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Challenges to Peace and Recovery in Darfur

A Situation Analysis of the Ongoing Conflict and its Continuing Impact on Livelihoods

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Summary

Despite the uncertainties about the future of the Darfur Peace Accord, this paper was developed to inform and strengthen the Darfur Joint Assessment Mission (DJAM) and Early Recovery Plan which started its work in June 2006. The aim was to promote greater coherence and shared understanding of the constraints and challenges to peace and recovery of livelihoods among the 40 or so technical representatives of the government of Sudan, SLM/MM and UN agencies on the DJAM team. The authors considered the DJAM as an opportunity to promote a meaningful dialogue between the major stakeholders around technical issues, despite the ongoing conflict, related international debates (e.g., AU versus UN forces) and apparent stalemate in political processes. This is in part because most of the core principles of wealth sharing as outlined in the Darfur Peace Accord were worked out and agreed upon long before the final signing process in May 2006 and therefore have relevance

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to a much wider group of stakeholders than those who eventually signed the agreement in Abuja.

The paper presents a livelihoods conceptual framework that allows an integrated and coherent analysis of livelihoods in Darfur. The Darfur Peace Accord is full of references to livelihoods and the importance of addressing those conditions that hamper sustainable livelihoods for different groups in order to achieve peace and recovery. The paper explains the advantages of a livelihoods analysis in this context, including its capacity to bring together and make manageable complex yet related strands relating to the wider political economy of conflict, its regional dimensions, relevant customary law and institutions, markets and trade etc.

Part two summarizes the background to the conflict, including its origin and causes, phases of the conflict and related impacts, peace processes, and the implications for the future are reviewed. Causal factors include: economic and political marginalization; environmental threats, demographic pressures and ecological hardships; ethnic conflicts fuelled by government inaction or partial support; and wider regional conflicts.

Part three reviews the impact of the conflict on livelihoods in Darfur in order to consider implications for the Darfur JAM/ERP. First this section presents a very brief background on livelihoods in Darfur, focusing on the ecological, environmental and climatic factors that influence rural production systems and livelihoods, and also refers to the other major influences including ethnicity, trade and migration. Next, the livelihoods framework is used to review how conflict has impacted livelihoods, from the perspective of its impact on livelihood assets and strategies, and also those policies, institutions and processes that are of overarching importance in determining the capacity of households to sustain their livelihoods. Beyond the direct impact of the conflict on livelihood assets through asset-stripping, our analysis points to the continued systemic blocking and destruction of all types of livelihood strategies and the continuing erosion of assets. This was occurring as a result of eight related processes linked with the conflict:

1. Insecurity restricting mobility and access

2. Destruction and loss of public infrastructure

3. Land occupation, predatory grazing and rent-seeking

4. Environmental degradation

5. Local governance and continuing erosion and politicization of the tribal administrative systems

6. Marginalization within Darfur – inequitable access to available resources

7. Market restrictions and the war economy - Restrictive policies e.g. border closures and other restrictions on movement or access to markets

8. The Darfur Peace Accord

The paper concludes that addressing these overarching processes, institutions and policies represent *the essential conditions for recovery*, without which the improvements to the lives and livelihoods of the people of Darfur are likely to be negligible. In relation to each of these, our analysis presents the relevant DPA provisions and the implications for the DJAM/ERP. This ensures that any subsequent

analysis and early recovery program is based on an understanding of both the DPA and the underlying conditions that are preventing the recovery of livelihoods.

The paper recognizes that the Darfur Peace Accord itself is one of the major ongoing processes that impacts on livelihoods in Darfur, and that its successful implementation depends on a wider set of factors driven by political rather than technical considerations. In practice, the DPA has not been politically inclusive as demonstrated by the mistrust of the agreement by many stakeholders in Darfur and internationally. In this context, it is vital that the DJAM/ERP is used as an opportunity and a basis upon which to promote greater inclusiveness by bringing on board representatives from all stakeholder groups to discuss and address the long-term recovery plans and development challenges.

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Introduction

Following the signing of the Darfur Peace Accord (DPA) on May 5th 2006 between Minni Arcua Minawi's faction of the Sudan Liberation Movement (SLM/MM) and the Government of Sudan, plans for peace and recovery in Darfur began in earnest. While the fragility of this peace accord were immediately apparent, almost all the major stakeholders including the GoS, SLM/ MM, UN agencies and several donors were keen to quickly move ahead and implement what had been agreed. The Darfur Peace Accord (DPA) contained provisions for a Joint Assessment Mission (JAM) and an Early Recovery Programme (ERP). In retrospect this seems extremely premature given the rejection of the DPA by some groups, local protests to the DPA in Darfur, fractionating of the non-signatory groups which at the last count included 13 factions, subsequent increase in counter-insurgency tactics by the government and sharp deterioration in security especially in North Darfur. Nevertheless, the Darfur Joint Assessment Mission went ahead starting in June 2006. The assessment team included nearly 40 technical representatives of the GoS, SLM/MM, and UN agencies (some of whom had never set foot in Darfur before).

In the face of many uncertainties the authors of this paper felt that a vital step towards peace and recovery was to ensure that all those engaged in efforts to promote peace, particularly those involved in the Darfur JAM, were fully cognizant of the challenges and constraints to recovery of livelihoods and reconciliation and shared the same understanding. Although only one rebel group signed the agreement in Abuja, the other parties had participated and agreed to the principles of wealth sharing that had been agreed during previous talks including the workshop on wealth-sharing held in Nairobi 2005. Based on our recent research experience, and experience at that workshop, we volunteered to review the impact of the current crisis, and to develop a conceptual framework that would inform and underpin the early recovery plan and joint assessment mission. According to the team leading this process,

"The conceptual framework will serve as a summary "situational analysis" of Darfur focusing on the conflict, its key causes, impact on livelihoods, structures, processes, and implications for future early recovery".

This paper was developed as the draft of this conceptual framework and situational analysis and was presented and reviewed by the DJAM team members during their preparatory workshop in Khartoum in early July 2007. The three broad aims of this paper are to:

1. Develop and present a situational analysis of Darfur based on a livelihoods framework and focusing on the conflict, its key causes and impact on livelihoods, structures, processes and implications for recovery.

2. Review the implications of the relevant provisions of the DPA for livelihoods in Darfur. The paper analyses how the DPA proposes to address the underlying processes that are causing the destruction and erosion of livelihoods.

3. Promote a shared understanding and greater coherence between the sectoral clusters participating in the DJAM.

This paper is organized in three parts; part one describes the need for a conceptual framework and explains its role and purpose. Part two describes the background to the conflict and the Darfur Peace Agreement, and Part three reviews the impact of the conflict on livelihoods in Darfur with a view to considering implications for the Darfur JAM/ERP.

PART ONE – A LIVELIHOODS CONCEPTUAL FRAMEWORK FOR DARFUR

What is a conceptual framework and why is the livelihoods framework useful in the Darfur context?

A conceptual framework is critical for an integrated analysis of the Darfur crisis, to ensure that all stakeholders at various levels have a shared understanding of the crisis, the current context of livelihoods and thus are able to move jointly forward towards peace and recovery. A conceptual framework allows us to model complex systems, which otherwise are not well understood.

The livelihoods conceptual framework is important for understanding how populations have been affected by conflict and crisis. Livelihoods approaches date back to the 1990s and in part evolved from previous research on food security, much of which developed from experience in countries affected by food crises and famine across the Sahel in the seventies and eighties including Sudan. Starting with the initial work by Chambers and Conway (Chambers and Conway 1992) a wide range of developmental organizations adopted a sustainable livelihoods approach (Hoon, Singh et al. 1997; Carney, Drinkwater et al. 1999). The sustainable livelihoods framework was used for getting to grips with the complexity of livelihoods, understanding influences on poverty and identifying where interventions can best be made (Farrington, Carney et al. 1999). The Darfur Peace Accord reaffirms the right of all Sudanese civilians to sustainable livelihoods and freedom from hunger, thus endorsing this approach (p20, para 97).

The livelihoods framework is a tool for understanding the totality of people's livelihoods. Annex 1 shows a diagram of the humanitarian livelihoods framework that has been applied in the Darfur context in a study by Tufts/FIC in collaboration with Ahfad University for Women and local Darfurian consultants from the University of El Fasher (Young, Osman et al. 2005). The livelihoods framework recognizes that households pursue a range of livelihood outcomes and goals (related for example to income, food production, health, education, reduction in vulnerability etc) by drawing on a range of assets at their disposal in order to undertake a range of livelihood strategies or activities. This is illustrated and explained in more detail in Box 1.

At a local level, people's own preferences and priorities drive their livelihood strategies but they are also influenced by the policies, processes and institutions (PIPs) that shape their vulnerability and influence livelihood outcomes. Government policies, for example taxation and allocation of resources and delivery of basic services, clearly impact on peoples livelihoods, while processes in Sudan, may include, for example, the processes of climatic and environmental change, rural–urban migration, and wider economic pressures such as inflation or fluctuations in exchange rates, or developments as a result of the discovery of oil.

The terms vulnerability and vulnerability context are also central to understanding livelihoods, the risks people face and how they deal or cope with them. Vulnerability is a result of the risks that arise

as a consequence of external shocks, threats or hazards and the resilience of people's livelihoods. Whether or not a household is able to manage that risk, is in large part a result of the livelihood resources or assets at their disposal, which in turn shapes their capacity to cope or their '*resilience*'. These two factors, risk and resilience shape the nature of the households vulnerability. Multiple risks frequently coincide, particularly in an emergency context such as Darfur, where there is pressure on resources and frequent exposure to climatic variations which affect harvests, market prices, waged labor etc. Conflict introduces an entire new dimension of risks to livelihoods, usually much more acute, and sometimes directed intentionally at destroying livelihoods, or the assets upon which they are based, as a war strategy. Thus incorporating an analysis of conflict and how it impacts on livelihoods is key to a situational analysis of livelihoods in a context like Darfur.

Contribution of a livelihoods conceptual framework for Darfur

In summary, the application of the livelihoods conceptual framework to the analysis of planning and recovery needs for Darfur is crucial for two reasons. First because "*livelihoods are integral to the causes of the conflict and the impact it has had, and therefore will be central to any lasting solutions to the conflict*" (Young et al., 2005 p vii). The Darfur Peace Accord is full of references to livelihoods and the importance of addressing those conditions that hamper sustainable livelihoods (for different groups) in order to achieve both peace and recovery.

Second, a livelihoods conceptual framework combines a local level (micro) analysis and understanding of the impact of the crisis on livelihoods (particularly on the livelihood assets, strategies and goals of different groups), with a more macro analysis of the conflict itself and the wider national, transnational and international factors that are affecting livelihoods in Darfur. This multi-level (international, regional, national and local) and multi-dimensional analysis is crucial to fully understanding the role of stakeholders and the level at which they may be expected to influence the situation. Thus, national players play a key role in terms of national/international level peace processes, policies, and allocation of resources, while local actors are critical in terms of participation in local peace processes, prioritization and implementation of sound and appropriate policies and recovery programs. Thus an important part of a livelihoods analysis is a mapping and analysis of stakeholders to ensure that all groups are appropriately engaged in the processes of assessment and recovery.

