Wahid Al-Nur (SLA/AW), and Justice and Equality Movement (JEM) led by Khalil Ibrahim successfully conducted the rebellion in 2003. They cited their cause for resistance as the marginalization of Darfur by Khartoum regime, GoS favoring the Darfur Arabs in this tribal conflict, and lack Darfur representation in leadership positions in the Khartoum Regime (Mamdani 2010). The GoS responded with a strategy of secretly arming Darfur Arabs to help them in the war against Darfur rebels (De Waal 2007b). This 2003 rebellion, triggered conflict, which brought calamities in Darfur and continues to have an impact.

The SLA and JEM rebel groups formed and instigated the Darfur rebellion in 2003. SLA Manifesto caters to the confederation or separation from Sudan and calls for separation of religion from politics (Bilal 2003). JEM calls for a united Sudan from within the federal formula of dividing into seven federal states: Khartoum, Darfur, the South, East, the North, Kordofan, and Center and the presidency to be rotated among countries (Bilal 2003). Either, JEM adopted Islamic approach to include Sharia in the constitution and the politics of Sudan (Bilal 2003).
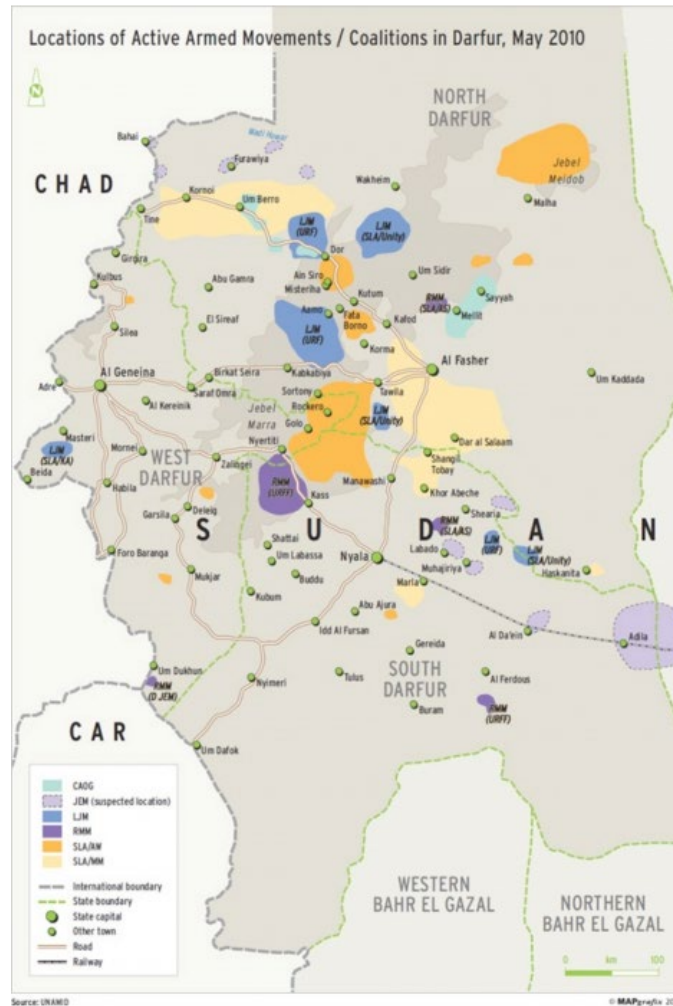
Figure 3.   Map of Darfur Showing Locations of Active Armed Movements

Source: Anna Praz, *The Darfur Refugees Plight: Repatriation Challenges for Post-Doha Sudan* (Geneva: Graduate Institute Publications, 2014), OpenEdition Books, accessed 13 April 2018, http://books.openedition.org/iheid/2348.

 The GoS responded with the strategy of arming Darfur Arabs to help them in the

war against Darfur rebels and deal with families of non-Arabs who suspected in supports

of the insurgents (De Waal 2007a). Many officials worked in Darfur admitted that GoS

created the militias to fight insurgents and terrorize those civilians supporting the rebels

(ICG 2004). Witnesses have testified that the Janjaweed executed people belonging to non-Arab tribes, burned their houses, and raped women and children throughout Darfur (ICG 2004).

The effort to bring conflicting parties to the negotiation table to restore peace in Darfur began early 2004. Among the series of diplomatic efforts includes some AU and UN-sponsored peace agreements (DPA and DDPD). The DPA between GoS and Sudan Liberation Army led by Mini Minawi (SLA/MM) (a defected faction from SLA/AW) of May 2006 under Africa Union. The DDPD between GoS and Liberation and Justice Movement (LJM) of Jul 2011 under United Nations. However, the SLA/AW and JEM rebels instigated the rebellion in 2003 remained non-signatories to both peace agreements.

<center>Analysis of Darfur Peace Process</center>

This section analyzes the way peacemakers planned and conducted the Sudan-Darfur peace process. The goodwill and readiness for peace are measured by the responses and compliances of all parties to the peace processes. Chapter 2 of DPA/DDPD addressed the power-sharing section about the administration of Darfur, Permanent Status of Darfur, and Border of Darfur and was used to explain peace achievement requirements and how the parties in conflict responded to those conditions (DPA 2006; DDPD 2011). Chapter 3 of DPA and chapter 6 of DDPD provided the comprehensive ceasefire and final security arrangement including prohibited activities, and disarmament of Janjaweed/ armed militia. Analysis of these peace documents explored how numerous challenges affected implementation of the peace processes in Darfur (DPA 2006; DDPD 2011).

Effectiveness of Mediation Process

The mediation process as stipulated in chapter 2 required the mediators to ensure the elements of negotiation were successfully integrated and to use various strategies from passive to coercive for the negotiation process to succeed. The facilitation of the talks is critical in the pre-negotiation stage because it is the stage where parties in conflict build trust among each other. It is the stage where, if the peace document has some weaknesses it should be amended for the peace process to take off. The SLA/AW and JEM who attended the Abuja meeting in 2005 for the signing of peace processes gave their demand to AU for them to sign the peace process. According to Julie Flint, the claims were:

First, the first compensation of only USD 30 million into the compensation Fund will not persuade the victims of the conflict that the GoS dedicated to peace. Second, rebel units must include participation in critical phases of the security arrangements include escort IDPs and refugees back to their villages to ensure that settlers backed by the government vacate the area, and in the monitoring of Janjaweed disarmament. Third, a better deal in political representation in Khartoum and at the state level. He pointed out the number of seats in state assemblies must be increased to accommodate Darfurians not represented in Abuja, 'including Janjaweed and especially Arabs (Flint 2010).' The DPA allocated 50 percent of seats to the National Congress Party (NCP) of President Bashir and 30 percent to the movements, leaving only 20 percent for all others (Flint 2010).

