



Universidad del País Vasco Euskal Herriko Unibertsitatea

Gizarte eta Komunikazio Zientzien Fakultatea
Facultad de Ciencias Sociales y de la Comunicación
Faculty of Social and Communication Sciences

JOURNALISM
ACADEMIC YEAR 2018-2019

BLACK AFRICA IN THE INTERNATIONAL ARENA: DARFUR CRISIS (2003-2019)

AUTHOR: Allende Solaun Boada
DIRECTOR: Víctor Amado Castro

Date, 28th of May 2019

"The author of the end-of-grade work declares that the data contained in this original work are true, assuming otherwise, the responsibilities that may arise from the inaccuracies contained in it: plagiarism, improper use of images, etc. All the images are copyright of their corresponding owners and/or licensees. They are included in the present work under a purely informative purpose to illustrate the theoretical framework or work analysis".

"Gradu Amaierako Lanaren egileak adierazten du lan original eta propio honetako datuak benetakoak direla, eta hala izan ezean bere gain hartzen duela jokabide ez-egokien (plagioen, irudien erabilera bidegabeen eta abarren) erantzukizuna. Irudien copyrighta haien jabeena edo lizentziadunena da. Dibulgazio helburuekin baino ez dira erabili hemen, lanaren marko teorikoa edo analisisa ilustratze aldera".

"La autora o autor del trabajo fin de grado declara que son ciertos los datos que figuran en este trabajo original y propio, asumiendo en caso contrario, las responsabilidades que pudieran derivarse de las inexactitudes que consten en el mismo: plagio, usos indebidos de imágenes, etc. Todas las imágenes son copyright de sus correspondientes propietarios y/o licenciarios. Se incluyen en el presente trabajo bajo finalidad meramente divulgativa para ilustrar el marco teórico o análisis del trabajo".

Index

1. INTRODUCTION	3
1.1 Presentation of the paper	3
1.2 Objectives of the investigation	3
2. THEORETICAL FRAMEWORK	4
2.1 Evolution of the analysis on the crisis in Darfur	4
2.2 Hypothesis	4
3. METHODOLOGY	6
4. HISTORICAL LINE	7
5. INTERNAL STAKEHOLDERS	17
6. VIOLENCE IN DARFUR	21
7. INTERNATIONAL BODIES' RESPONSES	27
8. PRESENT DAYS (2007-2019)	32
9. FINDINGS	40
BIBLIOGRAPHY	44

1. INTRODUCTION

1.1 Presentation of the paper

The Darfur crisis is a military conflict in the Darfur region, which is located in western Sudan and borders the Central African Republic, Chad, Libya and South Sudan, which seceded from the rest of the country on 9 July 2011 and became the youngest nation in the world. The conflict is primarily between a paramilitary militia called *janjaweed* and the different rebel groups that emerged in the region against the regime of Omar al-Bashir, who seized power in a military coup in 1989 and has ruled the country until the military ouster on 11 April (The Economist, 2019). The beginning of the conflict is usually settled on on 26 February 2003, when 300 members of the Darfur Liberation Front (DLF) seized Gulu, capital of Jebel Marra in West Darfur (Collins, 2008).

In scarcely the two first years of the conflict, from February 2003 to April 2005, 1,965,858 people were displaced from Darfur and 396,593 were directly or indirectly killed as a result of the crisis (Guha-Sapir & Degomme, 2005; Coalition for International Justice, 2005; as cited in Petersen and Tullin, 2006). In addition to the great number of victims and people affected by the crisis, the importance and interest in analyzing this conflict is reinforced by the current affairs: the anti-government protests that began in December and have resulted in the overthrow of President Omar al-Bashir, who is under arrest warrant by the International Criminal Court (ICC) due to the crimes allegedly orchestrated in Darfur, after 30 years of governance.

1.2 Objectives of the investigation

General objective:

Describe and analyse the development of the Darfur Crisis from the beginning in 2003 to the present, that is to say, until current days.

Specific objectives:

In order to explain the crisis in Darfur, it is needed to analyse several aspects such as the stakeholders which participated in it and the consequences of this conflict: genocide, sexual harassment, and IDP phenomena, among others. At the end, the international community behavior in this crisis will be mentioned as well.

2. THEORETICAL FRAMEWORK

2.1 Evolution of the analysis on the crisis in Darfur

The present analysis is a traditional historical research, which consists of the following chapters in order to respond to the objectives described above: ‘Historical line’, ‘Internal stakeholders’, ‘Violence in Darfur’, ‘International bodies’ responses’ and ‘Present days (2007-2019)’. Lastly and based on the conclusions drawn from the bibliographic research, the findings are exposed.

In the historical line, focusing on the period of time from 2003 to 2007, the origin and the early years of the conflict are explained. With the aim of exploring in depth the human consequences of the crisis, issues such as genocide, sexual violence, refugee crisis and the IDP phenomena are gathered in ‘Violence in Darfur’ in a more detailed description. In the next chapter, the behaviour of the following organisms and states are presented: African Union (AU), United Nations (UN), International Criminal Court (ICC), the Arab League, China, Russia and the US administration. Finally, an overview of the recent events is covered, from 2007 to the present, May 2019.

Throughout the analysis, different kinds of sources have been consulted: original or direct sources and indirect or secondary sources. The original sources used in this paper are the resolutions on the situation in Darfur by supranational bodies such as the Security Council of the United Nations (UN), the Peace and Security Council of the African Union (AU) and the International Criminal Court (ICC). As indirect sources, books, articles in printed and online magazines, websites, online media and documentary films have been consulted. In such a way, and in order to elaborate a solid and clear text, all the mentioned sources were deeply scrutinized.

2.2 Hypothesis

This bachelor thesis, consisting of a bibliographic analysis of the crisis in Darfur from 2003 to the current days, is intended to corroborate five initial hypothesis that will serve to accomplish the established general and specific objectives.

For the purpose of studying the origin of the crisis in Darfur, the first hypothesis is focused the grounds on which the conflict erupted: The reasons underlying the crisis in Darfur are cultural and religious. In other words, the clashes among the different rebel groups —the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), the most remarkable in terms of power— and the *janjaweed* militia were motivated by its cultural and religious differences.

The second hypothesis is that the Government of Sudan is supporting the *janjaweed* militia. The conflict is commonly framed as the battle between the mentioned

rebel groups against the government of Omar al-Bashir and the *janjaweed* militia which aspired to defeat the rebel groups. This hypothesis points that the *janjaweed* is a paramilitary group which has the economical and operational support of the government.

The third and fourth hypothesis are in line with the objective of examining the consequences of the conflict. Specifically, they are related to the alleged genocide and sexual violence perpetrated in Darfur; the hypothesis are that the violence in Darfur can be framed as a genocide and that the victims are targeted in a different way depending on their gender.

Lastly, the fifth hypothesis corresponds to the international behaviour on the Darfur conflict: the international community has failed to mediate in Darfur. The assumption is that the global bodies that tried to mediate and bring peace in the region during the different phases of the crisis were ineffective.

3. METHODOLOGY

The methodology employed in this end-of-degree work is a bibliographical revision on the crisis in Darfur in order to describe and analyse the development of the conflict from 2003 to recent days. As stated before, both original and secondary sources have been consulted throughout the elaboration of the work.

First of all, a bibliographical revision of secondary sources was done for the documentation about the precedents, the origin and first four years of the conflict, that is to say, for the chapter ‘Historical line’. It is to be noted in this respect that the books *A History of Modern Sudan* by Robert O. Collins (2008) and *Sudán y Sudán del Sur. Génesis, guerra y división en dos estados (Sudan and North Sudan, war and division into two states)* by Alfredo Langa Herrero (2017) were the base to understand the situation not only in Darfur, but also in the whole state and, at the same time, to draw a chronological timeline of events in Darfur that is included in the analysis.

Once the scheme of events was made, the timeline was complemented with other secondary sources such as articles in printed and online magazines, books and documentaries and, on the other hand, original sources retrieved from the United Nations Security Council, the International Criminal Court and the Peace and Security Council of the African Union.

As a next step, a second bibliographical revision was conducted in order to cover more specific aspects of the conflict, such as the debate on the alleged Darfurian genocide, the use of the sexual violence as a war strategy and the positions of the internal and international bodies on the conflict. On this occasion, the sources consulted were used to write ‘Internal stakeholders’, ‘Violence in Darfur’ and ‘International bodies’ responses’ above all.

In contrast, the predominant sources used for the description of the ‘Present days (2007-2019)’ are news articles published in different media outlets. Mass media, such as *BCC* and *CNN*; local media such as *Radio Dabanga*, *Sudan Tribune* and *Sudan Daily*; and news agencies such as *Reuters* have been consulted, all of them in their online version. The reason why this type of source is more prevalent in this chapter is that there is more information about the current situation in online media. Event so, recent reports have been consulted as well, such as the report by the Security Council of the United Nations on the African Union-United Nations Hybrid Operation in Darfur published on 10 April 2019.

Furthermore, based on the information gathered in the previous chapters, the five hypotheses raised in the theoretical framework have been confirmed or refuted at the end of the paper and a brief description of the current situation has been included.

4. HISTORICAL LINE

Precedents in the independent Sudan

Sudan obtained its independence from Egypt and the United Kingdom on 1 January 1956. Ismail Al-Azhari was its first Prime Minister until the Umma Party, led by Abdallah Khalil, and the People's Democratic Party (PDP), led by Sayyid Ali al-Mirghani, formed a coalition government in July. The coalition was restored on March 1958, but the parliamentary regime was put to end by the army coup of General Ibrahim Abboud; while the regime of Abboud was ousted by the 'October Revolution' in 1964 (Sidahmed and Sidahmed, 2005).

In the late 50s and early 60s, "political tension, local violence and government suppression escalated in the Southern Sudan", which turned into a civil war in 1965 (Rolandsen, 2011: 211). On April 1965, The National Union Party–Umma coalition under the leadership of Mohammad Ahmad Mahjoub formed the government: however, due to discrepancies within the coalition, several regimes were settled until Yaffar al-Numeiry seized power in a military coup in 1969 (Sidahmed and Sidahmed, 2005).

Yaffar al-Numeiry formed the Revolutionary Command Council (RCC) after the coup. At first, his regime adopted a "radical stance" through the 'Sudanese Socialism' (Karim, 1988: 41). According to Karim (2017), Numeiry negotiated £S32 million valued loan agreements with the socialist countries —Soviet Union, East Germany, the Democratic Republic of Korea and the People's Republic of China—; but when Hashim al-Atta and some other sixteen Sudanese Communist Party (SCP) were executed after a failed coup in 1971, the relations with the Soviet block deteriorated.

It is to be noted that even though he interrupted the civil war for 10 years by signing the Addis Ababa Agreement in 1972, he induced the second civil war by abrogating the abrogation of the Addis Ababa Agreement and the imposing the Islamic fundamentalist Sharia Law (Assefa, 1990).

In 1985, Numeiry was overthrown by a group of military officers led by Lieutenant General Abd ar Rahman Siwar adh Dhahab, who took the power of the country until the 1986 elections, in which Sadiq al-Mahdi became the new President (Gravelle, 1998). The democratically elected government of al-Mahdi finished on 30 June 1989 with the coup led by Omar al-Bashir, who established the first Islamic republic (Gallab, 2008). according to Gallab (2008), Hasan al-Turabi, leader of the National Islamic Front (NIF), was the primary strategist of the Islamist republic.

Historical background in Darfur

During the 1990s, the Islamists aligned with the regime of Turabi were backed by the Arab-Muslim urban elites in Darfur, but not by the Muslim rural groups such as

the *Fur* and the *Masalit*. The collaboration between *Fur*-Muslim rebels and the Christian-Animist was seen as a danger by the Khartoum authorities (Daly, 2017; Johnson, 2011; as cited in Langa 2017). As a result of the addressed factual hazard, the region was divided in three different states in 1993 —North Darfur, South Darfur and West Darfur— as a way of weakening the local power of the *Fur* in Darfur (Daly, 2007; De Waal, 2007; as cited in Langa, 2017).