A livelihoods analysis shows clearly that livelihoods in Darfur cannot be considered simply in terms of household access to resources and capital (e.g. natural resources, financial capital), and related livelihood strategies. More importantly they are a function of social, ethnic and political affiliations at a local level, and at a more macro level they are influenced by policies of the governments of Sudan, Libya and elsewhere, processes of transnational trade and associated financial flows, the conflict itself and wider international processes of engaging or influencing the conflict.

Thus livelihoods provide a foci for bringing together complex yet related strands, including analysis of the political economy of conflict and its regional dimensions; governance, customary law & institutions; markets, trade and cross-border trade; patterns of migration and displacement; shifting power relations, gender and vulnerability. Complexity is made manageable through the application of the different components and dimensions of the livelihoods framework. The integration of a micro level understanding of livelihoods with a more macro level understanding of the relevant processes,

policies and institutions is intended to generate a shared and common understanding of the issues among stakeholders and a more integrated holistic approach to recovery.

In addition, a livelihoods approach offers the potential of minimizing many of the common mistakes and risks made during assessments, for example, the risks of having top-down vertical programming approaches, or that the recovery processes are overly influenced by individual interest groups, or that specific stakeholder groups are excluded or unable to participate.

A final advantage of the livelihoods approach, is that previous livelihoods research in Darfur has shown that it is feasible to undertake this type of assessment & analysis in a difficult conflict/ crisis environment.

PART 2 – BACKGROUND TO THE CONFLICT AND THE DARFUR PEACE ACCORD

Understanding the Darfur conflict – summary of key causes, impacts and implications for the future

The roots of the current conflict date back to the nineteenth century or even earlier. These historical factors are intricate and intertwined, and continue to influence the current context in a series of dynamic and shifting inter-relationships. Some of the features of the Darfur conflict have echoes of former conflicts in the south, including brutal inter-tribal conflicts manipulated by the central Sudanese authorities.

A more systematic analysis of the Darfur conflict and the structural and transformative processes that led to the crisis is needed to inform any intervention and policy reform process. The underlying causal factors are not only complex, they are also multi-level, and are played out internationally, within the region, nationally and within Darfur. It is crucial that the assessment and planning processes set in motion by the DPA are based on an understanding of these multi-level factors as these have implications for whatever actions follow at a given level. In the past there has been a tendency on the part of some international actors to focus on the high level peace processes at Abuja while ignoring the need for supporting more local level processes, similarly in terms of response while humanitarian response has rightly been prioritized often this has been dominated with a one-dimensional response to food security in the form of food aid, rather than a wider more comprehensive livelihoods approach.

To aid understanding, a summary of key causes prior to the start of the conflict in February 2003 is presented below, followed by a brief chronological review of the crisis since 2003 and a summary of its impacts and implications. A more detailed chronology is attached[i].

Causes of the conflict

The Darfur crisis has a long history of intricate processes and governmental policies that interact at the regional, national and local levels. Causal factors include:

1. Economic and political marginalization

Perceived inequalities have fomented resentment among the people of Darfur towards the central Government authorities. Over time, this developed into armed resistance that sparked the current hostilities and humanitarian crisis. On the local level, the economic and political marginalization of Darfur lead to weakened social institutions and failed economic development interventions by the Government of Sudan (GoS). The origins of the economic and political marginalization of Darfur as a whole, and of different groups within it, date back to the nineteenth century. Before this the Kingdom of Darfur was at least as powerful and important as its neighbors. At this time, however, the Turkish economic colonial model weakened and marginalized Darfur. This pattern was continued during

Condominium rule, and post-Independence which strengthened the central Nile riverian groups at the expense of the peripheries. Locally in Darfur this has contributed to long term processes:

1. Failing institutions, including the judicial systems and policing, which latterly appeared to favor certain groups. This has been in part due to the fragmented approach to administration, particularly the (mis)handling of the Native or tribal Administration.

2. Failing development, including education, health care, transport, veterinary and other services, which affect all of Darfur, but historically have affected different ethnic groups to different extents.

2. Environmental threats, demographic pressures and ecological hardships

This 'crisis of development' combined with a history of ecological hardships including erratic rainfall, drought, and sporadic but severe famine episodes have led to massive pressures on ever increasing populations. These pressures triggered social and resource-based conflicts within Darfur which have intensified over the last twenty years leading to increased localized insecurity and ethnic rivalries, setting the stage for the current crisis.

3. Ethnic conflicts fuelled by government inaction or partial support

The1984/85 drought and region-wide famine affected farmers and herders to different extents depending on their particular circumstances and adaptations. While farmers may recover their food stocks after one good harvest (like the 1988 harvest), it takes many years to rebuild lost herds. This devastating period was shortly followed by the Fur Arab tribal conflict in the late eighties which played out particularly in the Jebel Marra, Zalingei area. Later in the mid 90's the region slid into another devastating conflict between the Arab and the Masalit ethnic groups in West Darfur. These ethnic conflicts raged amidst a climate of armed banditry and general lawlessness, fuelled by government inaction or actions that exacerbated or even played on existing ethnic tensions, including the reorganization of administrative boundaries and systems in West Darfur thus affecting the local power relations between tribes. The pattern that was established in the eighties continues today.

4. Wider regional conflicts

At the regional level, Darfur has remained closely tied with the people and governments of Chad, Libya and Central Africa Republic. For more than thirty years, various Chadian and Libyan groups fought proxy wars in and from bases in Darfur. Darfur has been the base for the different Chadian rebel groups that destabilized and carried out assaults in Chadian territories (Burr and Collins 1999; Young, Osman et al. 2005). The recent conflicts between Sudan and Chad reveal the complex regional patterns of the Darfur crisis and show that its implications reach far beyond Darfur's borders.

The Current Crisis: 2003-2006

The recent conflict began in February 2003, with the first attacks on government property by the armed resistance groups, the Sudanese Liberation Movement/ Army (SLM/A) and Justice and Equality Movement (JEM). Early successes immediately raised their national profile and prompted the Government of Sudan (GoS) to develop their counter-insurgency strategy. Following similar strategies adopted in southern Sudan, the GoS fostered and supported the new militia of '*many*' Arab groups from Darfur and the region. These militia groups, widely known as the *Janjaweed*, with support from GoS air and land forces, created an environment of pervasive violence and insecurity in the Darfur region, by adopting paramilitary scorched earth tactics leading to the destruction of

villages, massive civilian deaths, and an internal displacement crisis with profound risk of famine and health crisis. The indigenous resistance movements have responded with guerilla warfare, and the conflict has escalated in kind. Box 1 summarizes the different phases of the conflict since 2003.

The complex and evolving nature of the conflict has influenced the pattern of displacement since 2003. In 2003 displacement was caused primarily by the direct attacks and insecurity, but increasingly in 2004 and 2005 displacement was also a result of loss of livelihoods caused by insecurity, restricted access and possibly the pull factors of relief provided in camps. In other words displacement continued long after the most intense phase of the rebel insurgency and government counter-insurgency operations. In more recent months in West and South Darfur there has been more localized and smaller scale displacement in areas of strategic interests for both the GoS and SLA(Buchanan-Smith and Jaspars 2006). In addition there have been new outbreaks of fighting between SLA factions.

Box 1 Brief overview of phases of the conflict since 2003

February 2003-September 2003: Conflict starts in the North and spreads West, then South
As the rebel insurgency spread the GoS acted quickly to strengthen its military machine, and exploit local ethnic tensions to create the local militia. At the same time, the GoS launched a campaign to engage in indirect talks with the SLM/A and JEM. Observers believe that the GoS used the indirect negotiation with rebel groups to gain time for their own military build-up, which was finally launched in June 2003 (Flint and de Waal 2005). The initial phase of the conflict was limited in scope and was carried out in areas of North and West Darfur. Communities in these areas reported sustained attacks by the Janjaweed supported by aerial bombardments and ground forces over a period of weeks, if not months, which forced them to flee, and stay away from their homes, eventually seeking sanctuary in larger villages and towns (Young et al.,). By September 2003, the fighting had displaced 110,000 IDPs in North Darfur and an additional 30,000 IDPs in the West. At this time, the first Sudanese refugees started to arrive in Chad. (US Department of State Fact Sheet 2005).

September 2003-April 2004: Escalation of GoS Military Power and Increase in IDPs
The GoS and SLM/A signed the first six-week ceasefire mediated by President Idriss Deby of Chad in September 2003 in Abeche and agreed to allow free and unimpeded humanitarian access within Darfur. Yet the GoS continued to bolster their military apparatus with additional training, weapons, and combat support structures and extended its attacks further afield.

The attention of the international community was in part distracted by the ongoing IGAD Peace Negotiations between the GoS and the SPLA/M , which inadvertently allowed the GoS to escalate militarily in Darfur without fear of repercussion (ICG 2005). By the end of year Darfur started to receive high-level visits, including the Secretary General's Special Envoy for Humanitarian Affairs for Sudan Tom Vraalsen in December 2003. This was followed in February 2003 by a USAID mission, headed by Roger Winter and accompanied by the WFP Deputy Country Director, who visited North and South Darfur. The mission stressed the urgent necessity for parties to cease violence immediately and undertake immediate action to open safe corridors for humanitarian assistance.

The public statements from the UN Humanitarian Coordinator Mukesh Kapila finally woke up the world to the scale of the crisis. He said "this is ethnic cleansing, this is the world's greatest humanitarian crisis." He said the fighting was comparable in character, if not in scale, to the 1994 Rwandan genocide, which given the approaching tenth anniversary resonated in the media (BBC 2004). By April 2004, the conflict had created over one million IDPs in Darfur, as compared to 250,000 in September 2003. (Darfur Humanitarian Profile (1) 2004).

April 2004- December 2004: Increased Humanitarian Access
After considerable international pressure, the SLM/A, the JEM and the GoS signed the Humanitarian Ceasefire Agreement on 8 April 2004 mediated by the Government of Chad and assisted by the African Union (Parties to the agreement 2004). The parties also agreed on a protocol for establishing humanitarian assistance. A temporary decrease in the level of conflict and hostility followed, but a continued sense of insecurity in Darfur remained. During this period, although Darfur experienced greater humanitarian access, the limited capacity of UN and other agencies restricted the impact of the response.

From July to the end of the year, the international humanitarian response capacity in Darfur increased and the intensity of the conflict decreased with the increased international pressure following the visits of the UN Secretary-General, Kofi Annan, and the US Secretary of State, Colin Powell to Sudan and the Darfur region from 29 June to 2 July 2004. (Darfur Humanitarian Profile (2) 2004).

In September 2004 a security incident in northern Darfur killing two INGO workers, including an international staff member, signaled a further general deterioration in the security situation.

January 2005 – December 2005 – exclusion from peace talks prompts further conflict and civil disturbance in Darfur
At the same time as the 4th round of the Darfur peace talks in Abuja in December 2004, security incidents increased again, with ceasefire violations on all sides, harassment of humanitarian workers and aid convoys, and two separate shooting incidents of AU monitors in early January 2005. This type of insecurity continued throughout 2005, and was at its worst during subsequent rounds of peace talks in June (fifth round), September and October (sixth round). For example in November, the breakaway National Movement for Reform and Development (NMRD) said it attacked a town in West Darfur to push for its inclusion in the Abuja peace talks.

