RIFT VALLEY INSTITUTE
BRIEFING PAPER
JANUARY/FEB 2022

XCEPT
CROSS-BORDER CONFLICT
EVIDENCE / POLICY / TRENDS

What next for the Juba Peace Agreement? Evolving political and security dynamics in Darfur

SUDAN RAPID RESPONSE UPDATE 2

This briefing considers the changing political situation in Sudan with a particular focus on the future of the Juba Peace Agreement (JPA) and the evolving political and security dynamics in Darfur. It is the second of a series of rapid response updates by the Rift Valley Institute for the UK government's XCEPT (Cross-Border Conflict Evidence, Policy and Trends) programme.

Key Points

- Following the 2 January resignation of Prime Minister Abdalla Hamdok, tensions are emerging among civilians over competing visions for the future role of the military (Mil-TG) in Sudan's transitional government. The has left leaders of the Sudan Revolutionary Front (SRF) in a delicate position, particularly those from Darfur.
- After decades of conflict in Sudan's western region, the fall of the NCP regime in 2019 fueled further violence in Darfur. Groups who had benefitted under the previous regime feared that the new government would try to redress the balance in the region and sought to strengthen their positions.
- The Juba Peace Agreement (JPA) attempted to address essential questions about land rights and political representation in Darfur. However, it has contributed towards an increase in violence in some areas, particularly the north, where predominantly Arab communities have feared losing out in any political reorganization.
- JPA implementation has been complicated by the actions of SRF leaders before, during, and after the 25 October coup. Two key Darfuri signatories—the Sudan Liberation Army-Minni Minnawi (SLA-MM) and the Justice and Equality Movement (JEM)—benefitted from the JPA and supported the coup. Since then, JEM and its leaders have stayed close to the military, while SLA-MM has grown somewhat disenchanted.
- Other Darfur-based SRF leaders must also decide which path to follow. While they may not explicitly support the coup, they also cannot openly oppose it without losing positions gained through the JPA and the mutually beneficial relationships cultivated by Mil-TG, particularly with the powerful RSF paramilitary leader Mohamed Hamdan Daglo 'Hemedti', who hails from the region.
- Further implementation of the JPA, in Darfur and elsewhere, is unlikely in the current political context. The arrangements needed to keep a post-coup transitional government together run counter to requirements for a genuine comprehensive peace process and are likely to increase instability in Sudan's peripheries.

Context

The resignation of Sudan's Prime Minister Abdalla Hamdok on 2 January left the transitional government's military wing (Mil-TG) to form an administration with limited popular legitimacy and no consensus on the way forward.[1] The lack of civilian support for the Mil-TG and continued public protests has increased pressure on the resource-strapped transitional government.

It is not clear what, if any, concessions the Mil-TG might be willing to make to reduce their influence over Sudan's political processes, despite their public statements towards embracing a 'national dialogue'. The Mil-TG's fear of sanctions and a lack of expected (financial and political) support from its allies, might make it open to concessions, but the Mil-TG has also sought to keep itself in power and block, or at least dilute, these initiatives by cultivating direct relationships with several communities seeking their political support.[2]

On top of this, there is little clarity on how to overcome the divergence between the interests of actors trying to achieve sustainable peace, whether achieved through the Juba Peace Agreement (JPA) or not, and the interests of powerful security elites whose actions continue to drive instability. With the future of the JPA still uncertain, the relationships within the Mil-TG and between its leaders and their allies on the peripheries, remain central to further progress. Key amongst these peripheries is Darfur, the focus of this briefing.

Conflict in Darfur

Since the 1980s, Darfur has seen profound levels of demographic change as large numbers of pastoralists from Chad migrated in search of pasture, and Darfur pastoralists were forced to move southwards to deal with environmental pressures. These migration patterns created tensions over access to resources, leading to violence in some cases. Especially in northern Darfur, this pitted Arab pastoralist communities, often without traditional land of their own, against non-Arab farming communities.[3] During the 1990s, the National Islamic Front (NIF) regime began to actively support one side at the expense of the other—often, but not always, backing the Arab communities.[4]

This dynamic continued into the 2000s as several rebel groups, largely made up of non-Arab communities, formed in response to continued violence and as a means to address political grievances. Since 2003, the Darfur conflict has displaced at least 2 million people into IDP and refugee camps in Darfur and neighbouring Chad. Nearly two decades later, most of those displaced still cannot access their traditional farming areas without being violently attacked or otherwise blocked.