This study sees the rebels' demands as logical because in a deeply ethnically divided society like Darfur, where the conflict began between the local Arab and non-Arabs, and where millions of people died, displaced, and became refugees in the

neighboring countries. Demand for 20 percent of remaining posts in the political administration to be divided among Darfur, Abyei, South Kordofan, and Blue Nile regions was also a problem which mediators needed to address adequately. There is little doubt that the mediators considered all factors during the negotiation, but this study identified a lack of coercive strategy to force the parties in conflict to adhere to the changes proposed by them. The lack of a coercive means can well be explained using the following examples: The first example, is through an open letter dated 7 May 2006 addressed to "those members of the movements who were still reluctant to sign," six members of the AU mediation team attempted to explain the hurdles they faced:

The Movements did not win the battle and were not in a situation to dictate their standings. The Government has power and has no plan to give the negotiating table that authority. The Movements controlled very few sizeable towns and did not control a single state capital. The Mediation pressed many concessions out of the GoS. But we failed to press GoS so hard that it agreed to hand over a majority of control at any level of government (ICG 2006).

"Explaining the Darfur Peace Agreement: An open letter addressed to those members of the movements who are still reluctant to sign," Abuja, 7 May 2006, on file with Crisis Group. The DPA refers to the three sets of insurgent participants in the negotiation as "movements." In fact, SLA/MM and SLA/AW are two factions of the original SLA movement, while JEM is a distinct movement in its right. That example displays the passive nature of the Mediation strategy employed. They failed to use coercive approach to tell the GoS facts for long-lasting peace in Darfur.

The second example is when an observer became frustrated with implementation of the ceasefire agreement, especially with disarmament of the Janjaweed. Consider the following expressions from that peace observer to ICG team members: -

Why should we be overwhelmed that the NCP has just committed to disarming the Janjaweed for the sixth time?", an observer asked Crisis Group (ICG 2006). "Is there a new reason to have faith in they'll implement it this time? (ICG 2006). Although the DPA requires a downsizing of the GoS forces, except the riot police, to their pre-conflict level, it the mediators leaves responsibility solely to the GoS, with no provisions for monitoring compliance (ICG 2006).

Disarming the Janjaweed was part of ceasefire and final security arrangement process. The GoS agreed in writing many times to disarm them for the peace process to take off, but did not disarm them. Mediators did nothing to force the GoS to comply with this demand.

The failure of negotiations in Darfur partly contributed to the use of only a passive strategy by mediators who failed to press all parties in conflict to abide by the agreement. Therefore, the score is zero (0).

<u>The Comprehensiveness of Peace Documents</u>

The DPA/DDPD like the CPA also had articles on power sharing, wealth sharing, ceasefire agreement and final security arrangements. However, these provisions in DPA/DDPD lacked explanations, detailed information on the allocations of the variables to Darfur, and directives on implementation of the documents. Transparency was limited, and a small amount of time was given to rebels to read and understand the peace document before signing. This hindered their ability to propose amendments to

problematic areas of the agreement. Specifically, the GoS declined rebels' requests for more vacancies in power-sharing, involvement in ceasefire implementations, and additions of a small number of first compensation funds given to war victims (Flint 2010). Lack of DPA/DDPD comprehensiveness and the failed efforts to consider the proposed amendment be included in the peace agreement led to a failure to convince the rebels triggered the rebellions to sign for the peace negotiations to date, hence scored zero (0).

Power-Sharing in Peace Process

From the literature review, power-sharing is commonly considered as an important factor in resolving civil conflicts that can arise from unequal dissemination of resources within the society, the dominance of one community over others, exclusions of some groups, or the denial of language, culture or religion to minorities (Ghai 2005). These disfranchised communities through power-sharing should be allowed to participate directly or indirectly in making and implementing laws, and formulate policies (Ghai 2005). For power-sharing to work, peacemakers should direct their efforts to ensure that the representation, proportionality, participation and social justice among minorities is considered. They should also review the rules for representation in the legislative, executive, and other decision-making bodies. Strong consideration of the mentioned items will be the measurement of success.

One of the reasons cited by rebels after the rebellion in 2003, was the marginalization of Darfur (Mamdani 2010). This analysis acknowledges the Darfur ethnicity problems as a source of conflict, and that the rebels, themselves identified that they acted to fight for the rights of black Darfurians. Power sharing was one of the

critical issues, which if adequately handed, would have led to the signing of both DPA and DDPD by rebels. In May 2005, rebel leader Abdul Wahid gave AU mediators some conditions, which had to be met before he would sign the DPA. He wanted his clarifications and reservations registered so that the AU could undertake to ensure faithful implementation of the DPA and for AU facilitation of a meeting between him and the Sudanese government to draw up a supplementary document (Flint 2010). One of the issues pointed out by Abdul Wahid for AU to consider before signed the agreement was on power sharing. He wanted a better deal in political representation in both Khartoum and at the state level. Flint Julie, in his report, wrote that the insurgents wanted Darfur to be represented at the national level by a vice president, and pointed out the number of seats in state congresses needed to be increased to accommodate Darfurians not represented in Abuja, 'including Janjaweed and especially Arabs.' (Flint 2010). JEM leaders also demanded the same regarding power-sharing.

During the pre-negotiation stage, this agenda item regarding Darfur representation at the national level by a vice president was rejected by both the NCP and the SPLM (ICG 2006). In March 2006, Salva Kiir, the SPLM leader, told SLA/AW delegates that a vice president for Darfur was a "red line," along with any other provision that reduced the SPLM's share of power under the CPA (ICG 2006). Rebels then demanded instead the second vice presidential post, the one held by the NCP's Ali Osman Mohamed Taha, should be allocated to Darfur (ICG 2006). The NCP declared this a "red line" issue as well (ICG 2006). The NCP refused to share 52 percent of the parliamentary seat with Darfur, as well as opposed establishment of a Darfur region as demanded by the rebels

(ICG 2006). By the time the insurgents demanded a better deal, the GoS had already

formed a unity government between Sudan and South Sudan using the following ratio: -

Table 4. Power-sharing through DPA/DDPD				
Organs	NCP	SPLA	Northern Political Forces	Southern Political Forces
National Executive	Presidency	0	0	0
National Executive	2nd Vice Presidency	1st Vice Presidency	0	0
National Executive	52 %	28 %	14 %	6 %
National Assembly	52 %	28 %	14 %	6 %

Source: Government of the Sudan, the Sudan Liberation Movement/Army, and the Justice and Equality Movement (DPA). 2006. *Darfur Peace Agreement (DPA).* United Nations. Accessed 18 January 2018. www.un.org/zh/focus/southernsudan/pdf/dpa. Note: (1) 75% of the majority needed for decision making in Parliament and executive; (2) Southern political forces included Darfur, South Kordofan, Blue Nile and Abyei.

The DPA (Article 17) stipulated that "relevant precedents and population size,

where appropriate, shall be used in deciding the representation of Darfurians at all levels

(DPA 2006)." Specifically, Article 8-69(a) stated that "the three Cabinet Minister posts

and three posts of State Minister held by Darfurians shall continue to be held by

Darfurians (DPA 2006)." The DPA added that the insurgents would fill some positions,

including those of one presidential adviser, one cabinet minister and two state ministers,

as well as twelve National Assembly seats and one commission chairmanship (DPA

2006).