The first AU fatalities in the Darfur conflict occurred in October when an AU patrol was ambushed killing 4 soldiers. In separate incidents an AU patrol was detained by rebels, and another 18 AU troops were taken hostage. In April, the AU approved boosting their force from 2,200 to more than 7,700 troops, civilian police and military. At the same time, the UNSG suggested that the AU troops could become part of a wider UN peacekeeping mission, which has been strongly rejected by the GoNU in early 2006. Under the rubric of "African solutions for African problems," however, western governments spoke of strengthening the AU presence rather than supporting the involvement of UN peacekeepers. Intermittent militia attacks destroying villages continued to occur throughout 2005 and were widely condemned by the international community. These were linked by the GoS to the UNSC resolution 1564 in April recommending that Sudanese accused of war crimes in Darfur be tried by the International Criminal Court. There were also reports of clashes between the SLA and GoS

forces. From April relations between Sudan and Chad began to deteriorate, and several incidents occurred on both sides of the border destabilizing this area. On December 23rd Chad said it was in "a state of belligerence" with Sudan, which it blamed for attacks on its border towns, thus deepening the regional dimensions of the Darfur crisis

January 2006 – June 2006 7th Round of Abuja peace talks drag on with only one rebel group signing in May

The seventh and final round of the Abuja talks began on November 29, 2005. The SLM was represented by two factions, SLM/AW and SLM/MM who had committed to one common negotiation platform. The JEM leadership experienced similar difficulties. A JEM splinter group led by Mohammed Salih Hamid claimed authentic leadership of JEM and on that basis argued they should be represented in the negotiations (Relief Web 2005, Salih 2005a, Issa 2005b). Initial progress was extremely slow, and during the final two weeks considerable international pressure was brought to bear, including the visits of international dignitaries and unrealistic deadlines to come to a comprehensive agreement(De Waal 2006). On May 5th, 2006 the Darfur Peace Agreement was signed by the Government of Sudan and by SLM/MM apparently with reluctance, but was rejected by JEM and SLM/AW. However four senior officials from JEM and SLA/AW signed a declaration of support for the agreement. According to one observer "it was a joyless climax: the Sudanese present knew that the wheels had come off, and that the agreement was, like its predecessor, unworkable'(De Waal 2006).

Human impact of the Darfur conflict and crisis

The human costs of the conflict are vast, ranging from civilian deaths, to the destruction of livelihoods, massive population displacement and resulting morbidity, malnutrition and loss of life, all in a context of regional instability and intense localized insecurity that has disrupted and systematically destroyed livelihoods. Displaced populations have fled not only within Sudan but also across international borders to refugee camps in Chad. The armed struggle has also caused unprecedented human rights violations in the Darfur region including: group murders; systematic rape; harassment of civilians; and the torching and looting of villages (ICID 2005). Annex 2 briefly reviews these human costs, including mortality, malnutrition and also on-going human rights abuses.

The Darfur Peace Accord

The DPA consists of three protocols on power sharing, wealth sharing, security arrangements as well as one chapter on the Darfur Dialogue and Consultation.

The DPA, developed on a background of six agreements and protocols, is the result of seven rounds of peace negotiations, with the first in Addis Ababa, Ethiopia in 2004 and the remaining six in Abuja, Nigeria. The seventh round started in November 2005, and culminated in the signing of the DPA in May by two of the parties, with two other parties abstaining[ii]. The seven rounds and their outcomes are summarized in Annex 3. An understanding of the process leading to the DPA is critical in order to understand the current sensitivities, challenges and constraints to its implementation, including analyzing and addressing the specific challenges for the JAM/ERP.

The Joint Assessment Mission is one of the first activities to be undertaken in the implementation of the DPA as proposed in Chapter Two on Wealth Sharing (article 17, para 103)

> "103. *The Parties agree to conduct a comprehensive assessment of the needs referred to above as a matter of top priority through the establishment of a Joint Assessment Mission (JAM) for Darfur. The modalities and timing of the establishment of such a mission will be worked out as soon as possible and, in any event, as a matter of priority after consultations with all stakeholders*".

The importance of keeping on track in the implementation of the DPA has been reinforced by Jan Pronk. However, he points out the difficulties with the tight timetabling with the process leading to the DPA, and cautions against repeating the same mistakes again (Pronk 2006). The same caution should be applied in designing and developing the approach and schedule for the JAM – particularly in relation to engaging the multiple stakeholders in Darfur and meeting expectations.

The Darfur JAM will be initiated by the parties signing the DPA, who agreed to call upon a range of institutions to lead the JAM exercise;

> *155.   The Parties agree to initiate a Joint Assessment Mission (JAM) to identify and quantify the needs of post-conflict economic recovery, development and poverty eradication program for Darfur states. These needs will be presented to the donors at a donors' conference to be convened three months after the signing of this Agreement. In this regard, the Parties call upon the World Bank, the United Nations and the African Development Bank (ADB) to lead the JAM exercise, in collaboration with the Islamic Development Bank (IDB), the African Union (AU), the League of Arab States (LAS), the Arab Funds, the European Union (EU), the USA and all other interested countries and parties.*

In response, a 'two-phased' approach to the Darfur JAM and its financing has been proposed, consisting of: a first phase or track focused on identifying urgent needs for returning populations covering a period of 18-24 months; and a concurrent 'second' phase focused on identifying longer-term needs to reach the Millennium Development Goals(UNDP 2006a)[iii].

Participation in the JAM therefore involved three groups; the two signatories of the DPA; the GoS and the SLM/MM, and the technical team put together by the United Nations and other interested partners, which was expected to include technical nominees from the non-signatories.

Wealth sharing concepts and general principles within the DPA of relevance to the JAM/ERP

The DPA lays out the Principles for Wealth Sharing that were agreed[iv] and also refers to a range of specific needs arising as a result of the conflict and previous processes of marginalization. These references to specific needs and livelihood related issues are important in developing this conceptual framework and situational analysis that will underpin the JAM, and also the methodological approach to be taken. As part of the JAM process these concepts and principles need to be shared, discussed and disseminated throughout Darfur, nationally and regionally to ensure that all Darfurians are fully cognizant with them. Some of the overarching principles are presented in Box 1

The principle of equal rights and equitable development reinforces the critical importance of comprehensive processes of consultation and assessment i.e. processes that seek to understand the needs of all groups and differences within the population of Darfur, rather than presenting the

aggregate result or averages which mask either the wide ranges in long-term impoverishment or the more recent acute affects of the conflict.

Special attention must be given to those who were not well represented, including tribal groupings aligned with the government; tribal groupings who endeavored to remain neutral; minority groups residing in areas controlled by another tribe; women from all groups/parties.

The many references to the MDGs indicate their importance as a framework for reviewing the JAM data requirements and also the targets for recovery. However the appropriateness of the MDG targets needs to be reviewed given that a very high proportion of the Darfur population are currently displaced and will be returning to areas severely depleted in infrastructure and resources. Consideration should also be given to adopting some of the relevant Sphere Standards of Disaster Response.

Rehabilitation and resettlement are inevitably closely linked with processes of compensation and restitution as both are concerned with recovery of livelihood assets lost as a result of the conflict. The two commissions that deal with these processes are the Darfur Rehabilitation and Resettlement Commission and the Darfur Compensation Commission, both of which fall under the authority and leadership of the Darfur TDRA (Figure 1). It is important for the JAM/ERP to consider how their roles complement the work of the Darfur Compensation Commission (rather than duplicate or worse confuse or complicate it).

Figure 1 Diagram to show the various commissions and mechanisms proposed in the DPA
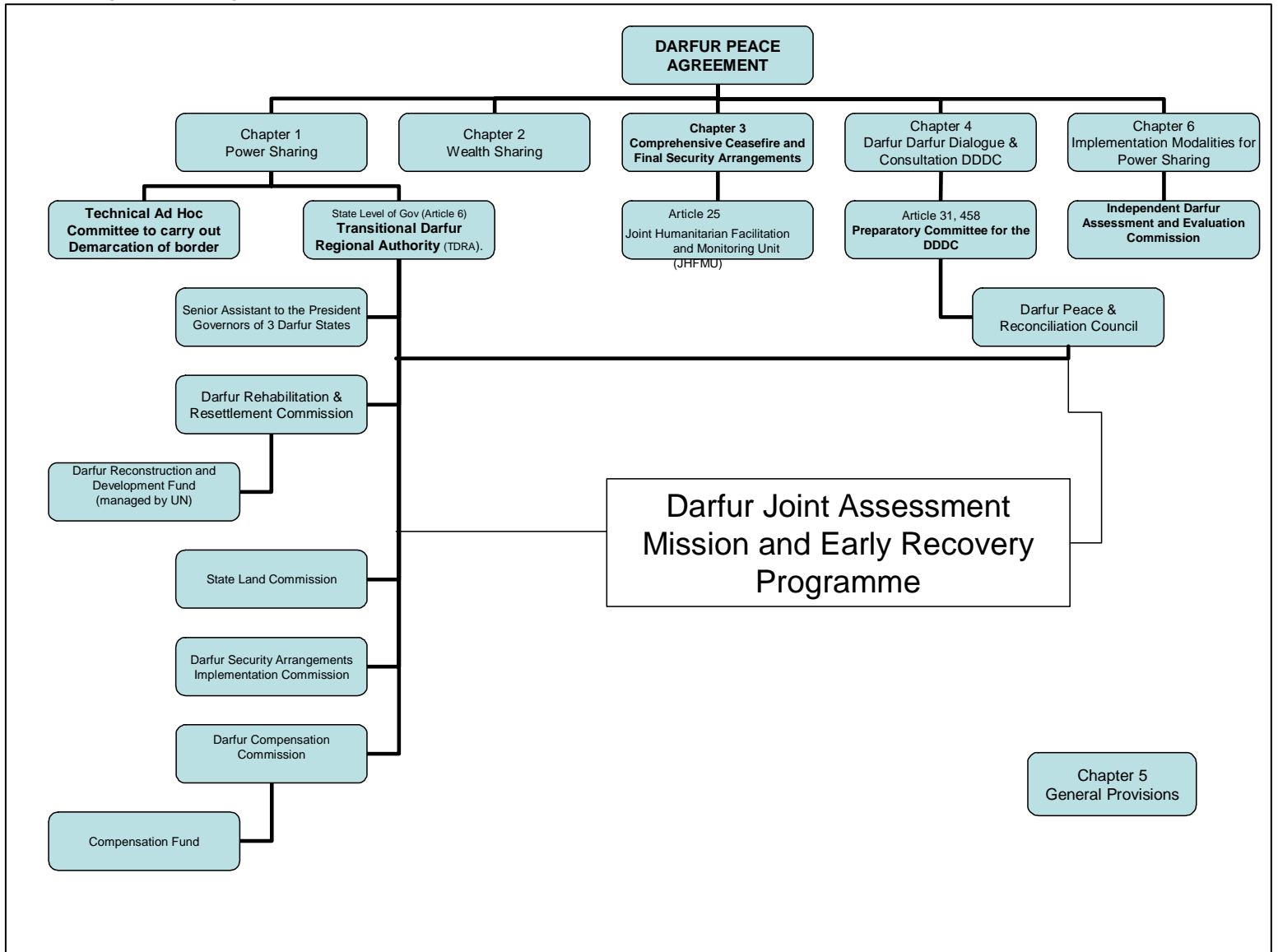
The UN have also pointed out the importance of establishing a link between the Darfur Dialogue and the JAM process, '*so as to ensure that the consultative process is geared towards broad and substantive ownership of the JAM – learning from the North-South JAM where large segments of the society were excluded*'(UNDP 2006b).