In early 2000, an anonymous work known as ‘The Black Book’ denounced the hegemony of the Northern Region over the other regions. ‘The Black Book: Imbalance of Power and Wealth in the Sudan’ is a mysterious book that was first distributed at gates of major mosques in Khartoum and soon after photocopied all around Sudan, becoming “the most talked about document in the country” (Seekers of Truth and Justice, 2004).

As explained by Langa (2017), ‘The Black Book’ was launched at a time of rising tension in Darfur, specifically, in the midst of this crisis pro-Bashir and pro-Turabi, the President of Sudan since 1993 and the leader of the opposition party, respectively. According to the Seekers of Truth and Justice (2004), some of the activists that were involved in the preparation of the book fought against the government in the Darfur Conflict.

The Justice and Equality Movement (JEM) was created after the radicalization of Arab-Muslim elites in Darfur and its principles are close to the ideas contained in the ‘Black Book’, in the words of Langa (2017). The authors of the book describe the document as a reveal of the injustice lived in Sudan since the independence of the country (1956), on the grounds that the successive Sudanese governments had privileged the Northern Region (Seekers of Truth and Justice, 2004).

More precisely, they reported the political dominance of two politically oriented and powerful religious houses by selecting leaders from those “religious sects”. Those criticised houses were the house of the *Mahdis* and the house of the *Mirghanis* —led by Sadiq al-Mahdi and Ahmed al-Mirghani, who had been Prime Minister and President of Sudan, respectively—, which corresponded to the Umma Party of the *Mahdis* and the Democratic Unionist Party of the *Mirghanis*. At the same time, they condemned the export of electoral candidates arguing that “important party members from the centre were encouraged to stand for elections in areas other than own” (Seekers of Truth and Justice, 2004).

Start of the clashes between rebel groups and militias

The rebel groups against the government initiated their criminal activity on 26 February 2003, when about 300 members of the Darfur Liberation Front (DLF) —later renamed the Sudan Liberation Movement/Army (SLM/A)— seized Gulu, the capital of Jebel Marra Province in West Darfur, and assaulted police and army posts in different directions. The rebel groups retired to their training camps in Jebel Marra after the attack,

but returned two weeks later in a firefight that resulted in the killing of 195 government soldiers and the flee of the garrison (Collins, 2008).

Barely one month later, united forces of the JEM and the SPLM/A seized the capitals of South Darfur and North Darfur, Nyala and Al-Fashir respectively (Langa, 2017). One may think that *janjaweed* militia assaults on villages were a response to defeat rebel groups, however, according to Collins (2008), the paramilitaries commenced the ethnic cleansing in October 2002 in Southern Darfur, where nearly 5,000 *janjaweed* militiamen were equipped and trained by the Sudanese army in their camps of Jabal Kargu, Boni and Idalghanam.

In the ‘Political Declaration’ of the SLM/SLA released to the media on 23 March 2003, the Secretary General of the Sudan Liberation Movement and Army, Minni Arkou Minnawi, stated to the media that the region of Darfur “had been an independent state from the sixteenth century to the second decade of the twentieth, when it was coercively annexed to modern day Sudan” (SLM/SLA, 2003).

In the words of Minnawi, the Secretary General of the rebel group, the post-independence regimes in Khartoum are characterized by “the policies of marginalization, racial discrimination, exclusion, exploitation and divisiveness” conducted by both civil and militaries. In that context, the head of the rebel group claimed that the genocide sponsored by the Central Government in Darfur “left the people of Darfur with no other option but to resort to popular political and military resistance for purposes of survival”. The objective of SLM/SLA was to create a “united democratic Sudan” in terms of equality, development, cultural and pluralism as well as moral and material prosperity for all the civilians, in order to which they proposed a decentralized form of governance through a federal or confederal system (SLM/SLA, 2003).

The Justice and Equality Movement (JEM), for its part, proposed to implement a federal system for six Sudanese regions: the Central Region, the Northern Region, the Southern Region, the Eastern Region, Darfur Region, Kordofan Region and the national capital, Khartoum, which would be considered as one more region. In particular, the rebel group led by Khalil Ibrahim from 2000 to 2012 advocated in that document that all of those regions should participate in governing Khartoum, and occupy the federal public positions as well as the enrollment for the recruitment in the armed forces “in accordance with the population proportion for every region” (JEM, 2005).

Meanwhile, Khartoum Government’s military campaign in Darfur was built upon three measurements; the *janjaweed*, the Air Force and the military intelligence, whose aim was to terrify the civilian population and force their displacement (Langa, 2017). Alfredo López Langa (2017) claims, according to Daly (2007), that the *janjaweed* militias replenished their ranks with both criminal and convict members, since the leaders of different armed groups arrested by Suleiman were discharged. Ibrahim

Suleiman had been chosen to be the chairman of the Restoration and State Authority and Security in Darfur by Bashir on 2002 (Flint and De Waal, 2008).

As stated in the ‘Impunity Report’ of the feature ‘Five Years On’ by Human Rights Watch (2008a), and based on an interview made by the NGO in a refugee camp in Chad on 27 June 2005, even though the Sudanese government described the militia activity in Darfur as unorganized, many of the “militias used in the government’s campaign were highly structured”. The non-profit organization reported that the governor apparently met the tribal leaders on a nearly daily or weekly basis. The *janjaweed* militia can be portrayed, after all, as a “paramilitary oriented force with a hierarchical structure, supported and in service of the interests of Khartoum” (Flint and De Waal, 2007; as cited in Langa 2017: 104).

First attempts of ceasefire

In the words of Robert O. Collins (2008), within a few days of the Sudanese Liberation Army in Gulu, the security committee of the government for Western Darfur begun negotiations with the SLM and almost arranged a ceasefire, but it failed due to two facts. The first one was the murder of the Masalit leader Shaykh Salih Dakoro by an Arab militia on 18 March 2003 near Geneina (West Darfur), while the second was the resulting destruction the town of Karnoi (North Sudan) in the hands of a Sudanese air force Hind helicopter, against which the SLA retaliated the “strategic Masalit town of Tiné”, located in the Chad frontier, on 25 March (Collins, 2008: 288).

Exactly one month later, on 25 April 2003, a combined SLA-JEM force attacked the El Fasher air base which, according to Rodman (2008: 541), alarmed Khartoum since, in the middle of a debate about the possible independence of the south, the hit-and-run attacks could mean a “risk of secession and political disintegration”. Rodman (2008) explains that, consequently, the government was committed to wipe the rebel forces out, not only through the Sudanese army and air force but also recruiting Arab tribal militias to join the *janjaweed*.

During the following months, both the government and the rebel militias gained valuable territory. The SLA beat a Sudanese battalion in the north of Kutum, with the result of 500 deaths and 300 prisoners, in late May; attacked the town of Tiné again in mid-July, causing high losses, and seized large quantities of ammunition in Kutum on August. In the meantime, the *janjaweed* killed and forced the displacement of *Fur*, *Masalit* and *Zaghawa* and, in late August, the Sudan army defeated the SLA at the north of Kutum. It can be noted as well that the SLM/A signed a short-lived a ceasefire in September (Collins, 2008).

According to Collins (2004), the JEM took by surprise a *janjaweed* column moving against the town of Tiné on 27 December, resulting in heavy losses, and, one more time, in January 2004, attempted to take Tiné inflicting over a thousand deaths

among government troops and rebel militias. Rothe and Mullins (2007: 87) state that the government moved the troops from the South of the country to the region of Darfur in December in order to “increase the strength of the military forces on the ground”.

At that time, a 10.3 million dollar relief fund from UNHCR was supposed to be destined to Darfur, but the masses of refugees remained unabated (Prunier, 2005; as cited in Rothe and Mullins, 2007). In barely one year, by February 2004, about 30,000 people were killed; a million people had to abandon their homes and, in consequence, became Internally Displaced Persons (IDPs); and another 200,000 fled to Chad (Collins, 2004).

In mid-February, Bashir declared that the security forces had crushed the rebel groups and, thus, offered amnesty to the SLA and the JEM, after Khartoum began a major military offensive against the rebels at the start of February. One month later, opposition leader Hassan al-Turabi was arrested as “the government claimed that Turabi was behind an attempted coup, although officials in Khartoum seemed to back away from that claim” (Dagne, 2004: 2).

Global sight to the crisis by NGOs

‘Too Many People Killed for No Reason’, a report published by Amnesty International on 3 February 2004, “expressed the emotions of the international community” about the conflict in Darfur (Collins, 2008: 290). In the document, the NGO claims that, in accordance with the information available to the organization, “the prime responsibility for the grave human rights abuses committed against civilians lies with the Sudanese government and militia aligned to” (Amnesty International, 2004a:3).

Apart from exposing and making visible the atrocities committed in Darfur, Amnesty International called on the government in order to mediate in the conflict, even before the rebel groups took up arms. They first called the government in January 2003 “to resolve the deteriorating situation by respecting human rights”, and proposed to bring the leaders of different ethnic groups into discussions (Amnesty International, 2004a: 6).

The aim of their second call, in February, was to request an independent and impartial Commission of Inquiry for the violence and human rights abuses, but the government did not reply. In the same way, they called in April, without success, for an International Commission Inquiry and for a Civilian Protection Monitoring Team due to the lack of “independent and impartial investigations into human rights abuses or deployment of international observers in Darfur” (Amnesty International, 2004a: 6).

Collins (2008) explains that all respected international humanitarian organization were reporting the conflict and, in one form or the other, diplomats, aid workers and media began to describe the catastrophe in Darfur using the term ‘ethnic cleansing’. For instance, the International Committee of the Red Cross published in October 2004 ‘Food-Needs Assessment: Darfur’ and the US Agency for International Development ‘Projected Mortality Rates in Darfur, 2004-2005’. Regarding the foreign administrations, Langa

(2017) mentions that the US had an active front in Iraq at that time, and that is why they did not pay attention to Darfur until later.

In pursuit of a peace agreement

In the words of Collins (2008), Iddris Déby, President of Chad, offered to mediate in N'Djamena (capital of Chad) in late March, since he was concerned about the fact that the violence in Darfur could spill into his country. As stated above, about 200,000 people had fled from the region of Darfur to Chad in one year, and the situation might have deteriorated even further.

On 7 April 2004, both the SLM and JEM disavowed a forty-five-day agreement to seek a comprehensive solution “claiming their delegations had exceeded instructions”, which pointed out the internal crisis of the rebel groups: tensions between *Zaghawa* and *Fur/Masalit* within the SLM and, on the other hand, disagreements between the political wing of the JEM, led by Dr. Khalid Ibrahim, and Jibril ‘Abd al-Karim, his military commander accused of being in the pay of Sudan Military Intelligence (Collins, 2008: 290).

Just as what happened with the ceasefire proposed by the Chadian president Iddris Déby, the Khartoum government declined the humanitarian dialogue assisted by the Henry Dunant Institute in 2004 and, in this setting of disagreement and dispute, the African Union (AU) managed to send a total of 132 monitors protected 3000 soldiers to establish the AMIS, the African Union Mission, in Sudan (Daly 2007; as cited Langa, 2017).

Boshoff (2005: 57) says that the AMIS mission was deployed “to contribute to securing the environment for the delivery of humanitarian relief and, beyond that, the return of internally displaced persons (IDPs) and refugee” and that, by 2005, had deployed a force of 3,320 personnel: 454 military observers, 245 civilian police agents, 26 international and Ceasefire Commission members, and 1,647 soldiers from Nigeria, Rwanda, Gambia, Senegal, Kenya, South Africa and Mozambique.

On 30 July 2004, the UN Security Council adopted the resolution 1556 on the situation in Darfur. The previous resolutions were the resolution 1547 and the resolution 1502 on the access of humanitarian workers to populations in need, both adopted unanimously on 26 August 2003 and on 11 June 2004, respectively (United Nations Security Council, 2004). In the case of the resolution 1556, it was passed with 13 votes for, 0 against and the abstention of China and Pakistan, which gave the Government of Sudan thirty days to disarm the *janjaweed* militia (Totten and Markusen, 2006).