The fall of the NCP regime brought concerns about land claims among communities on different sides of the conflict that have fueled further violence.[5] Those displaced and dispossessed by the conflicts hoped that a new government would enable restitution and improved access to land and resources. Those who benefitted from the conflict feared that any such steps by a new government would cut off access to vital grazing lands, some of which are also rich in gold.

1 Following his resignation Abdel Fattah al-Burhan (de-facto head of state) announced that Osman Hussein was to be tasked with the duties of Prime Minister on 19 January. Osman Hussein was the Secretary-General of the Cabinet during the final years of the NCP regime. He was appointed by former Prime Minister Mohamed Tahir Eila in 2019. Osman then became the Secretary-General of the Council of Ministers under the TGoS. While hard to confirm, sources report that he is still close to leaders of the ousted NCP and is essentially working on behalf of Burhan. On 20 January, Burhan announced the appointment of 15 new ministers, with the SRF keeping their previously appointed roles.

2 For instance, the Mil-TG is currently courting the Batahin (Bataheen), a community living just north of Khartoum, and Gamu'ia (Jamuyia), a community living just west of Khartoum. This adds an additional ethnic layer to the political competition at the national level.

3 Julie Flint and Alex De Waal, *Darfur: A New History of a Long War*, London: Zed Books, 2008, 8.

4 Alex de Waal, ed., *The War in Darfur and the Search for Peace*, Cambridge, MA: Harvard University, 2007, 70-1.

5 Since 2019 the main locations of violence have been in three main areas: In West Darfur between Masalit and Arab communities; in Jebel Moon (West Darfur) between non-Arab Tama speaking communities (Misseriya Jebel, Tama, and Aringa) and northern Rizeigat Arab communities; between Jebel Marra and El Fashir (North Darfur) between non-Arabs (Tungur, Bargo, Fur, Zaghawa, and others) and Arab groups.

The Juba Peace Agreement in Darfur

The JPA attempted to address questions about land rights and political representation in Darfur through provisions that grant a level of political power and other concessions to the Sudan Revolutionary Front's (SRF)[6] largely non-Arab constituents. However, the JPA is a problematic document: it was negotiated exclusively between the transitional government (primarily the Mil-TG) and the SRF and grants the latter political power in regions where it lacks a true constituency. As a result, concerns over the JPA began causing instability in multiple regions of Sudan before it was even signed, as many communities felt excluded and feared their interests would not be taken into account.

These concerns are more potent in northern Darfur as many of the camel-herding Arab groups (mainly, but not exclusively Rizeigat) were not traditionally allocated their own land, but rather were reliant on accessing others' land due to their migration patterns. Cattle-herding Arab communities in southern Darfur were typically granted traditional lands, which is one of the reasons that conflict between communities over land has been less violent and polarized in the south than in the north of Darfur.[7]

In many cases, the response to the JPA by (predominantly Arab) communities who are concerned that they could be on the losing end of a political reorganization, has been one of violent resistance. By attacking IDP settlements near contested land and/or by denying IDPs access to their original farmlands, the perpetrators are attempting to establish (or maintain) de facto control over these areas. This has been coupled with attempts to maintain close political relationships with Mil-TG figures whom they think can protect their interests.

However, the political dynamics have also significantly evolved since the 2003 Darfur conflict, in which the Arab militias, who were supplied with government arms, largely had the upper hand. Currently, non-Arab communities are increasingly obtaining weapons from neighbouring Chad and forming militias. In Masalit areas of West Darfur and Tama-speaking areas of Jebel Moon this has allowed non-Arab communities to hold their ground, despite suffering high casualty rates in larger battles than had been experienced previously.

After the coup

The rising violence and stalled JPA implementation[8] is likely to be exacerbated by a Mil-TG-dominated government—all the more so because of the existing relationships between Arab militias involved in the fighting and the Mil-TG, especially Hemedti and the RSF. More broadly, the Mil-TG has shown no willingness to support peace processes, give up political power, or support democratic transformation.[9] To date, the Mil-TG has allowed new political appointments agreed in the JPA, but not the structural political changes that would threaten its control over the security forces, economy and Sudan's political processes. Furthermore, the Mil-TG has sought to ensure that it has its own direct relationships with SRF appointees at local, state,

6 The SRF was formed in November 2011 by the SPLM-N, SLA-AW, SLA-MM, and JEM, with the objective of "working together to remove President Bashir, through either violent regime change or negotiations achieved through political and military pressure". See: Andrew McCutchen, "*The Sudan Revolutionary Front: It's Formation and Development*," Small Arms Survey, Working Paper 33 (2014). It has since split, and the SPLM-N of Abdelaziz El-Hilu and the SLA-AW are no longer part of the SRF.