Box 2 Examples of Wealth Sharing Concepts and Principles within the DPA of particular relevance to the JAM/ ERP

Equal rights
All Sudanese citizens have equal rights…., citizens to freedom from hunger, sustainable livelihoods and a range of related rights, including basic services relating to livelihoods, and also protection and restitution (para 97).

Equitable development and reaching the Millennium Development Goals (MDGs*):*
The sharing and allocation of wealth shall be based on the premise that all parts of the Sudan are entitled to equitable development. Acknowledging that poverty is widespread in Darfur and in the Sudan generally, a nationwide poverty eradication strategy shall be adopted to constitute a framework for the country's development policy, which has as its aim meeting the Millennium Development Goals (MDGs) (para 100).

"Para 104. The Parties agree that Darfur as a whole, and in particular those areas in need of construction or reconstruction, shall be brought up to the level that will allow them to reach the MDGS rapidly. A program for development of basic infrastructure shall be formulated to integrate Darfur with the rest of the economy" (para 104).

Rehabilitation and reconstruction is closely linked with compensation and restitution
"Para 101.   Rehabilitation and reconstruction of Darfur is a priority; to that end, steps shall be taken to compensate the people of Darfur and address grievances for lives lost, assets destroyed or stolen, and suffering caused" (Para 101).

Rights to land
"Para 110, *Recognition of traditional rights (including "hawakeer") and historical rights in land is essential to establish a secure and sustainable basis for livelihood and development in Darfur. This Agreement sets out the mechanisms for recognising and protecting those rights".*

Importance of civil administration, government functions and social and physical infrastructure
Darfur has urgent and serious needs for rehabilitation, reconstruction and development of social and physical infrastructure affected by the conflict, especially with regard to IDPs, refugees and war-affected persons and to perform basic government functions, and build up civil administration (Para 102).

Links between the DPA and livelihoods

The DPA, its guiding principles, proposed institutions, policy frameworks and implementation processes can be represented within the livelihoods framework as a central part of the PIPs box, i.e., relevant policies, processes and institutions, that will directly affect peoples livelihoods in Darfur. In addition, many of the provisions within the DPA directly relate to livelihoods, such as land, access to markets, resettlement, economic recovery and compensation. The JAM process for Darfur, and the resultant recovery and development programs needs to give high priority to the specific provisions within the DPA that directly relate to the recovery and rebuilding of livelihoods.

In the final section of this paper, the livelihoods framework presented earlier is used to analyze the impact of the conflict on livelihoods in Darfur. Incorporated into this analysis is a consideration of the relevant provisions in the DPA in order to understand how the implementation of the DPA will address these underlying processes that are causing the destruction or erosion of livelihoods.

PART 3 - IMPACT OF CONFLICT ON LIVELIHOODS IN DARFUR

Introduction

Three years of conflict following decades of economic marginalization have decimated the lives and livelihoods of the majority of the people of Darfur. While the Darfur Peace Accord signals hope and lays out a framework for peace and recovery, it lacks the detailed analysis of the impact of the conflict on livelihoods. The provision for a more inclusive Joint Assessment Mission is a critical part of the route to recovery. It is vital to base this on the wide array of existing knowledge, data and analysis in order to take heed of lessons learned and not to repeat past mistakes, or duplicate the activities of others. With this goal in mind, this section aims to use the livelihoods framework presented in the Part One to review how conflict has affected the livelihoods of the people of Darfur. The section frequently refers to the pre-conflict period, i.e. pre 2003, although it is recognized that some areas particularly western Darfur have suffered conflict and states of emergency since the mid nineties.

Background: Understanding livelihoods in Darfur pre crisis

The greater region of Darfur straddles the Sahelian zone to the south and the desert zones to the north. As a result its natural resource base is fragile, especially in its northern areas, and this exposes it to environmental and production hazards. There is a single rainy season (mostly July–September), with rainfall declining from up to 700mm per annum in the south to less than 200mm in the north. The region consists of upland and lowland areas. The altitude of Jebel Mara, at up to 3,000 meters, has a significant effect on the amount of rainfall in that area and its reliability. The lowlands include the northern desert, stabilized *goz* sand sheets in most of eastern Darfur and part of the south, important alluvial soils in the north and the west (including the wadi networks) and extensive drainage basins in the south.(Swift and Gray 1989). Population density varies according to these ecological and climatic zones. North of 16oN, population density is very sparse, while the state of West Darfur is densely populated. Darfur is geographically remote from the rest of the country (El Fasher is more than 1,000km from Khartoum), and is especially distant from the areas of highest grain production in Central and Eastern Sudan.

Rural production systems are a function of altitude, rainfall and soil type, which are obviously inter-related. The soils cultivated in Darfur include the sandy *goz* soils and the more fertile and therefore important alluvial soils (including wadis). Farmers frequently have access to both types of land, while a distinguishing feature of poorer farmers is often their limited access to wadi soils, which allow the cultivation of a wider range of crops, including cash crops. Sedentary farming is traditionally practiced in juxtaposition with pastoralism. The two activities are traditionally associated with different tribal groups and have defined their relationship to land use. Over the course of time the farming communities – for example, the Fur – have aspired to produce livestock as a means of investment and acquiring wealth (often hiring herders from pastoralist groups to work for them), while members of the pastoralist communities have expanded into cultivation as a coping strategy aimed at diversifying their livelihood strategies but with mixed success. In the marginal areas of the

north and north-east, agricultural cultivation is a high-risk activity, due to the low levels and variability of rainfall. Unless there is access to wadi soils, farming of *goz* soils in this region rarely generates sufficient returns for cereal self-sufficiency. Those pastoralist communities that moved south early enough have acquired land, and their livelihoods reflect the local patterns of cultivation and livestock herding. The Zaghawa for example started to migrate southwards much earlier than the neighboring Meidob, which enabled them to establish diaspora settlements networks further south and into South Darfur. The pressures on pastoralist groups and their relations with other groups (pastoralists and farmers) over access to natural resources are one of the main underlying causes of the conflict.

The livelihoods of farmers and herders have to some extent converged, increasingly nearly all farmers would raise some livestock, while nearly all pastoralists would attempt to cultivate crops. Thus, agro-pastoralism has been the dominant production system within which the relative importance of either crop production or herding varies. The numbers of true nomads were very small indeed (the northern Rizeigat for example are not strictly speaking nomads as they may settle for many months in order to cultivate. However, the distinction between farmer and herder is still very relevant, because pressure on natural resources has contributed to conflicts locally between neighboring groups, which are often played out between pastoralists and farmers and therefore represent an important local dimension of conflict that later could be manipulated.

Factors such as access to land, differing soil types, rainfall and altitude have all influenced the precise patterns of rural production. Most groups supplement their farming and livestock-rearing activities with strategies such as labor migration and remittances, collection of natural resources (firewood, fodder and wild foods) and trade. Other livelihood strategies are specific to certain groups or geographic areas, including, for example, the production of *tombac* (chewing tobacco), artisanry (leatherwork, metalwork, etc.), membership of the military and a range of illegal activities (smuggling, banditry, brewing, prostitution etc.).

Mapping the impact of conflict on livelihoods; Systematic and systemic destruction of livelihoods

Early on in the crisis the impact of the conflict on livelihoods was not immediately recognized either nationally or internationally. The livelihoods study by Tufts/FIC in 2004 highlighted two pathways through which livelihoods were being destroyed; first, the systematic destruction of livelihoods through direct asset stripping and displacement and second, the systemic destruction of livelihoods resulting from ongoing processes attributable to the actions of key actors, including the GoS and rebel groups, and also to the failures of the international response to the situation. While displacement may be seen as the main proximate cause of loss of livelihoods, the real causes are found much deeper in the dynamics of conflict and local power relations. After nearly three years of conflict, this systemic destruction of livelihoods has probably contributed as much if not more to the increase in conflict affected populations and displacement, than the affects of direct attacks of communities.

By 2004, 18 months into the conflict the livelihood landscape of Darfur had already changed dramatically. Detailed accounts are available of the attacks on villages by government forces, with support from armed militias, throughout 2003 and 2004, which lead to displacement of rural

populations on a massive scale. In all cases there were direct asset stripping and destruction of household and community assets (Box 2). As well as the attacks by government aligned forces, there have also been reports of rebel attacks, for example, against Zayadia communities near Mellit, which have resulted in the displacement of entire groups. Darfurian livestock traders in Mellit in north Darfur and also in Kufra in Libya reported very serious incidents on the livestock trade routes that run to Kufra, via Aweinat, from North Darfur. For instance, a camel caravan of more than 1,000 animals, which was organized by a group of traders, was raided and the herders and guides kidnapped. The value of such a caravan at 2004 Libyan livestock market prices was in excess of $1m, indicating directly the financial interests that are served by these crimes.

Box 3 Livelihood asset-stripping as an objective of conflict

The direct attacks on villages and livelihood resources have drastically diminished the livelihood assets of IDPs, including:

- **financial assets,** which for Darfurians are predominantly in the form of livestock, and have been lost as a result of looting;

- **physical assets,** including the loss of farms, destruction of homesteads and looting or destruction of possessions (furniture, mattresses, blankets, clothes, cooking pans, utensils, seed stocks);

- **human capital,** which has been dramatically undermined by the violent deaths that have occurred during the attacks, sexual violence against women and the separation of families;

- **social capital,** which has been undermined by the attacks on groups, villages and families and targeting leaders, causing displacement and the undermining of social support networks;

- **natural resources,** which were lost when wells were destroyed, surface water was contaminated, fruit trees were destroyed, and land became inaccessible or was occupied.

Implications for the ERP/JAM

Loss of livelihoods for the majority of IDPs and possibly some other groups, is linked with the direct asset-stripping described above, and therefore to be addressed within the DPA through two channels; the Darfur Compensation Fund, and also the reconstruction needs covered by the Darfur Rehabilitation and Resettlement Commission. Early on in the JAM process decisions will need to be made as to the demarcations between these functions. It is suggested that the JAM/ERP should be driven chiefly by the core wealth sharing principles of 'equitable development' and other principles outlined in Box 2. While the Darfur Compensation Commission and Fund is much more directly concerned with issues of justice and restitution.