In the resolution 1556 of the United Nations Security Council (2004: 3), the Security Council welcomed the creation of the Joint Implementation Mechanism (JIM) and not only demanded the disarm of the *janjaweed* militias, but also compelled Khartoum to “bring to justice Janjaweed leaders and their associates who have incited

and carried out human rights and international humanitarian law violations and other atrocities”. Moreover, they called on the parties signing the N’Djamena Ceasefire Agreement of 8 April 2004 “to conclude a political agreement without delay” and welcomed the communiqué of the African Union Peace and Security Council held on 27 July 2004 (United Nations Security Council, 2004: 3).

The African Union had addressed to the international community through the Communiqué of the Peace and Security Council of the African Union (2014: 2) in Addis Ababa, Ethiopia, “to provide the much-needed humanitarian assistance to the civilian population affected by the crisis” as well as to bring to justice the perpetrators of the human rights violations committed in Darfur.

A month later, the international news organization *Reuters* released a press statement called ‘Sudan rejects 30-day Darfur deadline’, published on 2 August 2004 in mass media such as *Al Jazeera* (2004), in which they reported that Mustafa Usman Ismail, the Sudanese Foreign Minister, condemned the 30 days deadline demanded by the UN Security Council through the resolution 1556. The Foreign Minister told the media that Sudan would “commit to implement the agreement that it signed on 3 July with Kofi Annan” and “the joint implementation mechanism which was set up to monitor this agreement” instead (Al Jazeera, 2004).

Concerned that the Sudanese Government had “not fully met its obligations noted in resolution 1556 of the United Nations Security Council (2004) and the 3 July Joint Communiqué with the Secretary-General”, the Security Council of the UN adopted the resolution 1564 one month later, on 18 September 2004 (United Nations Security Council, 2004: 2). The Security Council called upon the government and the rebel groups to “work together under the auspices of the African Union to reach a political solution in the negotiations currently being held in Abuja under the leadership of President Obasanjo” (United Nations Security Council, 2004: 3).

In relation to the disarm of the *janjaweed* militia, the UN reiterated that the Sudanese Government should bring to justice those responsible for the human violations and submit to the African Union “the names of Janjaweed militiamen disarmed and names of those arrested for human rights abuses and violations of international humanitarian law, with regard to its performance relative to resolution 1556 (2004) and the 8 April 2004 N’Djamena ceasefire agreement” (United Nations Security Council, 2004: 3).

By February 2005, the ethnic cleansing lead by the *janjaweed* was such that the humanitarian agencies and institutions across the globe declared it a genocide. In July 2004, UN Congress approved a unanimous resolution declaring the ‘genocide’; even so, the US administration, the EU, AU, the Arab League and the Organization of the Islamic Conference were more contentious (Collins, 2008). Not even the North Atlantic Treaty Organization (NATO) intended to deploy troops in Darfur, in the words of Collins (2008).

On 30 July 2005, First Vice President Garang died in a plane crash, which, according to Brooks (2008: 420), “threw the SPLM into chaos” and made the political

parties speculate about how would the death affect to the government's unity and to the implementation of the Comprehensive Peace Agreement (CPA), signed on 9 January 2005. Furthermore, the differences within the Sudan Liberation Movement/Army became more evident during the Abuja talks. As Collins (2008: 293-294) states, the "personal rift in the SPLM/A between Minni Arku Minnawi and Abdul Wahid al Nur had now become very visible after the failure of the first Abuja talks and, did not inspire the international community to proceed with an interventionist agenda".

The two main rebel groups in Darfur, the JEM and the SLM/A started to lose control "of their well-armed followers", according to Collins (2008: 294), and as a consequence of the insecurity, the UN had withdrawn the majority of humanitarian personnel from that region by September, when the Abuja talks were not yet ended. Nevertheless, "under intense pressure from the international community and after a positive intervention by Chad", the two factions of the Sudan Liberation Army reportedly came to terms and opted to cooperate with the Justice and Equality Movement until, in January 2006, the conflict within and between the two groups erupted once again (Collins, 2008: 294).

Abuja talks and the Darfur Peace Agreement

Brooks (2008) describes the negotiations of the Abuja talks, which began in 2004, as classic integrative approach. The African Union mediators worked with the government of Sudan and the representatives of the rebel groups to reach a "resolving formula" that would be relying on the Comprehensive Peace Agreement, signed in January 2005 by the North and South of Sudan, and the Declaration of Principles which the Sudanese government and the Darfuri movements signed in July 2005 (Brooks, 2008: 415). It was difficult to implement the CPA because "by the time the CPA was signed in Nairobi, international attention had already switched to the escalating conflict in Sudan's western region of Darfur" (Daniel Large, 2001: 2).

Both the African Union and the international community convinced the Sudan Liberation Movement/Army and the Justice and Equality Movement as well as the Sudanese government to fix the 30 April 2006 as the final date to reach a peace agreement, but, as midnight on 30 April drew near, the rebels refused to sign the Darfur Peace Agreement (Collins, 2008).

In accordance with Brooks (2008), under the pressure of Robert Zoellick, Ambassador at the Cabinet of George Bush, and Olusegun Obasanjo, the President of Nigeria at that time, Minni Arku Minnawi signed the Darfur Peace Agreement on 5 May 2006, while Abdul Wahid Mohamed al Nur refused to sign. Brooks believes that the fragmentation within the rebel groups was the main reason why the Abuja talks were postponed. On the other hand, Collins (2008: 296) states that Dr. Khalil Ibrahim of the

JEM did not sign it either because the Justice and Equality Movement regarded that agreement “as only a partial, not a national, solution”.

While implementing three protocols that were finally resumed in September 2005, the mediators in the Abuja talks would pay attention to “minimize the differences between Abdul Wahid and Minnawi”, which usually centred about the leadership of the group and the mechanisms to legitimate it (Toga, 2007; as cited in Brooks, 2008: 421). Nevertheless, even though the African Union mediators put efforts in representing the three parties in the several committees of the talks, they recognized Minnawi as the delegate of the SLM (Toga, 2007; Ismail, 2008; as cited in Brooks, 2008).

As claimed by Collins (2008), after the Abuja Agreement was signed, some believed that, at least, the government and the SLM/A would end the slaughter and displacement of Darfuris and that the diplomatic pressure would persuade Abdul Wahid al-Nur in order to sign the agreement. In relation to the peace mechanisms, the attention was focused on transforming AMIS into a UN peacekeeping force. The initiative of converting it into a peacekeeping force was passed on 16 May 2006, by the Resolution 1679 of the Security Council of NU, and received the criticism of the new Sudanese Foreign Minister, Dr. Lam Akol, who argued that the monitors of the Abuja talks had not mentioned such transformation in the agreement (Collins, 2008).

More specifically, in the resolution 1679 (2006: 2), the Security Council of the United Nations requested the AU to agree with the UN, the Member States “on requirements now necessary”, both the regional and international organizations and the countries identified by the joint assessment mission of December 2005 in order to strengthen the capacity of AMIS.

Bukerman and Rice (2006) reported in *The Guardian* on 1 September 2006 that President Omar Al-Bashir expressed in May his opposition to a UN peacekeeping force, arguing that the troops would face a “graveyard” and describing the plan on several occasions as an imperialist plot. In connection with Bashir’s opposition, throughout the autumn of 2006, the President “remained unmoved in the face of the intense international pressure from Kofi Annan, the Security Council, and delegations from the United States” (Collins, 2008: 298).

A month after that resolution, on 30 June 2006, some of factions that refused to sign the Abuja Agreement —the JEM members and some SLM factions— formed the National Redemption Front (NRF) in Asmara, which, according Mariam Bibi Jooma (2006), consolidation reflected the intention of the rebel groups to achieve the demands that were not included in the peace agreement. Citing the Report of the Secretary-General on Darfur, S/2006/591, Jooma (2006: 10) reports that the new alliance admitted that they were the authors of an attack on Government positions, on 3 July 2006, in Northern Kordofan “widening the conflict beyond Darfur’s eastern border”.

After the Abuja talks, three “catastrophic legacies” dominated the Darfuri scene, in the opinion of Collins (2008: 298): the “endless and frustrating” negotiations held by

the UN and the Bashir government regarding a UN peacekeeping force; the violence by the army and *janjaweed*, on the one hand, and the NRF, on the other, as well as by the “roving bandit gangs of former Chadian and Darfuri insurgents”; and, lastly, the decline of the humanitarian assistance.

On November 2006, a high-level consultation of the African Union on the Darfur conflict at Addis Ababa “insisted that the AU’s mission in Darfur should continue” and that the AU and the UN should be the one to determine its size (Collins, 2008: 298). According to Collins (2008), this was subsequently ratified by the AU Peace and Security Council in Abuja on 30 November, which was later endorsed on 30 November by the Peace and Security Council in Abuja. In this regard as well, the President Bashir sent a letter to Kofi Annan, on 23 December, in which he said that he would support a “hybrid” force endorsed by the African Union and the United Nations (Collins, 2008).

In any case, although it may seem that the humanitarian relief was in a more advanced phase, the fighting escalated to the extent that the humanitarian personnel had to be evacuated from Darfur. Aid organizations placed in Darfur started to withdraw as a result of the violence between the *janjaweed* and combined forces of the NRF and the SLA/Group 19 —the official name of the new SLM/A— since, as reported by Collins (2008), the fighting increased when the Sudanese army and the *janjaweed* were beaten by the NRF twice and, later, fought against the combine forces at El Fasher.

As a result, as explained by Abiodun (2011: 200), the Government of Sudan did not approve until June 2007 the hybrid operation that had been formed by the United Nations and the African Union in December 2006 and the “humanitarian efforts were also heavily hampered and haphazardly conducted”.

5. INTERNAL STAKEHOLDERS

Two main rebel forces: SLM/A and JEM

The Sudan Liberation Army/Movement (SLM/A) and the Justice and Equality Movement (JEM) are the two main rebel groups fighting in Darfur, which, according to Reyna (2010), emerged in response to the *janjaweed* militia that started operating in Darfur during the Arab–Masalit conflict in the early 1980s. The first was the Darfur Liberation Front (DLF), which later became the Sudan Liberation Army, in February, and then the Justice and Equality Movement (JEM), one month later (Reyna, 2010).

As reported by Prunier (2008: 6), the two rebel groups are self-financed or receive “moderate amounts from regional sponsors” such as Chad and Eritrea. If one compares the *Justice and Equality Movement (JEM) Peace Proposal for Sudan in General and Darfur* by JEM (2005) and the *Political Declaration of SLA.SLM* by SLM/SLA (2003), can notice that both are moved by similar motivations:

Concerning the distinctions among the Sudanese territories, as expressed in their *Political Declaration*, the Sudan Liberation Movement/Army had had a favourable position regarding the unity of the State but underlined that it should be maintained as long as is “based on justice and equality for all the Sudanese peoples” (SLM/SLA, 2003). The guerrilla upholds the rights of self-determination and the free will, in a sense of “acknowledgement of Sudan’s ethnic, cultural, social and political diversity” (SLM/SLA, 2003). The Equality and Justice Movement, for its part, refers in their *Peace Proposal* to the “stability and unity of the nation” when defending the adoption of a peaceful transition of power (JEM, 2005).

In relation to the principles of human rights and democracy, the JEM (2005) indicates their commitment to human rights based on the international human rights conventions and treaties, defend the freedoms of expression, association, formation of political parties and non-governmental associations without any kind of discrimination and full basic rights for women and children; while the Sudan Liberation Movement/Army seems more conscious in this aspect and summarizes their main ideas by standing for “full realization and respect for human rights and democratic pluralism in accordance with international standards leading to equal development and the eradication of political and economic marginalization” (SLM/SLA, 2003).

As explained above, the SLM/SLA (2003) proposed a decentralized form of governance, a federal or confederal system in which different regions would govern themselves autonomously and the richness of the state should be represented by its component regions; whereas JEM (2005) opted for a federal and democratic system for the six regions of Sudan, whose participation in the central power should be consistent with the population of each territory.

