

May 30, 2006

On May 5, 2006, in Abuja, Nigeria, after two years of negotiations, the Khartoum government signed a peace agreement with a substantial majority of the Darfurian rebels. Under the terms of the accord, a cease-fire was to take effect on May 12, 2006. Government militias and rebel forces are to disarm and withdraw behind cease-fire lines.

The major terms of the peace agreement include:

- Requires complete disarmament of Janjaweed militia by mid-October.
- Provides for 5,000 rebel forces to be integrated into the Sudanese armed forces and police.
- Establishes democratic processes for the people of Darfur to choose their leaders and determine their status as a region.
- Grants the rebel movements the chairmanship and at least 8 of 10 seats in the Transitional Darfur Regional Authority, which will oversee the peace agreement.
- Rebel leaders can join the government, including the post of senior assistant to the president, the fourth-highest position.
- Allocates to the rebel movements 12 seats in the National Assembly in Khartoum and 21 seats in each of the Darfur State legislatures.
- Creates a fund to reconstruct and develop Darfur and establishes a commission to help refugees and displaced persons return to their homes.
- This summer, there is to be an international conference to raise money for Darfur reconstruction.¹

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I. Reactions to the Peace Agreement

The peace agreement was signed by only 75% of the rebels. Those signing were from the Sudan Liberation Army, under the leadership of Minni Arcu Minnawi. A faction of the Sudan Liberation Army, led by Abdul Wahid al-Nur, declined to sign the agreement and has called for major changes before they will sign. The changes they are seeking include a disarmament of the *Janjaweed*, real regional government for Darfur, reconstruction of Darfur, compensation for our people and a fair share of power.²



The peace agreement was also not signed by the Justice and Equality Movement (JEM), an important but small faction of the rebels in Darfur. JEM is an Islamist group, with a small but committed following. The United States Deputy Secretary of State, Robert Zoellick, described JEM's leaders as "dismissive of the need for peace." Some of its leaders live in Europe, but the African Union estimates that it has about 500 or 600 fighters in Darfur. JEM has ties to Hassan al-Turabi, the religious hard-liner who invited Osama bin Laden to Sudan.³

The two groups, members of the SLA and the JEM, were given until May 31, 2006 to sign the Agreement.⁴ Talks regarding the Agreement will take place in Slovenia on Tuesday, May 30. On Monday, May 29, 2006, the two groups announced that they would not sign the deal unless the requested changes are made.

The split between the leaders of the SLA, Mr. Minnawi and Mr. Nur, was initially dismissed as irrelevant by diplomats negotiating the peace agreement. But the depth of that rift now threatens to undermine the new accord. Mr. Nur has said that he had no regrets about not signing because the accord failed to address the root causes of the conflict. "I refused to sign the agreement because it forgot that the crisis in Darfur was first a political crisis, before it developed into a military crisis and now humanitarian crisis," he said. "So, if you really want to address the crisis and put a real end to the crisis, you have to go back to the root, which is political."⁵

I-A. Background on the Tensions Between the Fur and Zaghawa Darfurian Tribes
Abdul Wahid al-Nur, of the Fur tribes, and Minni Arcu Minnawi, of the Zaghawa tribes and the representative of the portion of the Sudan Liberation Army which signed the agreement, both come from non-Arab tribes. But Mr. Nur is from the Fur, who are farmers and who make up the largest ethnic group in Darfur. Mr. Minnawi comes from the Zaghawa, a much smaller group of non-Arab nomadic herdsmen whose people also live in Chad and Libya. Initially the Fur and Zaghawa fought side by side with the same aim -- forcing the government in Khartoum to grant greater autonomy and a larger share of the nation's wealth to the impoverished region of Darfur. It was an understandable partnership: the Fur are the largest ethnic group in Darfur, but they lacked tactical expertise. The Zaghawa had military experience and access to money and weapons from the military in neighboring Chad, which is led by Zaghawas. But tensions grew between the groups because the Fur became suspicious of the Zaghawa, believing that they wanted to form a Zaghawa nation in Darfur and to dominate the other tribes living there. Some analysts believe that this suspicion was fomented by the central government in Khartoum in an effort to force a split between the rebels.⁶