Processes causing the systemic destruction of livelihoods

Beyond the direct impact of the conflict on livelihood assets through asset-stripping the Tufts/FIC study in 2004 revealed the continued systemic blocking and destruction of all types of livelihood strategies and the continuing erosion of assets that was happening as a result of a number of ongoing processes, institutions and policies. The more recent livelihoods study by Buchanan Smith and Jaspars earlier this year indicate that all of these factors are still in place and continue to erode livelihood assets and block livelihood strategies(Buchanan-Smith and Jaspars 2006). Eight related processes are discussed below, including:

1. Insecurity restricting mobility and access

2. Destruction and loss of public infrastructure

3. Land occupation, predatory grazing and rent-seeking

4. Environmental degradation

5. Local governance and continuing erosion and politicization of the tribal administrative systems

6. Marginalization within Darfur – inequitable access to available resources

7. Market restrictions and the war economy - Restrictive policies e.g. border closures and other restrictions on movement or access to markets

8. The Darfur Peace Accord

In one way or another each of these processes is linked with the conflict, which indicates that unless the wider protocols and provisions within the DPA are successfully implemented livelihoods will continue to be threatened in Darfur. In other words a successful ERP must simultaneously address underlying processes influencing livelihoods as well as final outcomes i.e. livelihood assets and strategies.

1. Insecurity restricting mobility and access

Insecurity, with a variety of causes, has restricted the mobility of all groups and therefore seriously limited their core livelihood strategies, including cultivation of crops, seasonal livestock migration, trade and access to markets for buyers and sellers, labor migration and remittance transfers, and travel to rural areas for the collection of firewood, fodder and wild foods. The lack of mobility arising from insecurity was and remains the key factor in loss of livelihoods, and in people's extreme vulnerability. Clearly restrictions on mobility because of insecurity affects IDPs more than any other group as they have fled to urban areas for safety, but it also restricts the activities of a much wider group of both urban and rural dwellers.

The way in which insecurity impedes the mobility and therefore restricts the livelihoods of virtually all groups in Darfur was first analyzed in 2004, however, since that time the dynamics of the conflict and influences upon it have evolved, as have the local adaptations to insecurity and loss of livelihood. Buchanan-Smith and Jaspars (2006) describe the main changes in the conflict including,

• More localized and smaller scale displacement in areas of strategic interest

• Attacks becoming more individualized, targeted at households for personal gain rather than being politically motivated, including increasing banditry and looting on the roads

• Fighting between and within SLA factions

• Deteriorating relations between GoS and Chad as reflected by skirmishes and insecurity on either side of the border.

• Increasing politicization and radicalization of tribes within some IDP camps, most evident in the largest camps.

In addition to the affects of insecurity on the mobility of Darfurians, insecurity has also impeded and restricted the humanitarian response. According to Jan Egeland by 2006, *"humanitarian staff, compounds, trucks and vehicles were being targeted, literally on a daily basis". Jan Egeland.*

Implications for the ERP/JAM

Relevant sections of the DPA: Chapter three of the DPA covers the comprehensive ceasefire and final security arrangements. This includes the following provisions relating to security as it affects livelihoods

- The parties will scrupulously refrain from "*any restrictions on the free movement of people and people*" para 226, f.

- "*The Parties shall not impede the freedom of peaceful movement of people, goods and services in Darfur, or interfere in any way with the ability of the people of Darfur to pursue any peaceful, traditional form of livelihood*". p para 287.

- The creation of Demilitarized Zones around IDP Camps p51

- Nomadic migration routes "*AMIS, in coordination with the Parties, shall develop a plan for the regulation of nomadic migration along historic migration routes. This plan shall fully address security so as to ensure the safety of nomadic migration for the people of Darfur, including traditional nomads, and shall include detailed maps showing such routes*" p55, para 288..

Implications for JAM: Understanding the changing nature of conflict and how it plays out at a local level is key to instituting processes of protection, reconciliation and recovery. The JAM should endeavor to understand the local conflict dynamics in order to ensure consultative processes with all groups.

2. Destruction and loss of public infrastructure

In rural areas there has been a loss of public infrastructure, as a result of the destruction of health centers, schools, and water supplies as part of the tactics of the counter-insurgency. Many public grain banks were looted and have not been re-established. The availability of public services has been further decimated as civil servants, teachers, health workers and others have either become displaced or decided not to remain in Darfur. This lack of human resources perhaps represents one of the biggest challenges in establishing processes of recovery and rehabilitation. Access to schools is further restricted because families can no longer afford school fees. According to a recent study this is the main item of expenditure that households have had to sacrifice ((Buchanan-Smith and Jaspars 2006).

Implications for the ERP/JAM

Relevant sections of the DPA: Chapter three of the DPA also includes a provision for the Restoration of Essential Services under Article 27 on Disengagement, Redeployment and Limited Arms Control; "*GoS shall restore personnel and funding of governmental services in areas in which they have been interrupted due to the conflict, including education, health, water, veterinary services, agricultural extension, forestry, road maintenance and posts and telecommunications, with special attention to the specific needs of women. This shall be consistent with the provisions of the Chapter on Wealth-Sharing. The Movements shall cooperate in the restoration of such services*". Para 369

Two of the core functional areas identified by UNDP in preparation for the JAM include the restoration of Basic Services and 'Initial Capacity Building for Governing Institutions (regional and state)'.

3. Environmental degradation

Environmental pressures were identified earlier as an important underlying cause of the current conflict. These have been exacerbated in some cases since 2003. Large scale population displacement has lead to concentrations of people in and around towns generating towards environmental degradation, where vegetation has been rapidly exhausted and there has been pressure on water resources. Restrictions on livestock migrations have also contributed to localized concentrations of livestock, also causing over-grazing and further pressures on water resources.

The trade in firewood and grass for fodder has become a hot issue in areas hosting large numbers of IDPs. In several areas, firewood collection has long represented a major threat to IDPs from violent attacks and rape. The trade is lucrative and in some areas is controlled by certain groups, thus access to these vital natural resources are controlled by parties to the conflict.

Relevant sections of the DPA: Chapter One, Article 3 (Human Rights and Fundamental Freedoms) includes a provision relating to protection and promotion of the natural environment;
"The GoS shall take the necessary legislative and other measures to protect and to promote the development of natural resources of the country and to combat environmental degradation" (para 43).

Also under Chapter 2, article 17, the GoS is charged with developing national economic and social policies that shall have as their objectives:

1) The need to address environmental degradation; (para 107)
Also,
"Land management structures and institutions shall be developed and legally supported to promote sustainable development, and address issues of environmental degradation". (para 112)
Under Article 19, a key strategic objective of Darfur Policies should be;
"Encouraging the production of alternative energy sources and addressing causes of environmental degradation" (para 147).
Also,
"Competition for pasture and water by nomadic herders and settled agricultural producers is an important problem. The problem shall be addressed in a comprehensive way, by developing policies to reverse environmental degradation and the decline in agricultural yields, gradually shifting the emphasis of herders from quantity to quality, developing a framework for equitable access by various users of land and water resources, as well as developing research capacities in these areas" (para 149).

Article 20 deals with development and management of land and natural resources. Specifically,
"The system of land and natural resource planning and development established pursuant to this Agreement shall have as its objectives:
J. The promotion of shared responsibility for environmental planning between the different levels of government in Darfur" (para171, point j.).

These provisions imply a long-term approach to addressing issues of environmental degradation, which therefore are of primary interest to Track 2 of the JAM, but nevertheless of importance to the Early Recovery Programme in terms of ensuring programs support the protection and promotion of natural resources rather than further deplete them.

4. Land occupation, predatory grazing and rent-seeking behaviors

In some rural areas under GoS control including the corridor extending from western Darfur up into north Darfur towards Kutum, where there are higher concentrations of Arab groups, these groups control access to natural resources as described above. This may include land occupation (although it is unclear how far permanent these residencies are as these groups often make temporary encampments over several months to allow opportunities for cultivation) and frequently includes allowing livestock to graze the fields of neighboring farmers and thereby destroying crops. In addition, the practice of Arab groups extorting protection payments from local residents (rent seeking) in these areas has been widely reported.

Relevant sections of the DPA: The traditional rights to land are recognized in the DPA (para 110) and the importance of these rights in relation to establishing "*a secure and sustainable basis for livelihood'*. In addition,

"The Parties agree to establish a mechanism to introduce processes for ensuring the sustainable use and control of land and other natural resources, and to ensure that all citizens affected by development of land and other natural resources are consulted and their views taken into account in carrying out that development" para 111.

"Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognized and protected (para 158).

Article 20 specifically deals with Development And Management Of Land And Natural Resources.

Implications for the JAM/ERP: Rule of Law is a core functional area within the JAM/ERP. It will be important for the JAM to be able to identify those areas where land is not occupied by the original owners. It is important to distinguish between land occupation, with the goal of accumulation of assets, as compared to temporary displacement resulting from the conflict.

5. Local governance and continuing erosion of the tribal administrative systems

Erosion of the tribal administration has occurred particularly among the displaced who have become separated from their traditional leaders, or because their leaders have been killed or because they have fled. The appointment and even self-appointment of new leaders has often been linked with managing the highly profitable food distributions and targeting. In some instances, leaders have misused their authority to manipulate and profit from aid distributions. Sheikh cartels in some of the more politicized camps were able to develop in 2004 and the stripping of their power was a major challenge for the International humanitarian community in 2005 (through re-registration processes). Newly appointed leaders do not necessarily carry the same authority and respect as their previous leaders and therefore people lack representation.

The significance of this relates to local processes of governance, as it is through tribal systems that land tenure is administered (the hakura system), livestock migration routes negotiated, communal resources are managed and local conflicts resolved. Thus as an institution, the tribal administration is of central concern to livelihoods at a local level and state level. A further development, continuing since before the conflict, is the politicization of tribes with individual tribes seeking powerful positions in government and local authorities in order to further tribal interests.

Relevant sections of the DPA: First, these traditional tribal administrative systems are recognized within the DPA;
Tribal land ownership rights (hawakeer), historical rights to land, traditional or customary livestock routes, and access to water, shall be recognized and protected. All levels of government shall institute a process to progressively develop and amend the relevant laws to incorporate customary laws, practices, international trends and practices and protect cultural heritage (para 158).

Second, the mechanism of the Darfur-Darfur Dialogue and Consultation (chapter 4), is intended to support a Darfur wide consultation among all stakeholders. All tribes will be represented,
60% of delegates shall be selected on the basis of community and tribal representation. All tribes in Darfur shall be represented. This representation shall include recognized tribal leaders, representatives chosen by all localities including refugees and internally displaced persons. Special mechanisms shall be established to ensure that small tribes and non-Darfurians resident in Darfur are represented. Para 494, (b)

40% of delegates shall be selected to represent other stakeholders, including political parties, civil society organizations, religious leaders, business leaders, members of the diaspora, trade unions and professionals. Para 494 (c)

Adequate and effective representation of women and youth shall be ensured. Para 494 (d)

It has already been mentioned above the importance of a linkage between the DDDC and the JAM/ERP process. The JAM processes of consultation should also endeavor to build in consultative processes that reach out and engage with ALL tribes in Darfur. This may require innovative approaches, and a staged JAM process.