For the Sudanese Liberation Movement/Army, that new system should create new democratic conditions for a “new view of the Sudanese identity based on Sudanism”, an equal and equitable distribution of power and wealth regardless of the place of origin, ethnic background and religion (SLM/SLA, 2003). Moreover, the SLM/SLA (2013) underlines that religion and politics ought not go hand in hand since religion belongs to the personal domain and politics to the public. Aware of the fact that Sudan is “multi-ethnic, multi-cultural and multi-religious”, the Justice and Equality Movement advocates a distribution of power and wealth that reflects in a positive way the unity and diversity of the country as well, and specifies that a portion of that wealth should be invested in “the development and infrastructures of war-affected regions and areas” (JEM, 2005).

Regarding the armed struggle, the SLM/A states that it is one of their “means to achieve our legitimate objectives” and see the need to form a programme of action with the other opposition armed and unarmed political groups; they appeal women to organize and find ways of supporting the groups and youth to join it (SLM/SLA, 2003). The JEM underlines the necessity of “restructuring of the armed forces in order to guarantee its national composition and orientation”, for which the enrollment for recruitment should be in line with the population of each region (JEM, 2005).

Splinter groups of the SLM/A and JEM

It is also worth noting that, since the 2006 Darfur Peace Agreement (DPA), the Sudan Liberation Movement/Army was separated into factions. According to Prunier (2008), the main faction, ‘Sudan Liberation Movement/Abdel Wahid (SLM/AW)’, is led by Abdel-Wahid Mohamed al-Nur and just like the majority of the other factions is primarily *Fur*, but there are about a dozen of SLM factions.

The main factions that were created after the signature of the DPA are: the ‘Sudan Liberation Movement/Minni Minnawi (SLM/MM)’, led by Suliman Arcua Minnawi, who was the secretary of the movement before its split; ‘Sudan Liberation Movement/Khamees (SLM/Khamees)’, led by Khamees Abdallah—who is Masalit—; ‘Sudan Liberation Movement/Ahmed Shafie (SLM/AS)’, led by a founding member of the original SLM, Ahmed Abdel Shafie; ‘Group of 19 (G19)’, formed by 19 commanders of SLM/AW; ‘Sudan Liberation Movement/Unity (SLM/Unity)’, formed by G19 and SLM/MM members; ‘Sudan Liberation Movement/Free Will (SLM/Free Will)’, led by Abdel Rahman Musa; ‘Great Sudan Liberation Movement (GSLM)’; ‘The Group for Development’ and ‘Grievances and Mother of all SLA’ (Prunier, 2008).

Apart from the Sudan Liberation Party, Prunier (2008) also describes some splinter groups of JEM, a rebel group that is almost exclusively *Zaghawa*: ‘National Movement for Reform and Development (NMRD)’, founded by Jibril Abdel Karim Bari and part of the National Redemption Front (NRF); ‘JEM-Field Revolutionary Command (JEM-FRC)’ under the lead of Mohamed Saleh Harba and finally merged with the NMRD; ‘JEM-Wing for Peace (JEM-WfP)’, led by Abdelrahim Abu-Risha; ‘Darfur

Independence Front/Army (DIF/A)', led by Mohamed Idris Azraq and characterised by being the "first movement which claims independence" of Darfur and 'JEM-Collective Leadership (JEM-CL)', under the lead of Abdallah Banda and Bahar Abugarda.

Janjaweed militia and the Sudanese Government

In the words of Flint (2009) the term 'janjaweed' is used as an insult by Arab tribes, meaning a "thief, someone who works for himself". It is thought that it is a combination of the words *jawad* (*horseman*), *Jiim* (a G3 rifle) and *jinn* (*devil*) or that it was named after a notorious robber known as Hamid 'Janjaweed' in West Darfur in the 1970s; but, according to Flint, those origins are "pure speculation" (Flint, 2009: 52).

As stated by Langa (2017), The Sudanese Government has systematically and cynically denied the atrocities committed by the *janjaweed* alluding to the traditional tribal conflict among Arab and African tribes. In contrast, Human Rights Watch denounced the cooperation of the government with the militia as well as their impunity. As exposed in the documents published by HRW, the government of Sudan not only allowed their activities in Darfur, but it allegedly provided the militia the weapons (Flint, 2009).

Even though it could be an alternative impression, the *janjaweed* militia is characterised by its heterogeneity in terms of classes and ethnic groups. There were three types of *janjaweed* members depending on their status. As explained by Flint (2009), on a privileges pyramid, the 'border guards' would be on the top; they were considered the elite because they received a salary and have military IDs. The next would be the 'PDF', who would not have a salary, but a reward for every operation as well as uniforms, guns ammunition and food. In the lowest section, the '*mustanfareen*' (reserves) were given nothing but uniforms and, besides, were recruited by force; if they refused they would be put in jail or fined five camels (Flint, 2009).

Regarding the ethnicities within the militia, while the *janjaweed* is often described as an Arab group, some authors call that framing into question. De Waal (2007: 1040) explains that, at first, the Arab tribes remained outside the conflict until 2003 when the rebel groups "took the war to the east and south of Darfur"; he refers to the *janjaweed* as the main government proxy from a Darfur segment of camel-herding Arab tribes and Arab immigrants from Chad.

The fact that the *janjaweed* militia emanated from a mainly Arab territory does not mean that there were no other ethnicities among the militiamen. Willemsse (2005: 15) states that the *janjaweed* are usually portrayed as Arab nomads who have been armed by the government of Sudan and indicates that the strategy of recruiting Arab nomads was applied in consecutive regimens in the civil war; the author reports, nonetheless, that "it is not clear whether the Janjawiid are ethnically homogeneous, or include young men from diverse ethnic backgrounds." According to Flint (2009: 23), the first "irregulars" to be

accepted in the training camps at El Fasher formed a mixed group with “included several hundred members of the Tunjur tribe from the Kutum area”, a tribe which is “closely related” to the *Fur*.

If the *janjaweed* had to be represented by one person, that would be Musa Hilal, the leader of the militia. The name of Hilal headed the list of suspected war criminals of the US administration (De Waal, 2004). On 25 April 2006, Musa Hilal Abdalla Alnsiem was listed in the sanctions list of the UN Security Council Committee because of suspicion of international humanitarian and human rights law violations and other atrocities, since he was allegedly linked to the attacks in Aro Sharrow, Acho, and Gozmena in West Darfur (United Nations Security Council, 2018). Nonetheless, it is remarkable that he is not persecuted by the International Criminal Court.

As reported by *BBC* (2017), Musa Hilal was arrested by the Sudanese authorities on 27 November 2017 after fighting with the Sudanese forces near his hometown in North Darfur. Hilal was released from by the government of Sudan when the conflict erupted in 2003 “with the purpose to mobilise Darfuri Arab herders to fight the insurgency in the region” (Radio Dabanga, 2018a).

Hilal had been appointed as President Assistant for Federal Affairs in 2008 and was part of the National Congress Party (NCP) until he announced departure from the Party in 2014 to establish a new political movement: the Sudanese Revolutionary Awakening Council (Radio Dabanga, 2018b).

In the words of Ahmed Mohamed Babiker, the official spokesperson of the new movement, the commitments of the Revolutionary Awakening Council were: “securing human rights, power and wealth sharing, development and settling down of nomadic tribes, compensating victims of the armed conflict, reconciliation among Darfur tribes, dialogue, and legalizing status of Arab militias within a framework of security arrangements” (Sudan Tribune, 2014).

6. VIOLENCE IN DARFUR

The Darfurian conflict is thus characterised by international human rights law and international humanitarian law violations, by both the government militia and the rebel groups. Indeed, the Sudanese Government and their sponsored militia, the *janjaweed*, have been accused of genocide, war crimes and crimes against humanity by the International Criminal Court (International Criminal Court, 2005a).

Collins (2008) explains that the pattern of destruction by the *janjaweed* was the same: they raped women, killed men and kidnapped or killed children. The *janjaweed* burnt the villages, seized the livestock, torched the fields and destroyed the infrastructure scheme “to drive the African population from their ancestral land”, which the author defines as “ethnic cleansing for Arab colonization” (Collins, 2008: 289).

In concordance with the data presented by Caddick (2015), approximately 300,000 people died due to the hostilities or the starvation and diseases caused throughout the conflict; while more than 2.5 million people had been forcing displaced and, as a consequence, they had to live in IDP camps. Just in 2014, more than 400,000 were displaced from Darfur (Caddick, 2015).

Only during the first two years of conflict, from 2003 until the end of September 2005, 1,624 villages were destroyed in Darfur and 200,000 people fled from Darfur to Chad, and, by April 2005, 1,965,858 were displaced and 396,593 were directly or indirectly killed as a result of the conflict (Guha-Sapir & Degomme, 2005; Coalition for International Justice, 2005; as cited in Petersen and Tullin, 2006).

According to the estimation made by Petersen and Tullin (2006), and based on 178 witness’ statements and reports on the attacks 372 villages from January 2001 until September 2005, the 3% of the attacks were conducted by the rebel groups SLA and JEM; while the rest were committed by the *janjaweed*, the government forces or a combined force of the two previous ones.

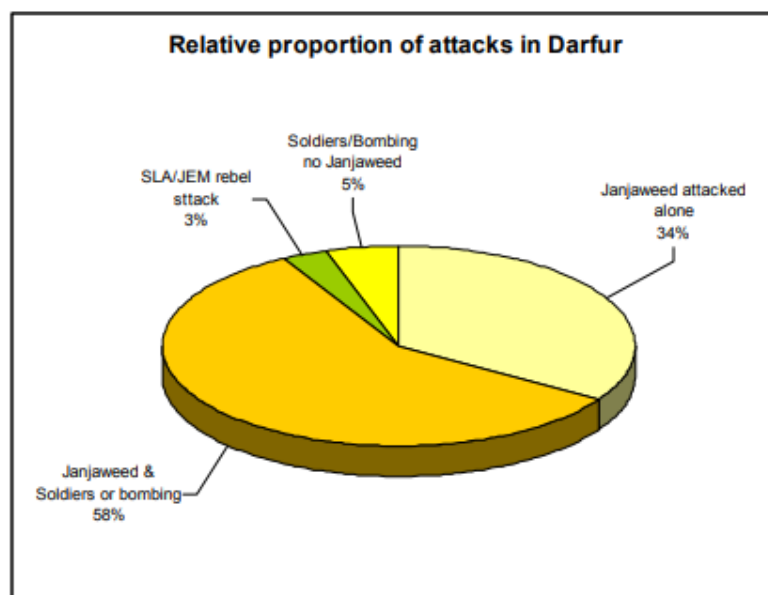


Figure 1. Relative proportion of attacks on villages in Darfur committed by the different armed groups operating in the area.

Source: Petersen and Tullin (2006)

As documented in a medical report based on the medical records from 325 patients at the Amel Centre for Treatment and Rehabilitation of Victims of Torture (Nyala, South Darfur) from 28 September 2004 until 31 December 2006, the 89,8% of the patients from twelve non-Arabic-speaking tribes declared had been attacked by the Sudanese Government and/or the *janjaweed* militias. Among the asserted abuses, the 49.5% of the patients reported beatings, the 43.1% gunshot wounds, the 37.2% destruction or theft of property, the 29.9% involuntary detentions, the 9.7% being bound and 49.3% of women being sexually assaulted (Tsai et al., 2012).

One may wonder what the international assistance could do to face the constant violation of human rights and to assist the victims. Physicians for Human Rights indicates that, according to the UN, about 85% of the 900,000 people affected by the conflict in Darfur could not access to humanitarian aid due to insecurity. On the other hand, *Médecins sans Frontières* denounced exposed in January 2004 that the IDP camps were located in unsafe areas, difficult to access by humanitarian workers, and with no shelter, food, nor sufficient access to water and latrines (Physicians for Human Rights, 2006).

Moreover, in some cases, humanitarian workers were not welcomed by the government. As stated by Caddick (2015), *Radio Dabanga*, an independent Darfuri news channel, reported that when more than 200 women, adults and girls, had been raped allegedly by Sudanese government forces in Tabit (North Darfur) the government denied the access to all the NGOs that wanted to investigate the claims but to UNAMID.

In some other cases, according to Amnesty International (2004b: 5), the IDP camps in Darfur didn't accept food or other aid items because "that would make them the

target of further attacks by government sponsored militia”. For this reason, Amnesty International (2014b: 5) claimed that the delivery of aid should be “accompanied by robust measures to protect civilians, so as not to increase the vulnerability they already experience as a result of their displacement”.