The Zaghawa fighters were more effective at resisting the government and Janjaweed attacks, so the Fur and other tribes bore the brunt of the assaults in 2004, the year the war increased to a grim crescendo. In the area around Tina (North Darfur), Fur villagers were forced from their homes by the thousands as the rebels and the government battled for control over every inch of territory in a series of pitched battles. But the rebels took firm control in 2005, so much so that farmers who had fled to camps around Tawila returned to their fields to plant their crops. But the brief tranquillity came to an abrupt end with an

assault by fighters from Mr. Minnawi's Zaghawa faction on several towns held by Mr. Nur's Fur faction. The battles came after an irrevocable split in the movement last year, when the two leaders fought for control of the Sudan Liberation Army, and seem to be attempts to seize territory from the Fur tribes.⁷

II. Developments Since the Signing of the Peace Agreement

The signing of the peace agreement has not ended the insecurity and chaos in Darfur. In one week alone, in mid-May 2006, there have been widespread *Janjaweed* attacks on villages near the town of Kutum in North Darfur, where the *Janjaweed* are reported to be continuing a massive mobilization. The Gereida area in South Darfur continues to be threatened by the *Janjaweed*, and late last month Khartoum launched a large military offensive in the area. In West Darfur, international aid workers were attacked by 'unidentified men in uniform,' likely *Janjaweed* or Khartoum-allied paramilitary forces. Doctors Without Borders reports large numbers of civilians injured in recent military clashes between rebels and Khartoum's forces near Labado, also in South Darfur. The rebel groups are far from innocent in all this: In North Darfur, the two main factions of the Sudan Liberation Army--only one of which has signed the peace agreement--are locked in extremely fierce fighting.⁸

Attempts are being made to create an international commission to oversee implementation of the peace agreement. The May 5 peace accord has been broken repeatedly, but the United Nations mission in Sudan said that the agreement's Sudanese negotiator, Majzoub Khalifa, met with Libyan President Moammar Gadhafi on Monday, May 29, 2006, to discuss the creation of a commission to supervise the treaty's implementation. Libya, which helped broker the peace deal, would sit on the commission with a Khartoum representative and the chief Darfur-rebel representative, Minni Minnawi.⁹

II-A. Breaches of the Peace Agreement by the *Janjaweed*

Notwithstanding the May 5, 2006 peace agreement, heavy attacks have continued on the ground. On May 20, 2006, dozens were killed in a major attack by government-backed militias on Shearia, a town in Sudan's Darfur region, the latest in a wave of raids since a peace accord was signed. The attack on Shearia was yesterday - the *Janjaweed* have attacked many, many places in South Darfur despite the peace deal, al-Tayyib Khamis, a spokesman for the portion of the Sudan Liberation Army, said.¹⁰

Another report tells of attacks by government forces and Arab militia in Dar es-Salaam in North Darfur, more than 100 kilometers north of the state capital el-Fasher.¹¹ Although the African Union had not heard of this attack, a spokesman for the African Union had acknowledged that the *Janjaweed* had been moving in the area in late May 2006.¹²

On Sunday, May 28, 2006, one African Union soldier from Nigeria was killed and another critically wounded when heavily armed men ambushed a patrol not far from their base in West Darfur, according to the United Nations. The United Nations reported that there were between six to 12 attackers, armed with rocket-propelled grenades (RPGs) and AK-47 rifles.¹³ (*The New York Times* reported that there were 50 attackers.¹⁴)

II-B. Breaches of the Peace Agreement By and Between the Rebel Forces

Two of the main factions within the Sudan Liberation Army B the Fur and the Zaghawa B appear to have turned on each other, spurred by ethnic tensions and what may be a grab for more territory. The rebels have unleashed a tide of violence against the very civilians they once joined forces to protect. The tactics of the rebels have grown so similar to those of their enemies that an attack on Tina, a small village, on April 19, 2006, bore all the marks of the familiar, brutal assaults by the government and the *Janjaweed*. Soldiers in uniforms, backed by men toting machine guns on camels, flooded the village, burning huts, shooting, looting and raping. But the people in soldiers' uniforms were Furs, led by Abdul Wahid al-Nur. Alongside these SLA-Fur rebels were armed nomadic herdsman from the Zaghawa, the non-Arab tribe led by Minni Arcu Minnawi.¹⁵ (Note: Given that the Fur and Zaghawa may be turning against one another, it is unclear whether these Zaghawa herdsman fighting with the Fur were acting as mercenaries, as the *Janjaweed* do. HKA.)