A functional area within the JAM as identified by UNDP is 'Initial Capacity Building for Governing Institutions'. These issues should also be addressed under the Rule of Law functional area relating to customary and federal law.

6. Marginalization within Darfur – inequitable access to available resources

There is consensus between the JEM and SLM that the root cause of the current conflict is the history of ongoing economic and political marginalization of Darfur, which the Wealth Sharing Protocol of the DPA seeks to address. However, within Darfur there are groups that harbor a strong sense of being marginalized within Darfur which may have in part accounted for their willingness to mobilize militia forces from within their tribes in support of the Government counter-insurgency and also participated in what is seen as a wider 'Arab movement' and 'Arabization' by the GoS . This

ethnic polarization which lies at the heart of the conflict, although it is not its principal cause, is frequently manifested in the conflict between more nomadic herder and more sedentary farmer. Often both have interests in raising livestock and therefore mediation opportunities may exist in relation to livestock issues.

This sense of marginalization[v] as compared to their neighbors has been amplified by perceptions of the international community initially only providing humanitarian assistance to the displaced. While the humanitarian community has addressed these disparities in 2005, these groups have been excluded and lacked adequate representation at the Peace Processes in Abuja, fostering grievances further.

Relevant sections of the DPA: this question of marginalization relates directly to the principles of equitable development and equal rights of all Sudanese citizens. While the issues of competition over natural resources are referred to in the DPA, specifically between nomadic herder and settled agricultural producers, the provisions for addressing these are essentially very long-term linked with, "*developing policies to reverse environmental degradation and the decline in agricultural yields, gradually shifting the emphasis of herders from quantity to quality, developing a framework for equitable access by various users of land and water resources, as well as developing research capacities in these areas*".

To complement these longer-term initiatives, the JAM/ERP will need to consider the specific needs of all minority groups and seek ways to bring benefits to all war affected populations.

7. Market restrictions and the war economy

*Market*s have been seriously impacted by the conflict, affecting trade in all of Darfur's principal commodities. Access to markets for buyers and sellers has been severely restricted as a result of insecurity and limited mobility (as discussed above). Additional restrictions are associated with government border closures, restrictions on moving goods between GoS and SLA controlled areas, the fuel embargo, and frequent checkpoints, random taxation and or protection related payments. This has resulted in a reduction in trading between primary and secondary markets, with more producers only serving local markets. In the past livestock marketing was one of the mainstays of the economy, but with the advent of conflict its demise has affected livelihoods across Darfur, including an estimated 575,000 pastoralists and a high proportion of agro-pastoralists(Young, Osman et al. 2005). Traders have inevitably adapted to some extent, and trade routes have changed although these have become longer, more circuitous and expensive. A further development is the ethic polarization between traders, with certain groups controlling specific markets or routes. A high proportion of traders have been forced out of business and left Darfur, including for example, the larger traders in cash crops such as tombac and groundnuts. Some markets have also suffered a loss of physical infrastructure through conflict, and also the closure of customs offices. The decline in trading activity has a knock affect on the availability of credit for farmers and also of course falling prices, which is particularly serious for the producers of cash crops mentioned above that previously represented a more buoyant part of the Darfur economy(Buchanan-Smith and Jaspars 2006).

The scale and coverage of the food aid program in Darfur must also be having a major impact on the economy including markets and local cereal production. The food aid program is likely to continue

given the lack of alternative sources of food and income for IDPs in particular. Food aid beneficiaries frequently sell a portion of their rations in order to raise income for other essentials, which means that food aid is a widely traded commodity with some traders now only operating in this market. In addition to this individual trade, there have been some incidents of corruption which may be associated with food aid sales.

Implications for the JAM/ ERP
Reviving trade and markets, including vital financial services are central to recovery processes. Section one reflects on provisions in the DPA that relate to security and access to markets. Chapter 2 of the DPA on wealth sharing emphasizes that all Sudanese citizens have equal rights to "*free access to markets*" (para 97 h). In addition it advocates for national policies that promote *"the provision of safe, secure and open access to markets, goods and services* (para 107) and also 'national economic policies shall also be directed to encourage exports from the Sudan to regional and international markets (para 144). In relation to Darfur development policies, one of the key strategic objectives of Darfur states post conflict economic recovery and development include "*Development of physical infrastructure that will improve Darfur states access to their main markets as well as to the rest of the Sudan and neighboring countries*" (para 147 g).

Therefore the issue of market infrastructure and access should be a central component of the JAM/ERP. For example, need to consider how to open up access to markets to provide safe passage, including access to terminal markets outside of Darfur in Omdurman, Libya and Egypt. In conjunction with markets access to financial services should be prioritized including the services of hawalahs and other mechanisms for transferring remittances.

8. The Darfur Peace Accord

The Darfur Peace Accord and the processes associated with it have been powerful influences on livelihoods in Darfur. The previous sections describe how many of the provisions within the DPA directly relate to processes, policies and institutions that directly affect livelihoods, including for example, land, access to markets, resettlement, economic recovery and compensation. However, the successful implementation of the agreement depends on a wider set of factors driven by political rather than technical considerations. It is therefore necessary to consider the wider political context within which the DPA will be implemented.

The DPA has been controversial from the outset, with a refusal to sign by the Sudan Liberation Movement (SLM) faction of Abdel Wahid Mohamed Nur (SLM/AW) and the Justice and Equality Movement (JEM) led by Khalil Ibrahim. More broadly, the DPA has been met with a combination of criticism, disappointment and rejection by different groups and organizations in Sudan, international Sudan analysts and even the UN special envoy for Sudan, Jan Pronk. Subsequently, violence and anger has erupted across Darfur particularly in those displacement camps where the SLM/AW has strong support. Additionally there have been demonstrations in Khartoum and serious criticism by the democratic organizations including the major political parties and civil society organizations in Sudan.

Within the different factions of the rebel groups, there have been reports of clashes and fighting as rebel leaders switch alliances, which combined with the chaotic situation on the Chadian borders,

localized banditry, as well as the heightened ethnic tensions means that the DPA faces enormous challenges in establishing a lasting peace. Recognizing these challenges in June Jan Pronk (2006) emphasized three priorities; timely implementation of what has been agreed in the DPA; broadening the circle of support for the peace agreement, which may require adding to it; and a transition towards a UN peace keeping force. However since these statements were made, the situation has developed further with Sudanese president Omar Hassan al-Bashir publicly ruling out the use of UN troops in Darfur on 29th June, and Lam Akol, the Foreign Minister, stating that the DPA could not be changed. Further developments include the emergence of a new alliance called the National Redemption Front between the JEM and a few breakaway SLA commanders and a small political party, the Sudan Federal Democratic Alliance. They attacked a town in Kordofan, Hamrat al-Sheikh, home to the Kababish tribe, thus extending the conflict to other groups outside of Darfur. Significantly, they have declared the 27-month-old humanitarian ceasefire agreement dead, which is the first such declaration and therefore major cause for concern.

Implications for the JAM/ ERP: Thus while all efforts must continue to implement the provisions of the DPA including the JAM/ERP, this must take place in the full knowledge and awareness of the new and constantly developing political reality post peace agreement. In addition, local perceptions and responses to the DPA are critical to its successful implementation. An understanding of these factors is crucial for planning and implementing an appropriate and feasible JAM and informing the practical actions to preserve the agreement and move forward towards peace and recovery.

CONCLUSIONS

The above analysis has focused on the wider processes, institutions and policies that are limiting livelihoods in Darfur, at the possible neglect of discussing the impact of the conflict on individual livelihood groups or specific livelihood strategies. This is because the authors believe that these overarching PIPS represent *the essential conditions for recovery*, without which the improvements to the lives and livelihoods of the people of Darfur are likely to be negligible. Thus an Early Recovery Programme that addresses these underlying PIPs is going to have far greater impacts on a much wider and more inclusive group of people than individual interventions no matter how well intentioned.

The JAM/ERP produces a document of national significance that should be integrated into national policy making and therefore, it should be supported and owned as far as possible and especially by stakeholders in Darfur. As such, impartiality, inclusiveness and transparency are key requirement for the JAM/ERP. Equally critical is the timing and pace of implementation that needs to be in tandem with the other concomitant provisions of the DPA.

In practice the DPA, however, is not politically inclusive and its modalities of implementation are very controversial with the serious implications on the ground already felt in terms of heightened insecurity, attacks on civilians and mistrust of the agreement by many stakeholders in Darfur and nationally. This means for the JAM there are considerable risks involved and a curtailment of their proposed assessment activities are almost inevitable.

However despite these limitations, the JAM/ERP provides an opportunity and a basis upon which to promote awareness and dialogue between the technical representatives of the conflict parties on the long-term recovery and development challenges and therefore provide an opportunity for promoting inclusiveness. This means that work on the inclusion of the technical representatives of the non-signatories as part of the JAM team alongside others who will facilitate access to those groups who were excluded at Abuja should be a priority. Past experience indicates that the parties are able to sit round a table on technical issues, even when there has been a breakdown at the political level. Agreement on the technical issues in the context of the JAM/ERP could pave the way for more substantive political agreements that hopefully will engage the non-signatories to the Abuja agreement as well as others groups who were excluded from it.

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ANNEX 1 - Overview of the Livelihoods Framework
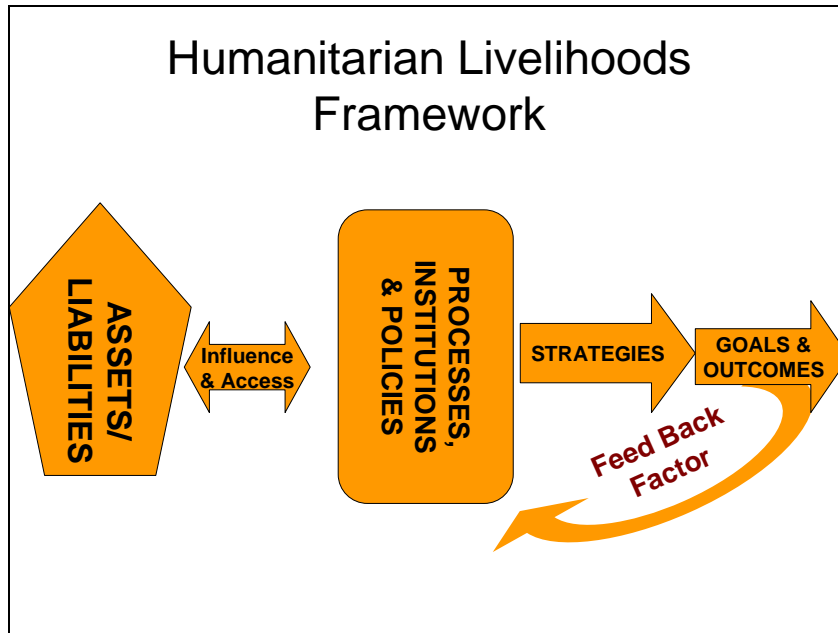
The core elements of the FIFC framework include:

- Livelihood goals

- Assets (may also constitute liabilities)

- Processes, Institutions and Policies (transforming structures and processes)

- Livelihood strategies

- Livelihood outcomes

Households normally have multiple livelihood goals, many of which may be competing which means households must constantly re-prioritize and make trade-offs between one goal and another. The goals are in a sense the objectives of the household which influence the combination of assets and strategies that are subsequently mobilized and applied.