7 There has still been conflict over land in southern Darfur with tens of thousands of people displaced, especially in the Wadi Salih area, during the early years of the conflict. More recently, in April 2021 a combined militia of Tarjam and Beni Halba (both cattle-herding Arab communities) attacked Fur villages in the Wadi Bulbul area of South Darfur as part of a larger competition over land in the area.

8 Most of what has been implemented to date is associated with commissions related to appointing governors (West and North Darfur) and the governor of the new federal region (Minni Minnawi). Commissions, such as those on land and revenue sharing, have yet to be created.

9 This was discussed in the RVI Rapid Response 1 and pertains to both the JPA, as well as the negotiations that took place with the SPLM/A-N (el-Hilu). See, 'What next for the Juba Peace Agreement?' Rift Valley Institute, December 2021. (https://riftvalley.net/index.php/publication/what-next-juba-peace-agreement-after-coup-sudan)

and national levels.[10] This has further reduced the possibility that political changes might occur that would threaten Mil-TG's interests.

Even if a new civilian-led government was installed that was interested in bringing peace to Sudan's peripheries, it would struggle to implement the JPA in Darfur given the resistance by local militias linked to the security forces. However, the JPA remains the primary existing mechanism to address Darfurian grievances and lack of implementation will drive insecurity in two important ways:

First, through its stoking of the current conflict dynamics in West Darfur, and the prospect of increased communal violence that is looming now in North Darfur between some Zaghawa and northern Rizeigat Arab communities. Some fighting has already occurred between JPA signatories and northern Rizeigat militias allied with RSF soldiers, and it is very likely that this type of confrontation will occur again.[11]

Second, through increased attempts by local communities to address their own grievances related to land, often by using violent means. Without a governance system that can adjudicate these grievances, well-armed communities are likely to violently contest land claims.[12]

JPA signatories and the Coup

JPA implementation is further complicated by the actions of SRF leaders before, during, and after the coup. Prior to the coup, the SRF essentially split, with some looking towards the Mil-TG to secure their interests, while others stayed closer to the transitional government's civilian wing (Civ-TG). By August and September 2021, the Mil-TG was openly supporting two key Darfuri JPA signatories, the Sudan Liberation Army (SLA) of Minni Minnawi and the Justice and Equality Movement (JEM)), to break away from the Forces of Freedom and Change (FFC). These two groups publicly supported the 25 October coup and supported the Mil-TG's efforts to suppress popular protests. Since then, JEM and its leaders have stayed closer to the Mil-TG, while the SLA-MM has grown somewhat disenchanted with the coup, but remains a supporter.

SLA-Minni Minnawi (SLA-MM)

This divergence between the SLA-MM and JEM reflects differing beliefs that their interests will be met through supporting the Mil-TG, as well as the differing interests of their support bases.[13] The SLA-MM's support base comes from Zaghawa communities from North Darfur (especially Um Baru and Kutum localities), and in areas south and west of al-Fashir going towards Jebel Marra and Nyala. Many of these supporters have concerns about securing access to land in areas of Kutum and areas south of al-Fashir. In the case of Kutum, the competing land claims are between supporters of Minni Minnawi and the Awlad Mansour clan of the Mahariya Rizeigat of Hemedti in the area called Zurruq. In 2017, the RSF took over the area and the Awlad Mansour moved there from South Darfur (where they had lived since the 1980s). Hemedti's uncle, Juma Dagolo refers to himself as the Omda of the area.[14] If competing land claims are not resolved, violence

10 This includes political relationships between Hemedti and the Governors of North and West Darfur. In the case of the latter, however, this relationship could be on the verge of breaking down. On 27 January West Darfur governor Khamis Abdallah Abbaker, a Masalit, gave a public speech in which he criticized the Mil-TG for not implementing security sector reform provisions from the JPA nor fully deploying joint forces meant to reduce violence, and then speaking to Masalit and other non-Arabs he said because of this they might need to protect themselves with force. The video can be viewed at: https://www.facebook.com/WestofDarfurGovernor/videos/675501543585777/

11 Hemedti or SLA leader Minni Minnawi might be unable to prevent them, given that they might not have full control of their forces on the ground.