III. Efforts to Implement or Enforce the Peace Agreement

United Nation.'s envoy Lakhdar Brahimi met with Sudanese President Omar Hassan al-Bashir in Khartoum on May 25, 2006. Mr. Brahimi reported that Sudan has agreed to allow an African Union-U.N. *assessment* mission into the country ahead of a possible deployment of U.N. troops to enforce the peace deal in war-torn Darfur.¹⁶

Sudan has said that it will decide whether to allow U.N. peacekeeping troops into Darfur after the assessment team visits the region. Mustafa Osman Ismail, advisor to the Sudanese president, said on Friday, May 26, 2006, 'The (U.N.) role has not been decided yet. Will it be a humanitarian role, one of monitoring the ceasefire, a role of peacekeeping?'¹⁷ (Eric Reeves, writing in *The New Republic*, noted that none of Khartoum's questions suggests that the role of the United Nations forces would be to disarm the *Janjaweed*, the essential precursor to ending the genocide. He suggests that this reveals Khartoum's ultimate disinterest in cooperating with the U.N.¹⁸)

Khartoum had initially rejected the deployment of U.N. peacekeeping troops in Darfur, saying it would cause an Iraq-like quagmire which would attract jihadi militants. John Prendergast, head of the Africa division of the International Crisis Group, suggests that Sudan's opposition to U.N. peacekeepers reflects a fear that the troops could be used to arrest government officials currently under investigation by the International Criminal Court for ordering the commission of atrocities in Darfur.²⁰

Impediments to enforcing the peace continue to be the geography of Darfur. As explained by Lydia Polgreen of *The New York Times*, 'Darfur is often described as being roughly the size of France or Texas, though neither comparison quite captures the enormity of the place. Both Texas and France are laced with highways and telephone lines that make moving and talking across long distances simple. Darfur's nearly 200,000 square miles are vast and forbidding, crossed by just one major paved road. Going a few dozen miles can be a dusty, bumpy half-day affair. A journey of 75 miles or more usually requires an overnight trip.'²¹

IV. Foods

The World Food Program was forced to halve daily handouts in early May 2006 because of a lack of funds. The United States responded with emergency aid: the President directed USAID to ship emergency food stockpiles and ordered five ships to be loaded with food and to proceed immediately to Port Sudan. The President further ordered the emergency purchase of another 40,000 metric tons of food for rapid shipment to Sudan. These actions allowed the World Food Program to restore its food rations to the people of Darfur by Summer 2006.²²



Food rations are expected to continue beyond the summer with donations of money and cereal from the United States, Canada, the European Union, and Sudan's government. The World Food Program reports that it can increase daily rations in Darfur to 1,770 calories a person (though this amount is still short of 2,100 daily minimum calories required).²³

Getting the food to Darfur safely has proven to be a challenge, with armed militias regularly hijacking the vehicles of non-governmental organizations and often robbing or kidnaping staff. Khartoum has pledged to crack down on militias suspected in most of these attacks, and the U.N. mission to Sudan warned earlier this month that humanitarian agencies should update their evacuation plans.²⁴

V. Efforts by the United States

Immediately after the signing of the peace agreement, President Bush ordered two emergency shipments of food aid for the two million people living in refugee camps in Darfur, as noted above. The President also asked Congress to approve \$225 million in additional assistance.²⁵

On May 15, 2006, John Bolton, the United States Ambassador to the United Nations, introduced a Security Council resolution calling for strict observance of the new peace accord in Darfur and for speeded-up arrangements for the United Nations peacekeeping force to replace the currently-placed African Union force.²⁶ The resolution passed unanimously on May 16.²⁷ However, the effectiveness of this resolution remains to be seen. The resolution was passed under Chapter 7 of the U.N. charter, which is the only chapter which provides the authority for U.N. troops to separate combatants and to confront the *Janjaweed*. The resolution did not call for the deployment of troops: Chapter 7 was invoked merely to place Sudan in violation of international law if it refused to admit the U.N. assessment team. China and Russia have been explicit that they will only permit Chapter 6 authority, which allows only peacekeeping forces. Peacekeeping forces are not authorized to engage against combatants or the *Janjaweed*.²⁸

Sources

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⁷ Ibid.

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²⁸ Reeves, Why the U.N. Can't Save Darfur, [The New Republic/On-line](#); May 27, 2006.