The arrangements provided in DPA were observed less favorably by the Darfur rebels because the presidency in Khartoum retained considerable powers as the executive body for most key activities. The insurgents could only nominate candidates for senior positions, including Senior Assistant to the President, but the presidency would make the final decision. Furthermore, as explained in the DPA, rivalries among the rebels meant that they were likely to compete among themselves for nominations (ICG 2006). As a result, it seemed as if the NCP's general structural supremacy would remain intact (ICG 2006). For example, the chairman of Darfur Regional Authority and president's adviser position required appointment by the president and did not have power to states' governors who belonged to other parties, directly appointed by presidents, and worked directly with the federal government. It matters a great deal if the positions allocated to rebels in Darfur would have constitutional power for their security in the structure, and when possible should be members of the rebel parties and not just from Darfur to promote a sense of ownership of the region. Moreover, only one cabinet ministered position offered to rebels according to ICG, demanded the rebels to compete for that single reserved leadership position, which entailed the exacerbation of conflict among rebels and reduced Darfur representations in federal government (ICG 2006).

Since the power-sharing in a deeply divided society like Darfur took as the foundation of democracy, more consideration was required to settle these disputes. Denial of the rebel's demands displayed a failure in the Darfur peace negotiation regarding power-sharing. Since the mediators failed to consider these challenges arising from stipulated power-sharing in DPA, and address them for the peace process to occur, this variable is scored a (0) mark.

Referendum for Regional Administrations

After a successfully launched rebellion in 2003, rebel groups SLA and JEM published the reasons for resistance and their manifestations on how to solve the Darfur problems. During pre-conflict resolution stage, SLA caters for the separation and confederation from Sudan and call for separation of religion from the politics, while JEM calls for united Sudan within the federal formula of dividing into seven federal states and inclusion of religion in policies including sharia law. Both movements agreed on the permanent status of Darfur that the peace deal should establish a Darfur regional authority (ICG 2006). As part of its national itinerary, JEM proposes that Sudan return to the local structure abolished in 1989 (ICG 2006). Both SLA/AW and SLA/MM factions support the re-establishment of a regional government, arguing that only such structure could implement a Darfur-wide program of reconstruction and reconciliation (ICG 2006). The ruling party NCP was against the idea instead wanted the GoS to maintain the current status established in 1994 where the individual Darfur states are directly responsible to GoS.

Darfur splinted into three section the North Darfur state with its capital city Al-Fashir, the West Darfur state with its capital Al-Geneina, and the South Darfur state with its capital city Nyala in 1994 under the rule of President Al Bashir when individual areas became directly responsible to the central government. The issue of how Darfur administered was part of the peace process discussion. The movements demanded the Darfur states to be under one administrative organ (Darfur Regional Authority) to represent the whole Darfur region to the central government, and its borders and boundaries demarcated. But the GoS wanted the states to adopt the current status quo

created in 1994 of the individual Sub-regions being directly responsible to the Central

Government. According to DPA, the referendum supposed held not later than July 2010.

Figure 4.   Map of Darfur Showing Three States Created in 1994

Source: Wikipedia, "Darfur Province," July 2011, accessed 13 March 2018,
https://en.wikipedia.org/wiki/darfur-(region).

Article I of the DPA provides, without prejudice to the provisions of the CPA

relating to the North-South border and any international Agreement in force between the

Republic of Sudan and neighboring countries, the northern boundaries of Darfur (figure

1) returned to the positions as of 1 January 1956 (DPA 2006). This requirement was to be

accomplished soon after signing the peace agreement, and the establishment of technical

Ad Hoc Committee to carry out Demarcation of the border (DPA 2006). The same

provision provided in DDPD article 11. Paragraph 80, and 81 (DDPD 2011). This requirement goes together with the Darfur administration and permanent status of Darfur. Since there was a preparation for the referendum, the need to know the Darfur boundary for the implementation of the peace process was significant.

The issue of how Darfur region presented in the peace negotiation process approached by establishing the transitional regional authority to take care of the implementation of the peace processes. Both peace processes DPA, and later DDPD approached the problem by creating the Transition Darfur Region Authority (TDRA)/ Darfur Region Authority (DRA) respectively (DPA 2006); DDPD 2011). The TDRA/DRA established to serve as a principal organ for the implementation of the peace agreement and enhance coordination and cooperation among the three states of Darfur. According to the DPA, the establishment of TDRA supposed soon after the DPA signed. The armed movements signatory to DPA (SLA and JEM if signed) adequately represented. The funding sources of the TDRA according to established rules is from GoS. After DPA failed, the DDPD adopt the same approach by developing the DRA for the implementation of the peace process and conduct coordination among Darfurians.

But even before the referendum on Darfur permanent status as agreed in DPA, the GoS took the unilateral decision to initiate two things; first is the creation of two more Darfur states, and second is the conduct of the referendum.

The announcement for the initiations of the further divisions of Darfur given by the Special Adviser to the president, Ghazi Salah al-Din, on 7 March 2011. He said, "The GoS would create a central state with its capital, Zalingei, and southeast with its capital, Al Da'ein" (UNSC 2011). On 5 May 2011, the Council of Ministers of Sudan passed

legislation on the initiation of two additional states in Darfur (UNSC 2011). Many Darfur

stakeholders were against GoS decisions since the peace agreement requires the

permanent status of Darfur to be decided through referendum results. On 05 May 2011,

several movements, including SLA-Abdul Wahid, SLA-Minni Minawi, opposition

political parties and some sectors of civil society complained in meetings with UNAMID

about the creation of two additional states in Darfur. They argued that the two more areas

created by GoS even before the referendum would exacerbate divisions between ethnic

groups in Darfur (UNSC 2011).
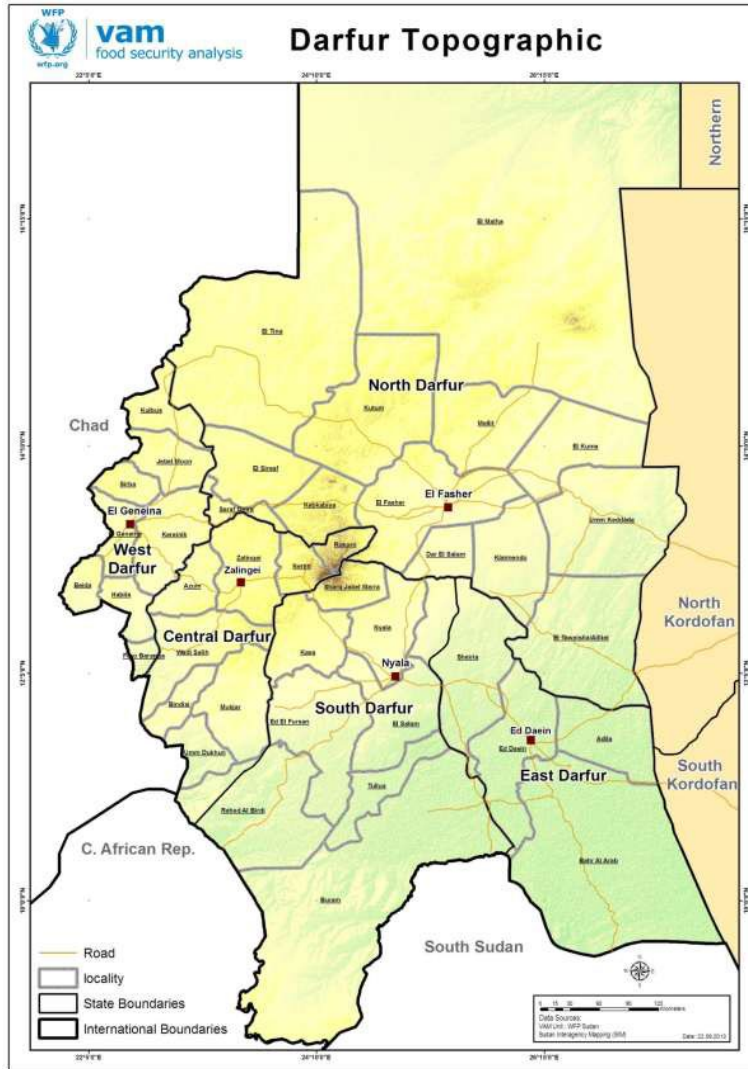
Figure 5.　Topographical Map of Darfur Showing Five States Created in 2011