Race-based attacks, ethnic cleansing

In general terms, the Darfurian tribes can be divided into two categories according to their ethnic identity: the Arab tribes, in one hand, and the African identity tribes, in the other hand. In Darfur, the three general African identity tribes are the *Fur*, the *Zaghawa*, and the *Masalit*, while the *Rizeigat* is the dominant Arab tribe; and, although there might be some noticeable variation in skin tones, all of them are black (Christian, 2013). Moreover, they all share the Islam and, even though some tribes have their own language, the most common language is the Arabic (United Nations Secretary-General, 2005).

According to the United Nations Secretary-General (2005), the large majority of the victims in the Darfur Crisis have been from the *Fur*, *Zaghawa*, *Masalit*, *Jebel*, *Aranga* and some other tribes, all of them considered ‘African’ tribes. As explained later in this thesis, even though the ethnic differences are minimal, the victims were usually called by racial epithets according to the United Nations High Commissioner for Human Rights (2005).

As reported in ‘Access to Justice for Victims of Sexual Violence’ by the United Nations High Commissioner for Human Rights (2005: 38), the victims were called by racial epithets such as “slaves”, “Blacks” and “Nuba”, the name of a Nilotic person who lives in southern Kordofan “or other insults related to race, tribe and ethnicity”.

Based on the Article 6 of the Rome Statute of the International Criminal Court (ICC), the term “genocide” means “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group”, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group and forcibly transferring children of the group to another group (International Criminal Court, 1998: 3).

In concordance with the Article 258 (e), ‘Individual criminal responsibility’, of the Rome Statute, one person shall be “criminally responsible and liable for punishment for a crime within the jurisdiction of the Court” if, in respect of crime of genocide, they incite others directly and publicly to commit it (International Criminal Court, 1998: 14). The International Criminal Court (2005a) stated that, even though Sudan is not a State Party, the conflict was referred to them by the UN through the Resolution 1593 and, therefore, the ICC might exercise its jurisdiction whereby Bashir was the first President to be wanted and be charged for the crime of genocide.

The Sudanese Government officials, *janjaweed* and Resistance Front leaders are in charge of genocide, war crimes and crimes against humanity according to the ICC investigation that was opened in June 2005. In relation to genocide, the specifications are killing, causing either bodily or mental serious harm and intentionally inflicting on the conditions of life each target group in order to trigger the physical destruction of the group (International Criminal Court, 2005a).

International debate on the term genocide

The ethnic cleansing was “so widespread and consistent” that it began to be called “genocide” by the humanitarian agencies but, by contrast, the UN, EU, AU, Arab League, Organization of the Islamic Conference, and US administration appeared more “restrained”, according to Collins (2008: 292).

As stated in the fact sheet ‘The United Nations and Darfur’, published by the Peace and Security Section of the United Nations Department of Public Information (2007: 4), Commission of Inquiry announced by the Secretary-General of the UN on 7 October 2004 concluded that the Sudanese Government “had not pursued a policy of genocide”, but the militias and the force of that government had “conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement.”

As explained in the Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General pursuant to Security Council Resolution 1564 of 18 September 2004 as well, the Commission found that forces and militias of Khartoum “conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement, throughout Darfur” and, as they were committed on a widespread and systematic basis, they “may amount to crimes against humanity” (UNSC, 2005: 3). That is to say, United Nations didn’t clearly frame it as a genocide but as crimes against humanity.

Hagan, Rymond-Richmond and Parker (2005: 528) claim that if the crimes conducted in Darfur are considered a crime against humanity instead of a genocide “probably mean less in the collective memory than would a legal determination of genocide” and emphasize that genocides are crimes against humanity, “but not all crimes of humanity are elevated to the symbolic significance of genocide.”

Dehumanization racial epithets

Hagan and Rymond-Richmond (2008: 877) define dehumanization as a mechanism that “imposes degrading attributes on both individuals and entire groups for

purposes of massive group destruction,” which, according to the authors, is a defining feature of a genocide. In the case of Darfur genocide, the dehumanization implied racial epithets such as “you are slaves, kill the slaves” and “this is the last day for blacks”, according to the survey interviews on black African villages conducted by Hagan and Rymond-Richmond (2008: 876).

As reported in ‘Access to Justice for Victims of Sexual Violence’ by the United Nations High Commissioner for Human Rights (2005: 38), the victims were called by racial epithets such as “slaves”, “Blacks” and “Nuba”, the name of a Nilotic person who lives in southern Kordofan “or other insults related to race, tribe and ethnicity”. A *janjaweed* defector interviewed in the documentary *The Devil Came on Horseback* (2007) states that, when they are given the orders to attack a village, the slogans are “Kill the slaves, kill the slaves”.

Sarah Martin (2007), an expert on peacekeeping and sexual exploitation who has worked for Refugees International, reported that those derogatory epithets were uttered in rape cases as well in threatening phrases such as “We are making you a lighter baby”. Those racist remarks and threats are evidences of how “the rapes were racially motivated” (Martin, 2007: 3).

Rape as a war strategy

“Unfortunately, the unacceptable reality is that today it is still largely ‘cost-free’ to rape a woman, child or man in conflict. Sexual violence has been used through the ages precisely because it is such a cheap and devastating weapon,” said Zainab Hawa Bangura, the UN Special Representative of the Secretary-General on Sexual Violence in Conflict, according to the United Nations (2004). As stated in the press release published on 25 April 2014, Bangura made those statements while reporting of wartime rape and other forms of sexual violence in conflicts in an open debate in the Security Council, in which she criticised that rapists are never brought to justice (United Nations, 2004).

Martin (2007: 1) claims that the rapes were used as strategy by the Sudanese government and the *janjaweed* in Darfur “in their brutal counter-insurgency campaign”. Amnesty International (2004b: 10) reports in ‘Sudan, Darfur Rape as a weapon of war Sexual violence and its consequences’ that violence against women in Darfur occurred in a context of “systematic human rights violations against civilians” since the violations that the *janjaweed* and the Sudanese army perpetrate targeted men, women and children.

The stigma against rape is especially strong in Darfur because it is a mainly Muslim area, as stated by Martin (2007) in ‘Ending Sexual Violence in Darfur: an advocacy agenda’. In concordance with the mentioned report, in most of the rape cases the victims were kept alive and sent back to their communities “often pregnant and literally scarred to mark them as raped” as an intent of breaking down the Darfuri culture and polluting the population (Martin, 2007: 2).

Rape victims and perpetrators

In concordance with the United Nations High Commissioner for Human Rights (2005), the rapists were either members of the Sudanese armed forces, law enforcement agencies or pro-Government militia in the large majority of the times when they were identified. The OHCHR condemns in the report that “the Government appears either unable or unwilling to hold them accountable” since, to that date, the rapists had not been taken to court, a fact that goes along with testimony of Bangura mentioned above (United Nations High Commissioner for Human Rights, 2005: 2).

Regarding the victims of rape, the United Nations High Commissioner for Human Rights (2005) describes the pattern of sexual violence as different in every region of Darfur; however, in most of the cases documented by the high reliability organizations in their monitoring activities, the victims were women and girls living in IDPs, camps for internally displaced people. According to the information provided in the report, in many cases, the rapes occurred when the victims had gone to collect firewood or grass or were travelling to a major town in Darfur to another, and they were gang-raped (United Nations High Commissioner for Human Rights, 2005).

In *The Devil Came on Horseback* (2007), a documentary film by Ricki Stern and Anne Sundberg, the same scene is described: women had to walk to gather firewood because there’s very little wood in and around the camps, and because the men who would leave the camps were in risk of being castrated or killed. That Friday, a holy ‘day of rest’ in Sudan, is the worst day since “all the policemen gather around” and there is “less traffic to protect the women”, and, for this reason, young girls are kept out of school on Thursday so that they can collect wood (Martin, 2007: 5).

As documented in the previously mentioned report ‘Medical Evidence of Human Rights Violations against Non-Arabic-Speaking Civilians in Darfur: A Cross-Sectional Study’, one-half of the recorded assaults, alleged by 325 patients at the Nyala-based Amel Centre for Treatment and Rehabilitation of Victims of Torture from 28 September 2004 until 31 December 2006, took place in close proximity to IDP camps, 25% in the general vicinity of the camps and other 25% within 3 km of the camps (Tsai et al., 2012).

Legal status of sexual violence in Darfur

Sudan adopted in February 2015 various amendments to the 1991 Criminal Act that changed the definition of the (Article 149) from a “sexual intercourse, by way of adultery or sodomy, with any person without his consent” (African Centre For Justice and Peace Studies, 2016: 3) to a “sexual contact by way of penetrating any part of the body or any object into the vagina or anus of the victim” in the following circumstances: when force, intimidation, or coercion is used; when there is a fear the use of violence, detention, psychological persecution, temptation, or abuse of power against the victim or other

people; or when is committed against a someone “incapable of expressing consent because of natural causes or luring-related or related to age” (African Centre For Justice and Peace Studies, 2016: 4).

Before the change of law, rape was punished with 100 lashes and imprisonment for a term not more than 10 years, but, if the rape involved a case of adultery or sodomy, it was punishable by death (African Centre For Justice and Peace Studies, 2016: 5). Nevertheless, if the pregnant woman could not prove the rape, she could be under indictment for the capital crime of adultery, according to the United Nations High Commissioner for Human Rights (2005).

Furthermore, the United Nations High Commissioner for Human Rights (2005) reported that many women refused to report the cases due to the fear of reprisals or discouragement of not being redressed and that, in some cases, rapes were not vigorously investigated by the Police, the treatment of the authorities was intimidating and confidential medical assistance was denied.

On the other hand, as mentioned by the African Centre For Justice and Peace Studies (2016), the removal of “adultery” from the old definition can be interpreted that marital rape can be now prosecuted by the Sudanese law and, thus, it was not punished during the most violent years of the conflict. Nevertheless, it can be criticised that, by referring to “penetrating any part of the body or any object into the vagina or anus” the new definition doesn’t address the oral rape as a form of rape and that the issue of consent and age are not clear (African Centre For Justice and Peace Studies, 2016: 4).

7. INTERNATIONAL BODIES’ RESPONSES

African Union and United Nations

The first global body that attempted to face the Darfur conflict was the African Union (AU) through the Peace and Security Council (PSC), which “institutionalised the doctrine of humanitarian intervention”; lead by Alpha Oumar Konaré at the time, the AU intervened in the negotiation of the April 2004 Humanitarian Peace Agreement and intensified the AMIS, African Union Mission in Sudan (Verhoeven, Soares de Oliveira and Jaganathan, 2015: 23).

African solutions to African problems. Foreign actors such as the European Union and the US administration wanted the UN to take the lead in the Darfur crisis. On the other hand, African leaders were more favourable to the idea of the African Union leading those operations (Verhoeven, Soares de Oliveira & Jaganathan, 2015). The underlying argument behind such is that “local initiatives are assumed to work more effectively than foreign or imported strategies that tend to ignore the local culture and realities”, according to Mansaray (2009: 36).

As stated by Boshoff (2010: 57), AMIS was deployed in Darfur in order to “monitor and observe compliance with the Humanitarian Ceasefire Agreement of 8 April 2004 and assist in the process of confidence building”, but, at the same time, it pursued some other goals such as securing the environment for the humanitarian aid and ensuring that the internally displaced persons and refugees can return to their homes.

Nevertheless, the deployment of AMIS was not as successful as expected due to a number of factors such as “the restricted mandate of AMIS, piecemeal cooperation of the Sudanese government, rebel activities, lack of adequate logistics and political divisions within the AU itself”; which exposed the limitations of the African Union as well as the fault lines within the global system (Mansaray, 2009: 37). Under the N’Djamena agreement —2004 Darfur Peace Agreement—, the mission should have been “consolidated by a stronger mandate, a more realistic concept of operations, larger numbers and better logistics, and better finance” (De Waal, 2007: 1041).