The assets or resources available to the household may be either directly owned or otherwise accessed by the household, and include:

- **Natural,** land, water, (there may be rights of access to grazing land, water points etc)

- **Physical,** livestock, stores & stocks, equipment.

- **Financial,** money, debt, credit, claims and investments

- **Human,** health and nutritional status, adult labor and care-providers, skills and level of education

- **Social,** household social networks, social institutions, social exclusion, norms, trust, values and attitudes

- **Political assets** – appropriate in the context of conflict and relate to the households relations with political entities, and proximity to power in terms of local governance.

The households resources are managed to reduce risk, prevent erosion of assets and promote further accumulation where this is desired. Assets reflect wealth and also risk, in relation to economic erosion of assets through depreciation, or direct losses as a result of theft, looting and exposure to violence. There may also be a significant cost to the household in terms of maintaining assets, for example, maintaining residence on the land to ensure land rights, long-distance migration with livestock to ensure access to water and pasture.

The manner in which individual, households and communities utilize their assets and how they gain and maintain access to and control over them are shaped or influenced by 'transforming structures and processes that are also referred to as 'policies, institutions and processes'. These are overarching importance as they represent the principle means of long-term change and development of livelihoods.

The term 'institutions' is used to refer to customs, rules or common law that have been an important feature of a particular group or society for a long time: the Native Administration in Sudan and its governance functions relating to land management, conflict resolution, and judiciary are a good example of a local institution. The term institution is also used to mean an established body or organization. Power relations between groups and conflict are clearly paramount influences in the context of a complex political emergency and need to be incorporated into any analysis of livelihoods. Thus the prevailing policies, processes and institutions (PIPs) influence the way in which households are able to mobilize their assets, and additionally serve to mediate the outcomes of people's livelihood strategies. In other words, the PIPs which usually operate at all levels beyond the level of the household directly impact on people's lives and livelihoods and therefore must feature as part of livelihoods analysis.

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ANNEX 2 - Summary of the impact of the Darfur conflict and crisis

The human costs of the conflict are huge, ranging from violent deaths, to the destruction of livelihoods, massive population displacement and resulting morbidity, malnutrition and loss of life, all in a context of regional instability and intense localized insecurity that has disrupted and systematically destroyed livelihoods. Displaced populations have fled not only within Sudan but also across international borders to refugee camps in Chad. The armed struggle has also caused unprecedented human rights violations in the Darfur region including: group murders; systematic rape; harassment of civilians; and the torching and looting of villages. This section briefly reviews these human costs, including mortality, malnutrition and also on-going human rights abuses, and systematic destruction of livelihoods (which are reviewed in more detail in the next section).

a) The Death Toll; cumulative deaths in Darfur

The conflict and crisis has resulted in extensive violent and non violent civilian deaths The UN International Commission of Inquiry on Darfur (2005) concluded that while the killings in Darfur did not amount to genocide, the killings, torture, enforced disappearances, and sexual violence were carried out on a widespread and systematic basis and could amount to crimes against humanity. Accordingly, the commission strongly recommended that the Security Council immediately refer the situation of Darfur to the International Criminal Court, pursuant to article 13(b) of the ICC Statute. The debate over the term 'genocide' as applied in the Darfur context has been controversial. (Wax, 2004; Reeves, 2004; Hoile, 2004, Evans (2005), Hoile, 2005).

Closely linked to the genocide controversy, the estimates of cumulative mortality have caused wide debate among international actors and observers, and prompted a range of reviews and re-examination of the available data, which are summarized in Table 1. The estimation of total deaths for Darfur has three components; the violent deaths resulting from the conflict and insecurity; the excess deaths resulting from increased exposure to disease caused by localized health crises and increased vulnerability associated with malnutrition (which are the target of humanitarian action); and finally those deaths that would have occurred anyway (the baseline or background mortality[vi]).

Mortality estimates, including Crude Mortality Rate and Under Five Mortality Rate, are usually obtained through retrospective surveys based on a representative sample. In humanitarian crises this data is usually obtained as part of a nutrition survey (see below). Mortality data may also be collected on an ongoing basis through a surveillance system. The World Health Organization (WHO) implemented with others an Early Warning System for IDPs in Darfur, recording health events and also deaths. However the mortality data collected through the EWS was considered underestimated and imprecise (Pinto, Saeed et al. 2005).

There have been several reviews of the mortality data, which have generated a range of widely divergent estimates of the total death toll in Darfur. The various estimates and reviews are summarized in Table 1. The war has clearly led to the death of thousands of civilians, yet the final

cumulative mortality from the conflict remains unclear and given the limitations of the existing datasets are unlikely to improve.

| TABLE 1: ESTIMATES OF THE CUMULATIVE DEATHS IN DARFUR						
Group	**Methods**	**Time period (recall period)**	**Total deaths**	**Violent deaths**	**Non violent deaths** (excess + baseline)	**Reference**
Centre for Research on the Epidemiology of Disasters (CRED)	Based on multiple surveys available to CRED	*Period 1:* Sept 2003 – Jan 2005 *Period 2* Feb 2005 – June 2005	Period 1 & 2: 157,819	Period 1 & 2 40,935		(Guha-Sapir and Degomme 2005)
Centre For Research on the Epidemiology of Disasters (CRED)	2 methods: *Method 1*: CRED Based on multiple surveys *Method 2*: US Dept of State	*Method 1:* Sept 3 2003 - Jan 5 2005 *Method 2:* Mar 3 – Jan 5	Method 1: 134,000 *Method 2: 98,000 – 181,000*	Method 1: 35,000	Method 1: 85:000 Method 2: 63,000-146,000	(Guha-Sapir and Degomme 2005)
Coalition of International Justice, North Western University in Chicago and Toronto University	CIJ survey - Interviews with 1,136 refugees in Chad. WHO (2004) survey	Feb 2003 to April 2005	400,000	140,000	250,000	Coalition for International Justice 2005 Hagan & parker
Jan Egeland UN OCHA	N/A	Oct 2003 to March 2005	180,000			BBC News 2005
WHO	Based on the Sept 204 WHO mortality survey	1 August to 30 Sept. 2004 (2 months; later extrapolated to 7 months)	35,000 - 70,000			WHO, 2004; BBC 2004; CNN 2004
US State Department		March 2003 to January 2005	60,000 – 160,000 98,000 to 181,000		63,000 – 146,000	US Bureau of Intel. and Research 2005
USAID	Projected mortality rates	January 2004 to	300,000 (excess			(USAID 2004)

	based on previous surveys	December 2005	deaths)			
Eric Reeves	Extrapolation from Aug 2004 survey in Chad by CIJ + figures from UN&NGOs	Feb 2003 to September 2004	300,000	200,000	80-100,000	(Reeves 2004)
John Hagan and Alberto Palloni	Based on MSF surveys of five IDP camps in West Darfur in 2004 combined with WHO surveys above..		Over 31 months 170, 000 to 255,000 deaths			Hagan J, Palloni A. (2006) Death in Darfur. Science 313: 1578-9
Government of Sudan		Up to November 2006	9000			Omer Hassan Ahmed Albashir (2006)

b) Acute Malnutrition

The conflict and crisis in Darfur has similarly resulted in high rates of Global Acute Malnutrition (GAM) and Severe Acute Malnutrition (SAM) among children under five years of age. All the challenges above relating to collecting mortality data apply to nutrition surveys, including coverage, extrapolation, missing groups and seasonality. In addition nutrition surveys have to take account of the underlying causes of malnutrition, and determine whether these relate to food, health and/or care – critical questions in the planning and monitoring of humanitarian response.

More than 60 cross-sectional nutrition surveys have been carried out in all three Darfur States since 2003 (Figure 1). With the exception of the WFP region-wide surveys mentioned above, each of these surveys cover a limited area, like an IDP camp, or specific urban or rural area. Coverage is therefore often patchy. Figure 1 shows a wide variation in nutritional status at any one time but overall the general trend is clearly a decline in acute malnutrition from 2004 to 2005.

Figure 1: Point prevalence estimates for Global Acute Malnutrition (GAM) and Severe Acute Malnutrition in Darfur in 2004 to 2005 (data source Unicef, Kartoum)
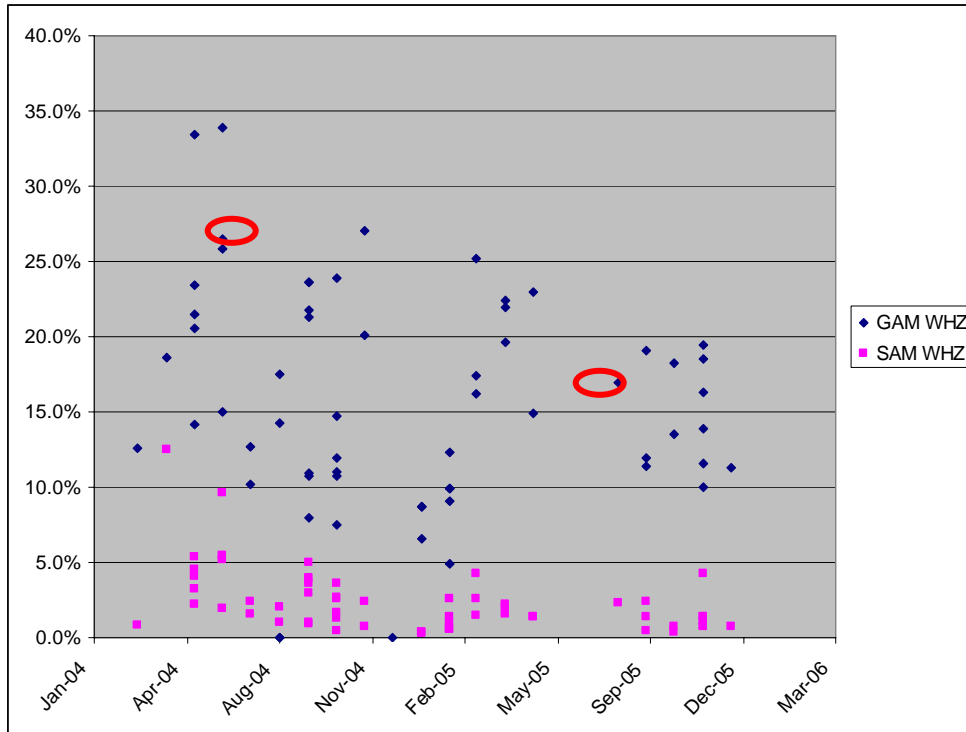
The circled data points in Figure 1 are the results from the two CDC/WFP region-wide nutrition surveys; in September 2004 when the overall prevalence was 21.8 percent GAM, which decreased to 11.9 per cent in September 2005 (CDC and WFP 2004; WFP 2005). The first CDC/ WFP survey indicated that micronutrient deficiencies were common. The prevalence of anemia among children 6 to 59 months of age was 55.3% and anemia among non-pregnant mothers was 28.0%. Iodine deficiency among mothers was also elevated at 23.6%. Figure 1 also shows prevalence estimates of severe acute malnutrition which is known to be associated with a greatly elevated mortality risk, and therefore it seems certain that acute malnutrition has been a factor contributing to excess mortality in Darfur, however a more in-depth review and analysis of the cross-sectional surveys are needed to establish more clearly the trends in nutritional status and contributing underlying causes.