Source: World Food Programme, "Darfur Comprehensive Food Security Assessment," 2012/2013, accessed 13 March 2018, http://documents.wfp.org/stellent/groups/public/documents/ena/wfp263983.pdf.

The peacemakers in Darfur process should be able to recognize that, among the challenges in a consociational structure is about democracy, transparency, and accountability (Ghai 2005). Bogaards also commented that "Paradoxically, first institutions of power-sharing under international supervision contributed to an increasing

monopolization of power by already entrenched groups that used their favored position in

the transitional arrangements to support their hold on power, with adverse consequences

for the consolidation of democracy (Matthijs 2006)." From Burma's contribution on

transitional bodies in Cambodia, East Timor and Afghanistan, one learns that what comes

after power-sharing may not be democratic consolidation and deepening, but rather the

monopolization of power and increased conflict (Matthijs 2006). According to Matthijs

Bogaards, "In the many multinational democracies around the world today, there is

growing evidence of a potential tradeoff between equality and the establishment or

revision of power-sharing arrangements (Matthijs 2006)."

The peacemakers supposed to create a mechanism for ensuring that everything

GoS did in Darfur after the negotiation started aligned with the DPA/DDPD. The issue of

how permanent status of Darfur administration was already presented in the peace

process committee and included in both peace documents DPA/DDPD. Further division

of Darfur disturbed the peacemakers and contributed to the failure of bringing the rebels

to the negotiation table for two reasons. One the Darfur means the land of Fur, named

because the majority of the people lived there is fur. The Non-Arab Darfurians considers

the 1994 replacement of the Darfur region by the current three states a unilateral decision

of the Islamist government aimed at weakening the region and diluting the power of its

most significant group, the Fur (ICG 2006). They say that Fur is the majority but when

divided into three areas became a minority in all states. That is to say, further divisions of

Darfur eliminate the Fur domination in the region. The second reason is about the

increase in ethnic conflict as argued by the oppositions when the announcement made

that the addition of two more areas created by GoS even before the referendum would

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exacerbate divisions between ethnic groups in Darfur (UNSC 2011). Since the issue already debated, the principle of consent, peacemakers should adopt protection of minority to prevent the further actions of conflicting parties which jeopardizes the peace negotiations. The peace processes failed at this stage and is given a zero (0) score.

Furthermore, on 02 March 20011, the GoS through Special Advisor to the President, Ghazi Salah al-Din, announced that referendum about the permanent status of Darfur to be held on 9 Jul 2011 as provided by article 55 of the DPA (UNSC 2011). On 29 March, the GoS re-announced the conduct of a referendum despite the opposition from armed movements and other members of opposition political parties and internally displaced persons (UNSC 2011). The GoS continue with the preparation of the referendum (UNSC 2011). The Sudan National Electoral Commission has begun arrangements for the poll and, on 12 April, officially ask for material and technical help from UNAMID and the United Nations Mission in Sudan (UNSC 2011).

Rebels disagreed with GoS on 29 March, when issued a Presidential Announcement for the conduct of a referendum on the status of Darfur (UNSC 2011). The decree was broadly condemned by the armed movements, with SLA-Minni Minawi, JEM and SLA-Mother issuing a combined declaration on 2 April in which they, among other things, object to the Ruling, vow not to recognize the outcome and call upon the people of Darfur to actively oppose it (UNSC 2011). Similarly, in consultation with UNAMID, internally displaced persons and members of opposition political parties expressed hatred over what they explained as unilateral action by the GoS and their concern over the impracticality of the conducting referendum in such prevailed political and security environment (UNSC 2011). The armed movements issued statements that

would nevertheless have a responsibility to demonstrate their commitment to peace in Darfur by, at a minimum, allowing all Darfurians, including internally displaced persons and refugees, to participate in the Darfur political process freely and without fear of harassment (UNSC 2011).

As reviewed in the literature about the outcome of the 2004 referendum in Cyprus illustrates, political participation may threaten fragile elite power-sharing arrangements (Milne 2003). Ben Reilly lists five reasons why majoritarian devices such as referenda are likely to heighten tension and increase polarization:

1. In a yes/no ballot, one side will always win;

2. Referendums more or less continuously disadvantage minorities;

3. They tend to turn into an ethnic census;

4. Polls may serve to legitimize choices that have already been decided on the battleground; and

5. Plebiscites may be little more than an empty figurative activity (Ben 2003).

Furthermore, Reilly said even the successful referendum on the Good Friday Agreements in Northern Ireland, which passed with an overcoming majority, is viewed with concern (Ben 2003). The principle of popular consent to the power-sharing agreement means that the referendum can be repeated in the future, casting the stifling shadow of constitutional politics over the difficulties of day-to-day cooperation (MacGinty, et al. 2001). The dilemma is clear and well-formulated by Michael Lusztig in his analysis of the failure of constitutional initiatives in multinational Canada: "the requirements of mass input into and legitimization of constitutional bargaining in deeply divided societies are incompatible with successful constitution-making" (Lusztig 1994).

If mass legitimatization undermines effective elite accommodation, then the choice is between power-sharing *or* (direct) democracy (Lusztig 1994). Paradoxically, there may be no democratic way to establish power-sharing democracy (Lusztig 1994).

Therefore, the issue concerning the referendum on the permanent status of Darfur required the peacemakers through peace negotiations process to apply the principles of consent, and protection of minority voices. The consultations of as many stakeholders as advised by UNAMID and the African Union High-Level Implementation Panel when encouraged the Government to build broad-based buy-in among stakeholders before holding the referendum (UNSC 2011). The Darfur should hold the Referendum in a stable security environment, where all Darfurians in Refugee camps and IDPs camps got the opportunity to vote for legitimacy. The education for the purpose, procedure and the conduct of poll given to enhance the credibility of the polling process, and the electro commissions must be independent and monitored by international institutions to ensure democratic principles observed. The decision made by GoS to conduct a poll was not inclusive of the majority of stakeholders in Darfur and jeopardized the progress of the peace process. The study revealed that the actions done by the GoS were the product of the failure by the peace process to use the coercive strategy to ensure the that parties in conflict abide by the peace agreement. These actions contributed much to hindering the peace progress through negotiations hence is scored zero (0).