International Criminal Court

If the African countries opted for the African Union and some Western countries opted for the United Nations to intervene to establish the peace in Darfur, some European countries went for a third institution to approach the conflict: The International Criminal Court (Verhoeven, Soares de Oliveira and Jaganathan, 2015). With the Resolution 1593, the Security Council of the UN referred the crisis in Darfur to the Prosecutor of the ICC with 11 votes in favour of the resolution, 0 against and the abstention of Algeria, Brazil, China and United States (United Nations Security Council, 2005).

In short, the ICC investigations in Darfur opened in June 2005 and has worked on several cases whose suspects are officials of the Sudanese Government, *janjaweed* leaders as well as leaders of the Resistance Front allegedly involved in charges of genocide, war crimes and crimes against humanity (International Criminal Court, 2005a). In the words of De Waal (2007: 1042), “there was no recent precedent for the UNSC deciding to pursue justice in advance of any workable peace process”; therefore, the crisis in Darfur got a special attention.

Under the international law, the ICC members are required to cooperate with this global institution but, under the article 98 of the *Rome Statute* of the International Criminal Court (1998), ‘Cooperation with respect to waiver of immunity and consent to surrender’, there are two cases in which State members are excluded of cooperating: when the requested state has to act inconsistently with the international law with respect to the immunity of a state, the diplomatic immunity of a person or the property of a third state (98.1), and when the member state would violate a binding agreement that had signed before with another state if they cooperate with the ICC (98.2).

1. The Court may not proceed with a request for surrender or assistance which would require the requested State to act inconsistently with its obligations under the international law with respect to the State or diplomatic immunity of a person

or property of a third State, unless the Court can first obtain the cooperation of that third State for the waiver of the immunity (International Criminal Court, 1998: 48).

2. The Court may not proceed with a request for surrender which would require the requested State to act inconsistently with its obligations under international agreements pursuant to which the consent of a sending State is required to surrender a person of that State to the Court, unless the Court can first obtain the cooperation of the sending State for the giving of consent for the surrender (International Criminal Court, 1998: 48).

Since President Bashir was issued by the ICC on 4 March 2009, the president has travelled to neighbouring countries on more than one occasion. On July 21 2010, a few days after Bashir got the second warrant for arrest by the ICC on 12 July 2010 (International Criminal Court, 2009), Omar al-Bashir travelled to Chad a member of ICC and, despite the pressure of the ICC, the EU, Human Rights Watch and Amnesty International, Chad refused to arrest the president (Clarke, 2010; as cited in Barnes, 2011).

The same happened on 28 August 2010 when the Kenyan Government stated that they would not arrest the president “because it would have been detrimental to the Sudanese peace process” (Borger, 2010; as cited in Barnes, 2011: 1610). Moreover, the African Union members —Chad and Kenya, among others— were instructed by the AU not to arrest al-Bashir. As a response, the International Criminal Court decided to inform the Security Council of the United Nations and the Assembly of State Parties, but the president visited to ICC member countries again in 2011 without any consequence; he travelled to Djibouti on 8 May 2011 and Chad on 7 August 2011 (Borger, 2010 and Clarke, 2010; as cited in Barnes, 2011).

US administration

Clinton administration officials, College students, Holocaust Survivors, Deep South Churches, African-American civil society and even Hollywood grandees joined the Save Darfur Coalition (SDC) on the basis that the situation in Darfur reached the magnitude of previous genocidal process, an argument to end the conflict, and framed it as ‘the new Rwanda’ (Verhoeven, Soares de Oliveira and Jaganathan, 2015).

Save Darfur Coalition is famous for its campaign during the Beijing Olympics in 2008. As explain by Budabin (2009), when the US failed to convince the global community to intervene in Darfur, the advocates tried to denounce China’s army supplies by branding the Beijing Games as the ‘Genocide Olympics’. In fact, as reported in BCC’s *Panorama: China's Secret War* (2008), about 130 athletes wrote a letter calling for a truce in Darfur.

In the opinion of Mansaray (2009: 36), although the genocide in Rwanda reach the 800,000 deaths in 1994 “under the watch of the international community”, labelling

the Darfur conflict as a promise of ‘never again’ is a “cliché that holds little value to the thousands of victims in Darfur”; since Darfurian people were being killed while the rest of the world was debating which label fit the crisis the better.

In relation to the position of the administration, the first politician to label the crisis of Darfur as a genocide was the Secretary of State Colin Powell before the Senate Foreign Relations Committee in Washington D.C. on 9 September 2004 (Collins, 2008). The Bush administration was reluctant to frame it as such because they were focused on Iraq and Afghanistan and, therefore, defended the “African solutions to African problems” idea; however, when AMIS started to be seen as an inadequate peacekeeping mission by Western countries, the US administration was one of the states to insist that the African Union force should be replaced by a better resourced United Nations mission (Verhoeven, Soares de Oliveira and Jaganathan, 2015).

In accordance to the information published on the US Department of State (2015), the US administration participated in 2005 Comprehensive Peace Agreement (CPA) and supports the international efforts of the African Union. Regarding the US policies in Sudan, they are focused on “achieving a definitive end to gross human rights abuses and conflicts, including in Darfur, Blue Nile and Southern Kordofan”. One of their aims is to ensure that “Sudan does not provide a safe haven for international terrorists”; which is related to the fact that in 1993 Sudan was designated as a ‘state sponsor of terrorism’ (U.S. Department of State, 2015).

China, Russia and the Arab league

As reported by Verhoeven, Soares de Oliveira and Jaganathan (2015), unlike other countries which condemned the Sudanese Government for perpetrating atrocities in Darfur, the Arab League and the Russian Federation claimed that the violence was more complex than the narrative that presented the Arab militias as perpetrators and the African civilians and rebels as victims; for that reason, when addressing this conflict, they were in favour of a peace-building process instead of an intervention. Nevertheless, Beijing and Moscow stated that the United Nations “was the right forum to handle the Darfur conflict” if the Government of Sudan and the African Union felt overwhelmed (Verhoeven, Soares de Oliveira and Jaganathan, 2015: 27).

According to Human Rights Watch (2008b), both China and Russia have supported the Government of Sudan because they share ideological commitments such as non-interference in internal affairs, but also for economic interest. China “imports between 4-7 percent of its oil from Sudan” and, furthermore, the Sudanese Government trades military supplies with China, Russia, Belarus and Ukraine, among other countries (Human Rights Watch, 2008b).

In practice, there were contradictions between principles of non-interference, mutual respect and mutual benefit adopted by China and the impact of those in wartime,

but the President Bashir has claimed, in more than one occasion, that China has been a true friend of Sudan, referring to the fulfilment of those three principles (Large, 2008).

In *Panorama: China's Secret War* (2008), the reporter shows a number of trucks that were imported from China to Darfur the 2005 UN arms embargo that forbids those kind of transfers and considers them a “ first categorical proof” of the arms embargo violation by China. As reported by Hilary Andersson (2008) in *BBC News*, the TV programme not only found imported lorries from China, but the communication media was told that the Asiatic country was pilots who would pilot Chinese A5 Fantan fighter jets in Darfur.

On the other hand, when the United Nations Security Council voted in April 2006 for targeted sanctions, such as banning travels and freezing their foreign banks, on a former Sudanese military commander, a *janjaweed* militia leader and two rebel commanders, the UN Sanctions Committee failed the sanctions because China, Russia and Qatar objected (Human Rights Watch, 2008).

8. PRESENT DAYS (2007-2019)

One may think that after the Sudanese Government passed in June 2007 the hybrid operation formed by the United Nations and the African Union in December 2006, the conduct of Khartoum would be less repressive in favour of peace and stability. On the contrary, the government of Sudan perpetrated massive air strikes on different areas of the three Darfur states that supposedly were controlled by rebel forces and their militias committed large scale attacks on villages in 2007 and 2008 and, meanwhile, forces linked to SLA-Minni Minawi, who had signed as well the Darfur Peace Agreement in 2006, carried out abuses against civilians in North Darfur (Loeb et al., 2010).

According to Human Rights Watch (2008b) and the other authors of 'Darfuriian Voices', the *janjaweed* were incorporated into Border Intelligence, Popular Defence Forces and Central Reserve Police and other "official" government security forces' over 2008 and 2009; nonetheless, some members of the militia conducted outbreaks of violence in El Fasher in April 2008, resulting in 15 deaths, while some other changed sides and joined the rebel groups because of the lack of payments. In fact, Mohamed Hamdan, leader of the *janjaweed* militia, "briefly made an alliance with both the SLA and JEM, before reaching a new agreement with the government." (Human Rights Watch, 2008b).

International Criminal Court's arrest warrants

One significant date for Darfurians and the international community was 14 July 2008, when the ICC Prosecutor Luis Moreno-Ocampo presented in The Hague evidences of the criminal responsibility of President Omar Hassan Ahmad al-Bashir in relation to 10 counts of genocide, crimes against humanity and war crimes. As said by the Prosecutor, Bashir implemented a plan to destroy in considerable part the *Fur*, *Masalit* and *Zaghawa* groups by reason of their ethnicity; he first tried to defeat the rebel armed groups and, after, he pursued the civilians (International Criminal Court, 2008). Those evidences were exposed three years after the UN referred the case to the ICC through the United Nations Security Council Resolution 1593; a resolution adopted by 11 in favour and four abstentions: Algeria, Brazil, China and United States (United Nations Security Council, 2005).

The following year, on 4 March 2009, the ICC published the 'Decision on the Prosecution's Application for a Warrant of Arrest against Omar Hassan Ahmad al-Bashir for the alleged responsibility of the President of Sudan for crimes against humanity and war crimes under article 25(3) (a). Concretely, he was accused of taking part in hostilities, pillage, murder, extermination, rape, torture and forcible transfer as crimes against humanity, within the meaning of articles 8(2)(e)(i), 8(2)(e)(v), 7(1)(a), 7(1)(b), 7(1)(g), 7(1)(f) and 7(1)(d) of the Rome Statute, respectively (International Criminal Court, 2009).

Although the State of Sudan is not a party to the Rome Statute, the Pre-trial Chamber I of the International Criminal Court “emphasises that the State of Sudan has the obligation to fully cooperate with the Court”, as stated in the Decision. In agreement with the Resolution 1593, the Chamber considers it is an obligation of the Government of Sudan to “cooperate fully with and provide any necessary assistance to the Court”, over any other that Khartoum may have signed or accepted through any other international agreement (International Criminal Court, 2009).

As a response to the arrest warrant against President Omar al-Bashir by the International Criminal Court, Higginbotham (2013) explains that the Justice and Equality Movement retired from the Doha peace talks —between the JEM and the Sudanese Government— hosted by the Government of Qatar and mediated by the AU/UN Joint Mediation Support Team. The negotiations between the two factions were restarted again in early 2010, resulting in the signature of “a framework agreement in February 2010 that pledged power- and wealth-sharing, restitution for victims, a two-month ceasefire, and the release of JEM prisoners”, but JEM withdrew from all negotiations in June, according to Higginbotham (2013).

Based on data from 542 villages in southwestern Darfur (about 786,000 civilians), Olsson (2010) reported that, to the date, the total population had diminished by about 25 percent; the civilian population from the three rebel tribes —*Fur*, *Zaghawa*, and *Masalit*— decreased by 57 percent, while the Arab and other African tribes that didn’t belong to rebel groups increased. As described by Olsson (2010: 387), those ‘non rebel’ groups settled in peripheral villages “with relatively good soils and access to water and where many rebel tribe households have been displaced.”

Doha Document for Peace in Darfur

January 2011 began with the referendum to determine whether South Sudan should separate from the rest of the country. On 7 February 2011, the results showed that South Sudan voted to secede from the north, in fact, the 98.83 percent voted for the independence, as reported by McDoom (2011) in *Reuters*. Five days after the new nation was proclaimed, on 14 July, a decisive agreement was signed in North Sudan: the Doha Document for Peace in Darfur (DDPD), more known as the Darfur Peace Agreement. The agreement signed by the Sudanese Government and the Liberation and Justice Movement became the “framework for the comprehensive peace process in Darfur” in terms of power and wealth sharing, human rights, justice and reconciliation, compensation and return, and internal dialogue among other aspects (United Nations Security Council, 2011).