On-going Assaults and Human Rights Abuses

Widespread and systematic abuses and acts of violence such as killing, rape and other forms of sexual violence, abduction of children and adults, as well as lootings and burning of villages have been a prominent feature of the Darfur crisis since 2003, although they were not routinely reported by the Human Rights agencies until 2004 (HRW 2004; HRW 2004; HRW 2004). These assaults took place during the government-orchestrated counter-insurgency and battles in 2003, and continued as

harassment afterwards. While the IDPs in Darfur continued to grow in number, they constantly faced insecurity even those who managed to reach the relative safety of official camps and those who crossed the border to the refugee camps in Chad. For example, venturing outside the camp to collect fodder, food or firewood was particularly dangerous. The UN Commission of Inquiry on Darfur has determined that the severity and systematic nature of the abuses amount to war crimes and crimes against humanity (ICID 2005).

Growing media attention has combined with international pressure on the GoS to allow international humanitarian workers and human rights experts access to the region. There have been numerous human rights delegations and specialists who have visited Darfur[vii]. These missions documented and added to the mounting evidence of the atrocities and crimes. The myriad reports also stressed the critical need for the protection of civilians and the importance of criminal prosecution for perpetrators of war crimes. To date, the international community has made minimal progress in efforts to protect the civilians themselves and the GoS has failed to move forward on it its commitments to disarm and demobilize the armed militia's. The current African Union mission in Sudan is not mandated to play a peacekeeping role, and they are not mandated to intervene to protect civilians. Currently, civilians remain exposed to daily threats of violence, as well as sexual and gender-based harassment. (International Crisis Group 2005a, Physician for Human Rights 2006).

ANNEX 3 - The Abuja Peace Processes

First Round: Addis Ababa: July 2004

The talks were held indirectly - with negotiators shuttling between the GoS, SLM/A and JEM delegates. The first round did not yield any specific agreements but laid the foundation for the second round in Abuja on August 23.

Second Round: August-September 2004 and Third Round: October-November 2004

The second and third rounds culminated with the signature of two protocols: the first one on humanitarian issues and the second one on security issues. Essentially, both of them stated modalities for better implementation of the Humanitarian Ceasefire Agreement signed in N'djamena seven months earlier. In addition to the Security and Humanitarian Protocols, the warring parties discussed and accepted a draft of a Declaration of Principles (DoP), prepared by the Mediation Team with hopes that by the beginning of the next round of talks, the DoP would be agreed upon (Third Round of The Inter-Sudanese Talks on Darfur, Abuja, Nigeria, 21 October – 9 November 2004 Chairman's Conclusions). The draft DoP outlines the broad principles that should guide the future deliberations of the parties and constitute the basis for a comprehensive and durable settlement of the conflict in Darfur.

It is important to note that while agreement on humanitarian issues was reached during the first round of talks in August, the SLM/A and JEM refused to sign until the security protocols were completed. (Second Round of the Inter-Sudanese Peace Talks on Darfur, Abuja, Nigeria, 23 August - 17 September 2004, Chairman's Conclusions in the African Union Website above). This refusal was also thought to be attributed to the parties wanting to wait for the agreement of the Security Council resolution 1564 establishing an International Commission of Enquiry, which was to be issued on September 18.

Fourth Round: December 2004

The fourth round of the negotiation process took place against a background of hostilities and frequent violations of the ceasefire agreement and the protocols on the humanitarian and security situations signed before. The fourth round reviewed the security situation in Darfur. Within the round the parties requested the AU to rapidly ensure the full operationalization of African Union Mission in Sudan (AMIS) and the strengthening of the Ceasefire Commission. It was believed this would enable the effective implementation of the Humanitarian Ceasefire Agreement and the two Protocols.

Fifth Round: June-July 2005

The fifth round of peace talks between the GoS and rebel factions took place six months after the fourth round and it lasted for four weeks. This session began after consistent diplomatic pressures to resume the negotiations as quickly as possible (Elsawi 2005). The resumption, however, was

complicated by the conflicts between and among the rebel groups on the one hand, and the ICC resolution on the other. Moreover, the negotiations were stalled for days over the role of Chad and Eritrea. JEM and SLM/A accused Chad of being biased in favor of the GoS and demanded their removal from the negotiation. Similarly the GoS rejected the participation of Eritrea, arguing that Eritrea backed the rebels in Darfur and in Eastern Sudan (Dagne 2005).

In this round, a Declaration of Principles (DoP) was agreed upon for the resolution of the Sudan conflict in Darfur, though this agreement only came after intensive pressure from the mediators, some African states, and the facilitators from the negotiating parties. Issues of political power sharing seemed to be one of the main stumbling blocks.

Sixth Round: September-October 2005

During the sixth round conflicts and divisions within the SLM/A leadership[viii] became obvious and led to rescheduling the peace talks. Minawi had been working to organize a political-military conference in Darfur in late September and was pressing Abdel Wahid to attend. Abdel Wahid had resisted and tried to undercut Minnawi by pushing for the AU talks to resume on 15 September. Minawi, on the other hand, wanted to postpone the negotiations in order to convene the field conference and use his attendance to "strengthen his hand" (Issa 2005a). The sixth round in Abuja was resumed without the participation of Minawi's faction who stated that it was meaningless to hold the session before the completion of the conference by September 27th. In Abuja, Abdel Wahid's SLM/A faction and the JEM participated in the negotiations after signing a communiqué in which they pledged to work together with one common negotiating platform (Hasbu 2005).

This round focused the discussions on the substantive issues of power sharing, wealth sharing and security arrangements and was preceded by workshops and seminars on those issues. On the margins of this round of negotiations, a meeting was organized in Ndjamena in September to address the conflicts between Chad and JEM. However the fracture in SLM/A held back any progress on these issues.

Following this round, the disputes between SLM/A/M leadership became very deep, to the extent that they put the future of the negotiations at risk. Moreover, a divided and paralyzed SLM/A translated into continued localized conflict and hardship for the people of Darfur. Intensive consultation and support by AU mediators, observers, and facilitators including U.S. Government Officials to narrow the differences between SLM/A/M leaders failed to bring reconciliation between the factions.

Minawi's faction convened a congress between the 29th and 31st of October in Hasskaneita, south Darfur, during which Mani Arko Minawi was elected as the new SL/M Chairman, although Abdel Wahid did not attend. Consequently, Abdel Wahid as well as others members rejected the outcome of the conference as "illegal and therefore null and void". Following this conference, two further US and AU initiatives to reunite the SLM around one delegation and adopt a common negotiating position during meetings in Nairobi and El Fashir in November 2005 were unsuccessful.

Seventh Round: November 2005-May 2006

The seventh round of the Inter-Sudanese Peace Talks was opened on November 29, 2005 and ran continuously for more than five months. The commencement of the talks was delayed for one week to

allow mediation between two leaders of the main rebel group, the **Sudanese Liberation Army** (SLA), who both claimed the presidency of the movement. Both rebel leaders agreed to attend the talks represented by two different factions that had committed themselves to one common negotiation platform. The JEM leadership experienced similar difficulties. A JEM splinter group led by Mohammed Salih Hamid claimed authentic leadership of JEM and on that basis argued they should be represented in the negotiations (Relief Web 2005, Salih 2005a, Issa 2005b).

Though initially it was widely hoped that the seventh round would be the final and decisive one, progress with the negotiations was slow, negligible and considered disproportionate to the extent and magnitude of the humanitarian crisis in the region and its devastating effects on the civilian . To break through such delays a series of visits by the EU ministers such as the British Foreign Minister, Jack Straw and the Dutch Prime Minister to exert pressures on the parties and to convey the international community's commitment to ending the conflict. In addition a series of deadlines were set, including December 31 set by the UN and the February 2006 cut-off date proposed by Pronk, during which time the parties to the negotiations failed to meet. By March the African Union Peace and Security Council adopted the end of April as the deadline to conclude the Abuja Peace talks. That dead line was subsequently endorsed by the UN Security Council (African Union Peace and Security Council 2006; Pronk 2006).

On April 25th the mediation team handed over a draft 86 page proposal in English for the approval by the negotiating parties. Five days to review, digest and reach agreement was widely considered unrealistic, and rebel groups asked for three weeks. Instead the deadline was first extended by forty eight hours and then a further forty eight hours. During these last days the talks underwent dramatic changes. In the words of Nathan (2006) "there was a frenzy of behind the scenes deals, counter deals, offers and threats as various leaders and officials – including Obasanjo; Robert Zoellick, the US Deputy Secretary for State and Hilary Benn, the British Secretary for International Development endeavored the to stave off collapse" (Nathan 2006).

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Notes

[i] This work is partly based on Young et al., (2005), and also the work of Tufts/FIC in the Design Evaluation for WFP, 2006, both of which draw on a considerable literature (more than 400 references not including those relating to humanitarian response).

[ii] Although Abdal Wahid refused to sign in Abuja, some members of the SLM/AW joined the signing ceremonies at the last minute, including Abdal Rahman Musa Abaker (a lead negotiator for the SLM/AW at Abuja.

[iii] According to Rayaam News paper of Thursday July 6 according to State Minister at the Ministry of Finance, Lual Deng, who was the head of Sudan Delegation to the meeting in Netherland, there is a third tract called Sudan Debts. This lead by Ministry of Finance, Bank of Sudan in addition to the IMF, WB and Britain.

[iv] This predates the signing of the DPA on May 5th as many of these principles were discussed and agreed during the Nairobi Wealth-Sharing Workshop in Nairobi, in November 2005.

[v] (among the northern rizeigat in particular combined with their sense of being part of a wider Arab movement supported by Khartoum and with transnational linkages to Chad, Libya and beyond)

[vi] CRED assumed that the national CMR would approximate the Darfur CMR, should the conflict not have occurred. Guha-Sapir, D. and O. Degomme (2005). Darfur: Counting the Deaths (2): What are the trends? Brussels, Center for Research on the Epidemiology of Disasters..

[vii] This included the United Nations High Commission for Human Rights mission from 24-30 April 2004; the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, Ms Asma Jehangir in June 2004; the African Human Rights Commission in July 2004; the United Nations High Commissioner for Human Rights, Ms Louise Arbour; the Secretary-General's Special Adviser on the prevention of genocide, Juan Méndez, from 20-24 September 2004; the UN Special Rapporteur on violence against women, Professor Yakin Ertürk, from 25 September-2 October 2004; Amnesty International in September 2004; and the five-member United Nations commission of enquiry into allegations of genocide in November 2004.

[viii] Divisions between the Chairman, Abdel Wahid and the Secretary General Mani Arko Minawi, one of the SLM/A's founding military commanders and Secretary General of the SLM.