<div align="center">Security Dilemma of Actors and Populations</div>

As explained in the background, the sources of the conflict in Darfur categorized into two main groups, local and national (Mamdani 2010). Regional strife between non-Arabs Darfurian and Darfur Arabs over resources and the nationwide strife triggered by

2003 rebellion by armed movements (SLA and JEM) claimed Darfur marginalization and lack of GoS impartiality in local conflict resolutions processes (Mamdani 2010). According to ICG report of 2004, soon when the rebellion erupted, the GoS armed Janjaweed and use them in the war against rebels and the non-Arab tribes supporting the rebels (ICG 2004). The presented agenda in the conflict resolution during DPA of who to disarm led to the provisions of two definitions to differentiate movement from the militia. The discussion concluded when decided that GoS should disable all its' militias includes Janjaweed. Therefore, the task to disarm Janjaweed given to GoS, because the Janjaweed used by GoS to fight rebels.

As it was mentioned in the literature review in chapter 2, when analyzing the security dilemma regarding tribal conflict, Snyder and Jervis realized that it is a crucial concept for third parties to consider in mediating tribal strife (Snyder and Jervis 1999). Perse, "Mediators must meet not only the situations that constitute the security dilemma, but also, the concepts and social forces that produced the dilemma in the first place, and that may replicate it unless the interveners can neutralize them (Snyder and Jervis 1999)." Furthermore, Snyder and Jervis explain that almost any conflict characterized by a mixture of "security fears" and "predatory goals," which are difficult to put them apart (Snyder and Jervis 1999). However, if possible, mediators must separate them: to set the security fears and predatory goals apart, enables peacemakers to determine what kind of actors are involved, what type of conflict they are dealing with, and thus, what mediation strategies are best employed (Snyder and Jervis 1999). According to Snyder and Jervis, the security dilemma signals three kinds of treatment. The formation of a sovereign authority capable of imposing hegemonic peace upon all fearfully opposing parties.

Second, to develop a condition in which the parties can provide for their security through strictly defensive measures; and third, is for the contending parties to lock themselves into an institutional framework that guarantees their mutual self-restraint once they lay their weapons down (Snyder and Jervis 1999).

The articles provided in both DPA/ DDPD is on a broad ceasefire, and final security arrangements observe these factors. DPA. Section 24 provides prohibited activities by conflicting parties. Paragraph 226 directed the parties to refrain from the actions which might jeopardize the ceasefire agreement (DPA 2006). The prohibited Activities includes the attacks against the members and locations of another party, harassment, abduction, intimidation, and injury to civilians IDPs, Humanitarian workers, and other noncombatants, and seizure of their equipment and property (DPA 2006). All attacks on the AMIS personnel and installations and seizure of its equipment, all activities that obstruct the efforts of AMIS includes prohibit AMIS patrols, and flights over any locations, and all offensive military flights in and over Darfur (DPA 2006). This provision was essential for deployed military observers to thoroughly conduct observation and reports on the threaten safety and security issues of the mentioned groups. The requirement is for both parties to comply with ceasefire agreement when signed. The assumption was to restore safety and security in the area, for the peace processes to continue.

DPA paragraph 214 (f), provides parties undertake measures to neutralize and disarm the Janjaweed/armed militias in line with UN resolutions 1556 and 1564, the AU Summit Resolutions, the N'djamena Agreement, and the November 2004 Abuja Protocol, such that security in Darfur is assured (AU 2006). Moreover, DPA, paragraph 314

provides: The GoS shall present to the Ceasefire Commission a comprehensive plan for neutralizing and disarming the Janjaweed/armed militia specifying actions to be taken during all phases of the ceasefire (AU 2006). Arranging for the plan milestones to be achieved by the GoS in disarming Janjaweed also provided in this article. Paragraph 315.a. Provides, the GoS shall restrict all Janjaweed/armed militia and Popular Defense Forces (PDF) to their headquarters, garrisons, cantonment sites or communities. Moreover, GoS should take other steps to contain, reduce, and ultimately eliminate the threat posed by such forces; paragraph 315.b. says the GoS shall completely disarm the Janjaweed forces of heavy weapons and 315c. Provides that Consistent with Article 30; and paragraph 457, the GoS shall disarm Janjaweed/armed militia and stop them pose a threat to the Movements' assembly (AU 2006). The same requirement was provided by DDPD chapter 6, and the task assigned to the GoS (DDPD 2011).

Considering the Darfurians conflict, which some writers named it a genocide actions by GoS and its pro-government militia (Janjaweed) to Darfur people mostly non-Arabs Darfurians, lefts millions of people dead became refugees, and IDPs. The invaders took the no-Arabs Darfurians land. The assurance for the land recovery back to the former owners needed and became a critical factor in the signed accord success. Different from other tribal conflicts where rebels used intimidations means to threaten the populations to gain support, in Darfur, it is GoS and its pro-government militia janjaweed accused of the intimidating community. The rebel groups observed to be the advocacy of the people with non-Arabs ethnicity.

The issue of ceasefire and final security arrangement in Darfur was a significant issue to rebels' decisions to join DPA and DDPD agreements. During DPA, leader of

SLA/AW gave AU condition for him to sign DPA. When addressed the requirement concerned Security arrangement, Abdul Wahid divided the demand into two groups; the first group was on the amount of fund for compensation issued for the victims. He argued that the first payment of only USD 30 million into the Compensation Fund will not persuade the victims of the conflict that the GoS dedicated to peace (Flint 2010). The second group was his movement involved in the disarmament of Janjaweed. He presented a condition that rebel units must participate fully in critical phases of the security arrangements include escort IDPs and refugees back to their villages to ensure that settlers backed by the government vacate the area, and in the monitoring of Janjaweed disarmament. (Flint 2010).

Following the negotiation in Abuja, the GoS agreed in writing to AU to identify, neutralize and disarm its militias under its control includes janjaweed on five previous occasions and has been ordered to disable them in multiple UN Security Council resolutions since July 2004 (ICG 2006).

The N'Djamena ceasefire agreement of 8 April 2004, the N'Djamena agreement of 25 April 2004, the 3 July 2004 communiqué signed with the UN, and the 5 August 2004 Plan of Action signed with the UN. Other agreements are the 9 November 2004 Protocol on Security Arrangements approved at the AU-led Abuja talks, and the government has also agreed to pinpoint those militias under its control in the 5 August Strategy of Action and the 9 November Protocol. The GoS reiterated its assurance of the 19 December 2004 armistice endorsed with the National Movement for Reform and Development (NMRD) to disarm the Janjaweed (ICG 2006).