As explained before, the Justice and Equality Movement (JEM) abandoned the negotiations before and refused to sign, but the JEM was not the only rebel group that did not sign this second peace agreement that would reaffirm the clauses stipulated in Abuja in 2006. The SLA-AW, the faction of the Sudan Liberation Army led by Abdul Wahid al

Nur refused to negotiate time and again since 2006; while the only movement to sign the DPA in 2006, the SLA-MM, led by Minni Minnawi, returned to rebellion in late 2010 (Tubiana, 2013).

The year 2011 ended with the Government forces killing Khalil Ibrahim, rebel leader of JEM, on 25 December. As reported in *Sudan Tribune* (2011), the JEM leader was injured in North Kordofan State, in clashes between the Sudanese Armed Forces (SAF) and his forces, on road to South Sudan. The spokesman of JEM, Gibreel Adam Bilal, denied to *Sudan Tribune* (2011) the allegations of Osmar Kibir, North Darfur's governor, who stated that JEM's forces had attacked around 20 villages in that area.

Ibrahim had returned to Darfur from Libya after being in exile from May 2010, when "his group boycotted peace talks with the Sudanese government in Doha" (*Sudan Tribune*, 2011). *Radio Dabanga* (2011) published an interview in which Ibrahim told the media that he was being treated as a political prisoner in Libya, trapped "in a room in Tripoli for more than a year", and that the security services and the intelligence of Sudan persecuted him in order to kidnap him.

As reported by Mark Tran (2012) in *The Guardian*, the situation in Darfur was persecuted by the tension between North and South Sudan since the Darfur rebel groups became allies with the rebels of the Blue Nile and South Kordofan and, on the other hand, North Sudan accused the Southern State of supporting the rebel groups. Nevertheless, according to the British newspaper, UNAMID said that about 178,000 people had returned to West Darfur from January 2011 until March 2012, "which wouldn't have happened if security hadn't improved" (Tran, 2012).

The situation in the rest of the Darfur areas, nonetheless, was not improving. In June 2013, more than 100,000 people had to flee from the Jebel Amir area of North Darfur due to the emerging violence between the Abbala —camel shepherds— and Beni Hussein —cattle shepherds— tribes (UN News Service, 2013). Amnesty International (2013) described in their annual report that the conflict continued in in Darfur, Southern Kordofan and Blue Nile states.

Arrest warrants filed by the ICC

With the regard to international justice, Amnesty International (2013) denounced that the Government of Sudan "remained uncooperative" with the arrest warrants of the ICC against President al-Bashir in 2009 and 2010, Ahmed Haroun, Governor of Southern Kordofan, and the former *janjaweed* militia leader Ali Muhammad Ali Abd-Al-Rahman, both in 2007. On 1 March, another warrant arrest was issued by the ICC in Darfur; on this occasion against Abdel Raheem Muhammad Hussein, the current Governor of Khartoum

State who was the Minister of National Defense at that time, for 41 counts of crimes against humanity and war crimes apparently committed in Darfur (Amnesty International, 2013).

One year after that the International Criminal Court issued that last warrant arrest, on 12 December 2014, ICC prosecutor Fatou Bensouda suspended her investigations into war crimes in Darfur as a consequence of the lack of action and support by the UN Security Council; according to analysts, an action is “unlikely because China—which wields a veto—has traditionally supported Sudan” (BBC, 2014). In accordance with Human Rights Watch (2016), President Bashir announced the resumption of “Operation Decisive Summer”, a military campaign led by the Rapid Support Forces (RSF) that began in February 2014 against armed rebel groups in Darfur.

Four more years as the head of the Government

On 27 April 2015, Omar al-Bashir extended his 26-year presidency with 94.5% of the votes, as covered by David Smith (2015) in *The Guardian*, “boycotted by major opposition parties and denounced by western governments as lacking credibility”; and the US, Britain and Norway criticised Khartoum for its “failure to create a free, fair and conducive elections environment”. According to Human Rights Watch (2016), 2015 was marked by the ongoing “violent intercommunal fighting”, especially in South Darfur.

Amnesty International (2016) reported in September 2016 that “evidence strongly suggests that Sudanese government forces repeatedly used chemical weapons during attacks in Jebel Marra.” To reach that conclusion, the London-based non-governmental organization interviewed 52 survivors of the alleged attacks by government forces in Jebel Marra (West Darfur) from January until September 2016 and consulted two chemical weapons experts (Amnesty International, 2016).

Another controversial fact at the time was the ‘2016 Darfurian status referendum’ held on 11-13 April to determine the administrative status of the region; a referendum whose completion had been agreed in the Doha Document for Peace in Darfur. The Commission announced that the ‘five states option’ won with 98 percent (3,081,976) of the votes over the option to unify the states and, thus, the North Sudanese government announced that ‘Darfur Regional Authority’ would not be extended. The referendum was a subject of controversy due to its rejection of displaced and refugees, civil society organisations, armed movements, and political forces from Darfur (Radio Dabanga, 2016).

Current years: the fall of the Omar al-Bashir regime

An event that one can underline about the is that the US permanently lifted a range of sanctions and an economic imposed to Sudanese Government embargo in October 2017, arguing that the African Union had started to address concerns about the human rights abuses and terrorism committed in Darfur (Morello, 2017). The strategy of the Trump administration changed from relying on sanctions to encouraging changes and responds to geopolitical factors such as the aim of diplomatically isolating North Korea, by enlisting Sudan, and the fact that Israel and Saudi Arabia had urged the US to encourage Sudan in order to distance it from Iran, in the words of Carol Morello (2017) in *The Washington Post*.

However, the present situation is conditioned with the result of the protest that broke out against Bashir in the north east of the State in December 2018 over the hike in bred prices. As explained by *France 24* (2019), the wave of protest erupted on 19 December in central Atbara (northeastern Sudan), where protesters said “no to hunger” and set fire the National Congress Party (NCP) headquarters, and it was spread to other cities such as Khartoum to call on the army for support. Curiously, Sadiq al-Mahdi, the main opposition leader and last democratically elected prime minister, returned to Darfur after almost a year in self-imposed exile and gave a public speech in Khartoum, as covered by Khalid Abdelaziz (2018) in *Reuters*.

At the start of the month, on 4 December, the Parliament of North Sudan adopted one amendment that extended the presidential term limits and, in consequence, Bashir could stand for the 2020 elections. Five days later, the Justice and Equality Movement and Sudan Liberation Movement/Minni Minnawi (SLM/MM) signed a pre-negotiation agreement with the Sudanese government (International Crisis Group, 2018). Meanwhile, between 9 and 12 December, the African Union High-Level Implementation Panel (AUHIP) set the peace roadmap amendments consultations in Addis Ababa (Ethiopia), but they were suspended since AUHIP only wanted to meet with the National Umma Party (NUP); the JEM, the SLM/MM and some groups such as the Sudanese Congress Party and the rebel group SPLM-N-Agar were excluded (Radio Dabanga, 2018c).

As reported by International Crisis Group (2019a), the humanitarian organizations claim that there had been at least 40 deaths and 2,000 people detained by January as security forces responded to the protests with brutality by reportedly using tear gas and live rounds and targeting the medical workers that would care the injured protesters. In response and after a doctor was killed in the protests on 17 January, the Central Committee of Sudanese Doctors announced a strike on 20 January by serving only in the

hospitals that are not owned by the government, according to Almayl and Topcu (2019) in Anadolu Agency.

Jehanne Henry (2019) reported on 10 January in Human Rights Watch that the day before “government security forces responded to peaceful demonstrations with live ammunition, rubber bullets, and tear gas, killing at least three protesters and injuring several others”. Those forms of violence were repeated in the following weeks, according to a video published by Human Rights Watch (2019) on 11 February, in which one can see “forces driving around in armed vehicles, shooting bullets and tear gas at unarmed protesters, and rounding up and brutally beating protesters and bystanders with sticks and gun butts”.

Regarding political measures, Bashir declared state of emergency on 22 February, dissolved the cabinet and replaced eighteen provincial governors by army and intelligence officials. A few days later, on 1 March, the President ceded his leadership in the National Congress Party (NCP) to Ahmed Mohamed Haroun, the deputy head of NCP, until the following general conference of the party (International Crisis Group, 2019b). A new cabinet was announced by Mohamed Tahir Ayala, Prime Minister of Sudan from 23 February 2019 to 11 April 2019, on 13 March, which was principally composed of NCP ministers. Regarding the new leadership, on 30 March, NCP suspended the general conference of the party in which a new leader should have been elected (International Crisis Group, 2019c).

“It has fallen. We have won”, the crowd shouted when President Omar Al-Bashir was forced out of power on 11 April (The Economist, 2019). The military ouster of Bashir ended up with a 30 year regime, marking a before and after in the whole state. A noteworthy fact is that women played an important role in those civil protests, which has got the attention of international media.

“Alaa Salah, a 22-year-old Sudanese woman, has become an icon of the country’s uprising”, reported Sadek (2019) in *Vox Media* in relation to a viral picture captured by Lana Haroun, a local photographer, that shows a young activist and journalist standing at the top a white car surrounded by a crowd of people protesting near the presidential compound and the army headquarters in Khartoum. Mohamed (2019) reports on *Al Jazeera* that the image of Salah “represents the fact that, for months, Sudanese women have been at the forefront of protests and sit-ins against al-Bashir”.

Elbagir, McKenzie, Bashir, Nasir and Abdalaziz (2019) reported on *CNN* that, in the early months of the protests, the soldiers had tried to intimidate the female activists

“by threatening to ruin their reputations” so that they would stay at home. Some activists were taken to secret detention, raped, threatened with sexual violence and photographed naked, according to the statements gathered in the *CNN* report.

Turning to the military coup, the same day Bashir was removed out of the power, the Armed Forces announced the formation of a Transitional Military Council (TMC) that would be headed by Defense Minister Ahmed Awad Ibn Auf as well as a house arrest against Bashir (Sudan Daily, 2019). Nonetheless, Sudan’s transitional military council said that he would not be extradited to the ICC (Reuters, 2019). According to *Africa News* (2019), Bashir was moved to Khartoum prison on 17 April. Two weeks later, on 2 May, the Prosecutor officially started probing him of suspicion of money laundering and financing terrorism (Reuters, 2019).

On 12 April, the head of the TMC, Awad Ibn Auf, indicated in a press conference in Khartoum that the military would not intervene in the future government’s formation, as reported by the *Sudan Tribune* (2019). However, Awad Ibn Auf served as the de facto Head of State just for one day. Protesters refused to leave the streets because of Ibn Auf’s relation to Bashir and his actions in Darfur and, in consequence, the Lieutenant General Abdel Fattah Abdelrahman Burhan was announced as the new head of the Transitional Military Council by Ibn Auf in a speech broadcast on state television (Giordano, 2019).

Jen Kirby (2019) contextualised in *Vox Media* that Auf was “also tainted by war crimes allegations” since he served as the head of military intelligence during the conflict in Darfur and, for that reason, the US Treasury Department sanctioned him. Auf was sanctioned sentenced together with Ahmad Muhammed Harun, Sudan's State Minister for Humanitarian Affairs, for allegedly having “provided the Janjaweed with logistical support and directed attacks” (U.S. Department of the Treasury, 2007).

Ahmed Awad Ibn Auf is not the only member of the TMC that has been pointed out because of their relations with the *janjaweed*, which makes one lose hope about the future of Darfur. On 13 April, Burhan named Mohamed Hamdan Dagalo “Hemedti”, head of the Rapid Support Forces (RSF), as the deputy head of the Transitional Military Council (International Crisis Group, 2019d). Human Rights Watch (2015) describes Dagalo not only as the RSF leader, but also as a “Janjaweed militia leader”. In the twenty-first report of the Prosecutor of the ICC to the UN Security Council pursuant to UNSCR 1593 (2005), Dagalo is pointed for “retaining overall command and control” of alleged ground attacks which affected civilians (International Criminal Court, 2005b).