12 Until these land claims can be addressed, Darfur's two million IDPs will remain trapped in their camps unable to access their traditional farming areas, which could lead to protests and resistance on their part.

13 The Zaghawa in Darfur hail from two sub-sections, the Kobe living along the border with Chad (centered on the town of Tine), and the Wogi living further east. JEM draws most of its leaders and supporters from the Kobe, while the SLA-MM relies on support from the Wogi—especially Minni Minnawi's Ila Digen. See Jerome Tubiana, 'Land and Power: the Case of the Zaghawa', *African Arguments*, May 2008. (https://africanarguments.org/2008/05/land-and-power-the-case-of-the-zaghawa/)

14 African Centre for Justice and Peace Studies (ACJPS), 'Delays and Dilemmas: New Violence in Darfur and Uncertain Justice Efforts within Sudan's Fragile Transition,' Fact Finding Mission Report, ACJPS, November 2021, 43-44.

could easily occur, pitting Minni Minnawi's social base against Hemedti's, likely resulting in Minnawi choosing to support his own people, putting him at odds with the Mil-TG.

Justice and Equality Movement (JEM)

JEM is different for two reasons. First, its social base is much smaller, comprised mostly of the Kobe section of the Zaghawa, who only have a small presence in Sudan and mostly reside in Chad. Second, more than other JPA signatories, JEM relies on ideology rather than ethnicity to build its base: many of JEM's original founders, and much of its current leadership, are ideological Islamists. Prior to the split between Bashir and Hasan al-Turabi (Islamist scholar and politician) in 1999, many of JEM's founders and current leaders were part of Sudan's Islamic Movement (al-Haraka al-Islamiya) and were members of Sudan's security establishment, both at a national level and in Darfur.[15] This historical attachment to the security establishment and the Islamic Movement means that JEM is more comfortable working within a highly secretive and securitized regime than other SRF members. Furthermore, since JEM is not accountable to a specific ethnic constituency, it is freer to pursue political power through an alliance with the Mil-TG.

Other SRF groups from Darfur

The coup also remains a challenge for other Darfur-based SRF leaders. Those who did not overtly support the coup also cannot openly oppose it without losing their positions. For example, the Mil-TG, and especially Hemedti, continue to have a direct relationship with North Darfur Governor Nimir Abdelrahman from the SLA-Transitional Council (SLA-TC), which constrains SLA-TC Chairman and Sovereign Council member al-Hadi Idriss. Sovereign Council member Taher Hajer, the leader of the Gathering of Sudan Liberation Forces (GSLF), faces the same communal pressures as Minni Minnawi, though in a more acute manner as GSLF forces under Abdallah Bashar 'Janna' have come into conflict with government security forces in the al-Fashir area over land disputes.[16]

Additionally, tensions among the JPA signatories themselves could complicate implementation. For example, al-Hadi Idriss holds the Zaghawa (the Ila Digen section, from which Minnawi hails) responsible for the current instability in al-Fashir, believing the Zaghawa wish to thwart the performance of Governor Nimir Abdelrahman, Idriss's Fur kinsman. If the JPA signatories remain split in their approach to the coup and governance in Sudan in general, it will make it harder for them to ensure the JPA is implemented. Furthermore, if some SRF leaders remain close to the Mil-TG, who are unlikely to genuinely support JPA implementation, this becomes even less likely.

Finally, many Darfuris—especially those living in IDP camps—do not feel that their needs and concerns are genuinely represented by those who signed the JPA on their behalf. Thus, their lack of confidence is fed by the persistent violence, which goes largely unaddressed by the SRF leadership in Khartoum. The more SRF leaders are perceived to act in their own interests, oriented towards their individual political survival, the more this will be an obstacle for meaningful implementation of the JPA.

15 Philip Roessler, 'Political Instability, Threat Displacement and Civil War: Darfur as a Theory Building Case', College of William and Mary, August 2011: 28.

16 The GSLF is an umbrella group of three movements. Two splinters from the SLA, Taher Hajer's SLA-Justice and Abdallah Yahya's SLA-Unity, and Abdalla Janna's splinter from JEM. Taher is the Chairman. All draw support largely from the Zaghawa community.

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