However, GoS continued to arm and recruit militias and supported their operations even in the weeks since signing the DPA (ICG, Darfur's Fragile Peace Agreement 2006). The considerable numbers of Janjaweed admitted into the regular security services, like the Popular Defense Forces (PDF), the Border Intelligence Units and the Central Reserve Police (the riot police) (ICG 2006). One military observer estimated that nearly half the Janjaweed have already concealed this way (ICG 2006). In 2006, GoS representatives at Abuja admitted to government enrollment of Arab ethnic group into the army and the militia Popular Defense Forces (PDF) to fight the rebels but disassociated Khartoum from the Janjaweed (ICG 2006). General Abdel Rahman told Crisis Group that "We (GoS) have no control over them (Janjaweed), really, so how can we disarm them"? (ICG 2006).

The analysis of this part of the research is grouped into two categories: - First is the identification of security fears among rebels. The peace process actors were able to identify that Janjaweed posed a threat to rebels, and since they have an affiliation with GoS, the need to disarm them is essential. The peacemakers took steps to include the articles in DPA and DDPD and ordered the GoS to disarm the Janjaweed. The guidance and constraints on how the GoS needed to accomplish the requirement not provided which failed the mechanism of how GoS should achieve that requirement.

Second is the failure to pressure the GoS in the accomplishment of the disarmament of the Janjaweed. The GoS as reported by ICG was reluctant to disarm the Janjaweed (ICG 2006). Instead of disabling them, GoS kept on arming them the situation which contributed much to the increase in security dilemma to rebels. The actions by GoS can also be interpreted as the unwillingness of the GoS to comply with the peace

process requirements and hence used the peace process to buy time for the accomplishment of its desired end state. The peace process failed to support the overall negotiations regarding security dilemma issues, therefore, it is given a score of (0).

<div align="center">Spoilers Management in the Peace Process</div>

In "Spoiler Problems in Peace Processes," Stephen J. Stedman argues that the armed and unarmed groups in the conflict resolution and management process who perceives that they are not beneficial to them and likely sabotage the peace process (Stedman 1997). These spoilers can be inside or outside a peace process. Inside spoiler's sign, a peace agreement signals a willingness to implement, and yet fails to fulfill critical obligations of the accord or tend to use strategies of stealth to sabotage the signed contract (Stedman 1997). Inside spoilers have their own hidden agenda, and they want the peace process to continue provided have the assurance of advantage over their adversary. The outside spoilers are those who are left out or decided by themselves not to be part of the process. The external spoilers use strategies of violence to undermine the peace process and to achieve their ends, which proves to be catastrophic for prospects of a durable peace (Stedman 1997).

Stedman also provides the strategies used to manage the spoilers in the peace process used by UN in the 1990s. The tactics are the inducement, or giving the spoilers what it wants; the socialization, or changing the behavior of the spoilers to adhere to a set of established norms, and coercion, or punishing spoiler behavior or decreasing the capacity of the spoilers to destroy the peace process (Stedman 1997). Furthermore, according to Stedman, mediators can employ more than one strategy, either simultaneously (with different priority and emphasis) or in sequence (Stedman 1997).

The aim of spoiler management is to all parties are involved in the peace process, and are complying with the peace agreement.

The mismanagement of spoilers observed in Darfur peace process, and as pointed out by Stedman they are arises because of failure to use different strategies of spoilers' management. Two examples can be used to analyze the inability to use inducement strategy and coercion strategy to maintain the spoilers. The rebels initiated the rebellion in 2003 never signed the peace agreement to date because they were not satisfied with the deal on the table. In 2006, SLA/AW leader gave AU conditions for him to sign DPA.

First, the first compensation of only USD 30 million into the Compensation Fund will not persuade the victims of the conflict that the GoS dedicated to peace. Second, rebel units must participate in critical phases of the security arrangements include escort IDPs and refugees back to their villages to ensure that settlers backed by the government vacate the area, and in the monitoring of Janjaweed disarmament. Third, a better deal in political representation in Khartoum and at the state level. He pointed out the number of seats in state assemblies must be increased to accommodate Darfurians not represented in Abuja, 'including Janjaweed and especially Arabs.' The DPA allocated 50 percent of seats to the National Congress Party (NCP) of President Bashir and 30 percent to the movements, leaving only 20 percent for all others (Flint 2010).

The distributions of 20 percent are that northern regions 14 percent, the remaining areas, which are Darfur, Abyei, Kordofan, and the Blue Nile will share remaining 6 percent (IGAD 2005). The parties who formed the government the NCP, and SPLM did not accept the proposal, and the peace custodians did not work on it despite the legitimate demands by rebels. Abdul Wahid, the leader of SLA, made clear that he would not sign

the DPA without discussed the critical issues facing the Darfurians people (Flint 2010). Khalil Ibrahim, the leader from another strong rebel movement JEM also refused to sign DPA claimed that the protocols on power sharing and wealth sharing not adequately addressing the causes of the conflict, and the structural inequities between Sudan's center and its periphery that led to the rebel attacks in 2003 (ICG 2006). These rebel groups were backed by the Darfur protests, which came as a reminder of the critical need to associate the people of Darfur with the agreement and explain its provisions to them. Despite the tremendous pressures on Abdel Wahid to sign, including the threat of international sanctions, the protests seem to have encouraged him to hold out (Flint 2010). They opted not to sign and became the outside spoilers.

Since Janjaweed considered the pro-government militia and posed a threat to rebels and population in Darfur with different ethnicity, the peace custodians ordered the GoS to disarm them. The GoS agreed in writing to more than four times to disarm Janjaweed (ICG 2006). But instead of disabling them, it kept recruited and armed them and use them as popular defense forces, the Border Intelligence Units and the Central Reserve Police (the riot police) (ICG 2006). The author interpreted as lack of willingness of the GoS to implement the requirement of the peace process and considered as inside spoilers. The mediators failed to pressure the GoS to take responsibility to Janjaweed hence jeopardize the peace negotiations.

The mediators should use the coercive strategy in both cases because the GoS was not ready to comply with the peace requirements. The mediators ended up accepts the defected factions to join the peace process instead of the main rebel groups. The signing of DPA on 05 May 2005 by GoS and defected SLA/MM, and later DDPD on 14th July

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2011 by GoS and LJM leaving the main rebel movements started the rebellion in 2003

(SLA/AW and JEM) out was a failure of the peace process. Failure to include these two

armed movements, who are famous in Darfur, displays mismanagement of spoilers

during peace processes hence a score of zero (0).

Table 5. Scores Regarding Darfur Peace Negotiations	
Analysis of the Variables	Darfur Peace Negotiations Score
Effectiveness of mediation process	0
Comprehensiveness of the peace document	0
Power-sharing in peace process	0
A referendum for Regional Administrations	0
Security dilemma of actors and populations	0
Spoilers management in peace process	0

Source: Created by author.

Summary of the Two Peace Negotiations Processes

The analysis shows that many factors affect peace negotiations in Africa as

described in review of the two case studies. The more prevalent issues are effective

mediation, comprehensiveness of the peace documents, power-sharing, and security

dilemma of actors and populations. Moreover, peace negotiations are also affected by the

process of permanent status of the regional administration, wealth sharing, and

management of spoilers in the peace process. Unilateral actions of warring parties,

contrary to the peace agreement tend to jeopardize the peace negotiations process.

Additionally, genuine sincerity and commitment to peace of the warring parties are often

fake because they use the peace negotiation process to trade time for achievement of their

strategic end state.

Table 6. Tabulated Scores of the Analyzed Variables of the Two Case Studies		
Analysis of the Variables	Sudan-S. Sudan Peace Negotiations	Darfur Peace Negotiations
Effectiveness of mediation process	1	0
Comprehensiveness of the peace document	1	0
Power-sharing in peace process	1	0
A referendum for Regional Administrations	1	0
Security dilemma of actors and populations	1	0
Managing spoilers in the peace process	1	0

Source: Created by author.

CHAPTER 5

CONCLUSION AND RECOMMENDATIONS

This study attempted to identify the issues that when present and treated inappropriately impede the realization of peace through negotiations. This research employed case study qualitative design research methodology using Sudan, -South Sudan peace negotiations through CPA as an example of successful peace negotiations, and Sudan, Darfur rebels' peace negotiations as one of the failed negotiations.

Conclusions

The primary research question was what the impediments to peace and stability are through conflict resolutions and management processes in Darfur? Analysis in chapter 4 shows that, despite the challenges which occurred during negotiations between Sudan-South Sudan, the variables used for this negotiation were successfully considered and, in general, peace negotiations were completed successfully. The study cannot conclude that the failure of at least one variable could lead to the collapse of peace negotiations, but consideration of all variables analyzed made Sudan-South Sudan peace negotiations successful. The situation was different regarding the Sudan-Darfur peace negotiations process following the failure of both sides to undertake the actions necessary to achieve peace.

The effectiveness of mediation process, which required changes to strategies used in interventions, was crucial to success through the CPA in Sudan-South Sudan case. Support from neighboring African countries such as Ethiopia, Kenya, and Uganda, and international support from the U.S., and other European nations, enabled the mediators to

alter their strategies from passive, to procedural, to coercive in order to ensure they achieved an agreement and implementation was conducted as planned. Persuading, educating, and facilitating were the higher priorities for negotiations to take off, but when these means failed, coercive means applied to against the warring parties to comply with the agreement. Sudan-Darfur peace negotiations through DPA/DDPD failed because the mediators employed only passive strategy during those talks. The process was greatly influenced by the GoS which believed in ending the conflict through military means, and thus the rebels perceived a lack of impartiality from the mediators, therefore, opted out of the peace process.

Like all other peace negotiations, the beginning of Sudan, South Sudan peace negotiations through CPA were difficult since all parties needed to decide the issues to be included in the peace agreement to ensure comprehensiveness of the peace document before signing. Challenges to the CPA arose from information presented about the peace agreement, procedures to be used during the negotiations, and modalities for implementations; adjustment was required to enable all parties to sign this peace agreement. During the Sudan-Darfur peace process through DPA/DDPD, the mediation team failed to address rebels concerns sufficiently for them to continue with the peace process. The reason for this was that adjustment of the variables to be negotiated was difficult. Peace mediators rejected a request from the SLA/AW and JEM rebels to address some issues such as power-sharing, ceasefire, final security arrangements, and compensations to the victims; which according to them were not reasonably stipulated. Failure to invest enough time to accept, digest, and consider the queries presented

regarding these concerns led to collapse of negotiations and achievement of peace in Darfur.

The power-sharing agenda through CPA was sincere in the peace negotiations. This was partly due to inaccessibility of the GoS to South Sudan. Almost the whole South Sudan territory had been placed under the leadership of SPLA, and that increased South Sudan's bargaining power in the peace negotiations. The issue of power-sharing was included because GoS access to the oil refineries was limited since many of them were placed in South Sudan territory and were under SPLA control. Pressure from outsiders such as the U.S. in its war against terrorism also gave the mediation team power to ensure that controversial issues were addressed. This situation limited the GoS ability to interfere with the peace agreement and they opted to remain sincere. There were relative considerations of power-sharing in peace negotiation through CPA. The South Sudanese were proportionally represented at all level of the federal government and given control of the GoSS. The Southern Sudanese were also proportionally included in all decision-making bodies such as executive (Cabinet) positions, parliamentary seats, and at the states representation level (see table 2). Success of the peace negotiations through CPA was due to transparency, sincerity, and fairness in power-sharing issues, which enabled the oppositions to participate fully in decision-making processes.

Power-sharing through DPA/DDPD, on the other hand, was not sincere. Negotiations revealed that the source of conflict, as mentioned by the rebels, was marginalization of Darfur people politically, economically, and socially and these power-sharing issues could not be solved within the provisions of the DPA/DDPD (see table 4). Power-sharing can only be sincere when parties in conflict are proportionally represented

in planning, deciding, and implementing according to the constitution. If other parties do not reasonably and proportionally participate in the decision-making bodies, then the possibility of failure is higher for the peace negotiations. The presented power-sharing in DPA/DDPD did not reduce the influence of NCP in Darfur, and thus showed lack of sincerity in peace negotiations. The actions of the GoS to refuse to cede more power to the rebels when asked by peace mediators, implied lack of GoS goodwill. Therefore, it is fair to conclude that lack of consideration for power-sharing issues during the Sudan-Darfur peace negotiations contributed to the failure of the peace process.

The successful conduct of referendum for self-determination of South Sudan through CPA contributed to the existence of free electoral commission monitored and assisted by UNMIS in preparing, planning, and supervision of the election. The joint technical team from South Sudan and North Sudan was created to resolve any problems that arose before and during conduct of the referendum. The control of South Sudan by SPLM limited the influence of GoS in the south, thus increased transparency in the voting process in the poll, and involvement of international monitors assured credibility of the election outcome and made the referendum successful. Synonymous to self-determination, the Darfur referendum for regional administration through DDPD failed the Sudan-Darfur peace process. The reason for this was the provoked unilateral decisions by the GoS to conduct referendum in deciding the fate of Darfur before signing of the DDPD and without the consent of other stakeholders. This announcement convinced the rebels that there was no goodwill in the peace negotiations from GoS. Rebels and other oppositions argued on the fairness of conducting the referendum when the security environment was unstable, political situations were not correct, and the

electoral commission was not independent. These acts contributed a lot to the major rebel groups deciding to not participate in peace talks by doubting the influence of GoS and lack of coercive measures from peace facilitators against GoS provocation actions.

The agenda for security dilemma of actors and populations seriously considered in the peace negotiations through CPA. The success partly contributed by mediators' assurance of the joint operations deployment at the border for the actual implementations of the ceasefire agreement by both parties, and deployment of international monitors under UN as agreed in CPA. The high degree of integration of SPLA in all law enforcement organs enhanced transparency and, cooperation, and built trust during implementations of the peace agreement. Thus, the security dilemma of SPLA supporters, soldiers, and leaders was reduced a great deal and led to their desire to make the peace agreement work. The lack of GoS sincerity in implementation of the ceasefire agreement through DPA/DDPD was observed from the beginning of the talks and contributed to the failure of these peace negotiations. Lack of honesty was noticed when the rebel request to participate in implementation of the ceasefire and final security arrangement as a condition of signing the peace agreement was declined. Moreover, lack of honesty was observed when the peacemakers failed to guarantee any increase of compensation funds to the victims of war and lack of desire from GoS to implement disarmament of the Janjaweed as required in the peace documents. Therefore, this study concluded that vulnerability of non-Arab Darfurians from attacks by Janjaweed and GoS, lack of safety assurance of rebel leaders and their soldiers, and failure to resolve land issues for the victims contributed in the collapse of the Sudan-Darfur peace process.

The management of spoilers in the process through CPA contributed to the success of peace negotiations. The mediators used different strategies such as to identify and recognize the main actors in the conflict, encouraged the sides of the warring parties' unit, restrict the actors who might spoil the peace talks, and promote the leading actors to participate in the peace negotiations to limit the spoiling acts during talks. The employment of different strategy from passive to coercive to stakeholders ensure the ownership of the peace talks and hence made it successful. The Darfur peace process failed partly because, the only passive strategy used which was unable to control the spoilers, failure to recognize the main actors in the conflict, support of the disintegration of rebel movements, and lack of control of spoiling acts from the actors. The inability of mediators to accept the demands from rebels in spite of the logic in it, and failure to pressure the GoS to disarm Janjaweed promoted the outside and inside spoilers in Darfur peace negotiations. Lack of using inducement strategy to accommodate the rebels triggered the rebellion in 2003, and failure to use coercive approach to pressure the GoS to comply with the peace agreement explained as mismanagement of spoilers hence led to the collapse of the peace process.

The variables in the peace process regarding Darfur peace negotiations were mismanaged. The study concludes that the Darfur peace negotiations failed because of lack of adequate interventions for effective mediation to ensure the peace document is comprehensive, power-sharing is genuine, and the security dilemma of actors and populations removed. The management affected the peace negotiations by lacked pressure over Government's reluctance to comply with peace requirement such as disarmament of Janjaweed, by lacked inducement strategy to accommodate the key

rebels' groups in the peace talks, and by lacked control over unilateral spoiling acts from GoS.

The critical players' actions that considered jeopardized peace negotiations plaid role in failing Sudan-Darfur peace negotiations. Most of these actions were in the form of reluctance to act, denial of requests, and unilateral decisions that required consent from many stakeholders. The decline of these adjustment request in the power-sharing article and the denial of participation of rebels in a ceasefire and final security arrangement operations was the barrier for the rebel group to sign the DPA. The GoS's unilateral announcement over conduct of a referendum for regional administrations and further partitioning of Darfur that needed the consent from other stakeholders was wrongly timed and considered a spoiling act and obstacles for the rebel groups to sign the DDPD. These actions contributed to a large extent the failure of Sudan-Darfur peace negotiations.

Recommendations

The following recommendations are derived from this study's analysis and present a possible way forward for future Darfur peace negotiations. It is hoped that they can contribute to future peace negotiations and lead to long-lasting political settlements in both Darfur and throughout Africa.

1. Support for effective mediations. Any change of strategy used during peace negotiations depends on support from all stakeholders. Positive support is necessary to empower mediators to use their judgment in modifying their strategy to obtain peace; either with or without consent from all warring parties.

2. Peace document adjustment. Amendment to the peace document throughout

peace negotiations is inevitable because of the 'give and take' nature of negotiations. Any final peace document needs the consent and acceptance of all stakeholders in order to make it comprehensive and executable.

3. Serious consideration of all parties' demands. People sitting at the negotiations table must seriously consider the demands presented by all parties involved in the conflict. They cannot ignore issues such as power sharing, wealth sharing, compensation of victims, or security of individuals if they are to achieve peace. Considerations will enable all parties involved in the conflict to build trust and continue the peace process.

4. Transparency and democratic referendum for regional administration. A legitimate poll must be conducted in a stable and secure environment, it must be transparent, and it must observe democratic principles. Independent electoral commission and international observers are required for credibility. Conduct, especially during the transition period, needs the consent of all stakeholders for support and legitimacy of the results.

5. Security of all parties. Assurances for the future safety of the leaders of warring parties, their fighters, and followers is required for long-lasting peace. Efforts must be made to ensure any violence among actors and populations are limited in order to build trust and confidence among warring parties. This study recommends ensuring transparency, relationship building, and inclusiveness in decision making to ensure all stakeholders are confident in the peace process.

6. Management of spoiling actors. For the mediators to be perceived as neutral,

impartial, and to obtain consent of the warring parties, they must be able to condemn any actions which might jeopardize the peace negotiations regardless of which party commits them. Different strategies must be used to ensure the parties in conflict are accommodated and committed to the peace negotiations. Peacemakers must identify all of the conflict's parties and encourage the smaller actors to present their concerns and be part of the peace process.

<u>Recommendations for Future Study</u>

This study did not research all of the variables involved in peace negotiations necessary for peacemakers to obtain a successful end to conflict. Instead, the author searched for critical common themes of the peace negotiations conducted for both Sudan-South Sudan and Sudan-Darfur peace negotiations. According to Mamdani, the Darfur conflict can be divided into two main categories; local strife which was between Darfur' farmers against herders, and national conflict where the GoS (supported by its militias) became involved in the fight against rebels (Mamdani 2010). Ongoing peace negotiations are directed toward the national conflict and little has been done to address local strife.

The author recommends further studies on "What can international communities do to resolve and manage the land crisis in Darfur to ensure long-lasting peace." This area was not clearly analyzed in the Sudan-Darfur peace negotiations assessment and it is critical for achievement of long-lasting peace in the region. According to Holmes, more than 2.7 million Darfurians are displaced all over Sudan and more than 1.0 million people are refugees in neighboring countries such as Chad and the CAR (Holmes 2008).

Therefore, further study is recommended in this area to address these problem for long-lasting peace in Darfur.

Darfur victims have lost almost everything. Their buildings have been destroyed, their properties looted, cattle killed, and many of them have lost their parents and/or relatives and remained orphans to date. Compensation issues to heal the pain for these victims are vital for long lasting peace, but have not been explicitly addressed (ICG 2006). This study recommends further research on the importance of compensations in healing victims' pain and how well peace-makers should incorporate this requirement into the peace documents.

Summary

This study was an individual research effort centered on available resources; thus its conclusion and recommendations are confined to those findings. Only facts from peace documents, addressed in the literature review, were used for analysis and comparison in the two case studies. Therefore, the author believes that the findings of this research could enable future study for individuals interested in conducting further investigation into the challenges encountered during peace negotiations.

It could be stated that each peace negotiation process is unique, since each conflict differs from the other. Also, the political, social and economic background of each country influences the conduct of successful peace negotiations. However, it is essential to identify success or failure of peace negotiation processes as this analysis will enhance the body of knowledge and could assist future peace negotiation processes. In this regard, it could be stated that Sudan-Darfur peace negotiations have been a complete failure and lessons learned

from them should be studied and incorporated to assist in future peace negotiation processes to ensure success.

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