As described in the Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur published on 10 April, the situation in Darfur was “relatively stable, with the exception of Jebel Marra”, where clashes between the Sudanese Armed Forces and the SLA-AW faction as well as among the rebel groups continued (United Nations Security Council, 2019: 1). In the analysis, it is said that the anti-Government protests that began on 19 December 2018 have had a limited impact in Darfur did not disrupt the Darfur peace process. In fact, the UN Security Council (2019) indicated that Bashir had announced in January an open-ended cessation of hostilities in Darfur, South Kordofan and Blue Nile, and so did the SRF by extending their unilateral cessation over three months from 8 February 2019. However, it remains to be seen how those promises are fulfilled.

In short and at the present, the ICC has opened five cases and issued six arrest warrants in Darfur. The cases are against Harun and Kushayb, Minister of State for the Interior of the Government of Sudan and alleged *janjaweed* leader, respectively, at that time; Omar al-Bashir, who, as mentioned before, received two arrest warrants; Abu Garda, Chairman and General Coordinator of Military Operations of the United Resistance Front at the time of warrant; Abdallah Banda, Commander-in-Chief of JEM; and Abdel Raheem Muhammad Hussein, Minister of National Defense at that time (International Criminal Court, 2005a).

In the case of Omar al-Bashir, Ahmad Harun, Ali Kushayb and Abdel Raheem Muhammad Hussein, they will be at large and the cases will remain in Pre-Trial stage unless they are arrested and transferred to the Court in The Hague. Bashir is accused of five counts of crimes against humanity, two counts of war crimes and three counts of genocide, while Harun is accused of 20 counts of crimes against humanity and 22 counts of war crimes, Kushayb of 22 counts of crimes against humanity and 28 counts of war crimes, and Hussein of seven counts of crimes against humanity and six counts of war crimes (International Criminal Court, 2005a).

In contrast, the three charges of war crimes against Abu Garda were rejected by the Prosecutor in 2010 and the case is considered closed. Regarding the situation of Abdallah Banda, who is suspected of committing three war crimes, the JEM chief at the time of warrant is at large as well. However, Banda appeared voluntarily the Pre-Trial stage of his case and his case is in Trial, which will start if he gets arrested or voluntarily appears at the court (International Criminal Court, 2005a).

9. FINDINGS

The reasons behind the clashes between the *janjaweed* militia and the two main rebel groups, the JEM and the SLM/SLA, during the Darfur conflict are not cultural nor religious, but political in terms of wealth sharing. As exposed before, the Islam is the majority religion in all the different Darfurian tribes and, despite the fact that some tribes have their own languages, the Arabic is the preponderant language (United Nations Secretary-General, 2005). Therefore, the first hypothesis proposed in the paper is not fulfilled.

The Sudanese Government would refer to tribal conflicts between the Arab and the African identity tribes in order to deny the crimes committed by their aligned militia (Langa, 2017). In contrast, both the Sudan Liberation Movement/Army (SLM/A) and the Justice Equality Movement (JEM) base the grounds of their armed activity on political, social and economic reasons. The SLM/A (2013) defines in their *Political Declaration* that their objective is to “to create a united democratic Sudan on a new basis of equality, complete restructuring and devolution of power, even development, cultural and political pluralism and moral and material prosperity for all Sudanese”. Along the same lines, the JEM (2015) broadly bases their *Peace Proposal* on the commitment to human rights, the involvement in power and civil services and the participation in public wealth by all the Sudanese.

Moreover, when it comes to the manner that the *janjaweed* militiamen perpetuate their assaults, the conflict adopts an ethnic approach; which, at the same time, confirms the third hypothesis: The violence in Darfur can be framed as a genocide.

In accordance with the *Rome Statute of the International Criminal Court* (1998) a genocide is any kind of killing, physical or mental harm and other measures such as preventing births, transferring children or inflicting on a group's conditions of life with the intention of destroying a national, ethnical, racial or religious group either partially or wholly.

Authors such as Christian (2013) have described that the ethnic differences within the tribes from Darfur are not as significant. For that reason, one may think that, as the ethnic distinctions are minimal, there cannot be an ethnic genocide but, nonetheless, the targeted groups were from the *Fur, Zaghawa, Masalit, Jebel, Aranga* and other African

identity tribes in the vast majority of the cases (United Nations Secretary-General, 2005). According to the above-mentioned report by Olsson (2010), the population from the *Fur*, *Zaghawa*, and *Masalit* tribes decreased by 57 percent, while the groups from other tribes increased in the 542 analysed villages in southwestern Darfur.

Moreover, organism such as the United Nations High Commissioner for Human Rights (2005) reported that the victims of the *janjaweed* were abused with racist language, since the militiamen allegedly yelled insults such as “Blacks” and “slaves” to their victims. As manifested above in ‘Dehumanization racial epithets’, the use of insults of ethnic nature was reported on several occasions.

Finally, the last fact to prove that a genocide was committed in Darfur is that officials of the Sudanese Government, *janjaweed* militiamen and Resistance Front leaders are precisely in charge of genocide and Omar al-Bashir is the first person to be charged for the crime of genocide by the ICC (International Criminal Court, 2005a).

Regarding the second hypothesis —The Government of Sudan is supporting the *janjaweed* militia—, documents published by Human Rights Watch prove that the Sudanese Government allowed the activities of the *janjaweed* and even provided them weapons (Flint, 2009), thus, there is a correlation between the government and the militia. As previously noted, the *janjaweed* militia is a “paramilitary oriented force with a hierarchical structure, supported and in service of the interests of Jartum” (Flint and De Waal, 2007; as cited in Langa 2017: 104).

From an approach focused on the gender, it can be argued that women are men are affected the conflict in different manners and, therefore, the fourth hypothesis arises; the victims are targeted in a different way depending on their gender.

The conflict in Darfur is characterised by massive rapes and other ways of sexual violence against women as a war strategy. In most of the cases documented by the high reliability organizations, the victims of sexual violence were women and girls living in IDPs and, in many cases, they were raped when they left the camp to collect firewood or grass or were travelling to a major town (United Nations High Commissioner for Human Rights, 2005).

In *The Devil Came on Horseback* (2007), it is described that women would gather firewood because if the men left the camps, they could be castrated or killed; which shows

that there were particular acts of violence against women and men. Furthermore, taking advantage of the stigma against rape in Sudan, those women who were raped were “often pregnant and literally scarred to mark them as raped” so that they would not be accepted in their communities (Martin, 2007: 2).

Moreover, the mentioned *CNN* report by Elbagir, McKenzie, Bashir, Nasir and Abdalaziz (2019) points out that the sexual violence is currently being used in an intent to silence the female activist that participate in the anti-government protests in Sudan, where women are allegedly raped, threatened with sexual violence and photographed naked.

Finally, the fifth raised hypothesis has been fulfilled: The international community has failed to mediate in Darfur. Both the African Union and the United Nations hybrid operation (UNAMID) and the International Criminal Court (ICC) have been unsuccessful in achieving the peace in Darfur.

First, the African Union Mission (AMIS) was deployed in the region in 2004 in order to secure the environment for the humanitarian aid organizations, to ensure that the refugees and the internally displaced people could return to their homes and to “monitor and observe compliance with the Humanitarian Ceasefire Agreement of 8 April 2004 and assist in the process of confidence building” (2010: 57). Nevertheless, the conflict didn’t cease, people continued being displaced and, according to the United Nations, about 85% of the 900,000 people were inaccessible to humanitarian aid (Physicians for Human Rights, 2006).

The hybrid AU-UN mission, UNAMID, and the ICC were not successful either. Regarding the lack of effectiveness of the AU-UN Hybrid Operation in Darfur, most of the people remark “the extent to which the government is seen to control their activities; and, to a lesser extent, the force’s lack of resources”. (International Refugee Rights Initiative, 2016: 18).

When it comes to the International Criminal Court’s attempts to solve the conflict in Darfur by sentencing the perpetrators of the crimes, the Sudanese Government was not cooperative with the addressed arrest warrants and, thus, the charges were ineffective (Amnesty International, 2013). Even now that President Bashir has been expelled from

the government, the Sudanese Transitional Military Council (TMC) has stated that they will not extradite him to the ICC (Reuters, 2019).

It is to be noted as well that the ICC prosecutor Fatou Bensouda suspended her investigations into war crimes in Darfur in 2014 because of the lack of action and support by the UN Security Council (BBC, 2014). Moreover, after the ICC arrest warrants, the President travelled to African Union member countries such as Chad and Kenya without any consequence, which places in evidence the absence of cooperation with the International Criminal Court by those states (Clarke, 2010; Borger, 2010; as cited in Barnes, 2011).

As explained above, at the present time, there International Criminal Court has four open cases against four people in Darfur for alleged crimes against humanity, war crimes and genocide: against Omar al-Bashir, for five counts of crimes against humanity, two counts of war crimes and three counts of genocide; Ahmad Harun, for 20 counts of crimes against humanity and 22 counts of war crimes; Ali Kushayb, for 22 counts of crimes against humanity and 28 counts of war crimes; Abdel Raheem Muhammad Hussein, seven counts of crimes against humanity and six counts of war crimes; and Abdallah Banda, for three war crimes. Nevertheless, as the ICC “does not try individuals in their absence”, they will not be charged unless they are arrested or they surrender themselves to the ICC (International Criminal Court, 2005a).

BIBLIOGRAPHY

ORIGINAL SOURCES

International Criminal Court (ICC) (2005b). “Twenty-first Report of the Prosecutor of the International Criminal Court to the UN Security Council pursuant to UNSCR 1593 (2005)”, retrieved from <https://www.icc-cpi.int/iccdocs/otp/20th-UNSC-Darfur-report-ENG.PDF> [Accessed 15/03/2019]

International Criminal Court (ICC) (2008). “ICC Prosecutor presents case against Sudanese President, Hassan Ahmad Al Bashir, for genocide, crimes against humanity and war crimes in Darfur”, retrieved from <https://www.icc-cpi.int/Pages/item.aspx?name=a> [Accessed 25/03/2019]

International Criminal Court (ICC). (2009). *Decision on the Prosecution's Application for a Warrant of Arrest against Omar Hassan Ahmad Al Bashir*, [Online]. ICC-02/05-01/09-3. Retrieved from https://www.icc-cpi.int/CourtRecords/CR2009_01517.PDF [Accessed 28/03/2019]

Peace and Security Council of the African Union. (2004). *Communiqué of the Thirteenth Meeting of the Peace and Security Council*, [Online]. PSC/PR/Comm.(XIII). Retrieved from http://www.darfurcentre.ch/images/DRDC/AU-UN-Reports/AU-Reports/AU_PSC/AU_PSC_Communique_on_Darfur_13th_Meeting_27_July_2004.pdf [Accessed 15/03/2019]

United Nations (2014). “Sexual violence in conflict ‘great moral issue of our time’ UN Special Representative tells Security Council”, retrieved from <https://www.un.org/sexualviolenceinconflict/press-release/sexual-violence-in-conflict-great-moral-issue-of-our-time-un-special-representative-tells-security-council/> [Accessed 14/04/2019]

United Nations High Commissioner for Human Rights (OHCHR) (2005). “Access to Justice for Victims of Sexual Violence Report of the United Nations High Commissioner for Human Rights 29 July 2005”, retrieved from <https://www.ohchr.org/Documents/Countries/darfur29july05.pdf> [Accessed 20/04/2019]

United Nations Security Council (UNSC). (2004). *Resolution 1556 (2004): Adopted by the Security Council at its 5015th meeting, on 30 July 2004*, [Online]. S/RES/1556. Retrieved from [https://www.undocs.org/en/S/RES/1556%20\(2004\)](https://www.undocs.org/en/S/RES/1556%20(2004)) [Accessed 15/03/2019]

United Nations Security Council (UNSC). (2006). *Resolution 1679 (2006): Adopted by the Security Council at its 5439th meeting, on 16 May 2006*, [Online]. S/RES/1679. Retrieved from <http://unscr.com/en/resolutions/doc/1679> [Accessed 16/03/2019]

United Nations Security Council (UNSC). (2004). *Resolution 1564 (2004): Adopted by the Security Council at its 5040th meeting, on 18 September 2004*, [Online]. S/RES/1564. Retrieved from <https://www.refworld.org/docid/41516da44.html> [Accessed 15/03/2019]

United Nations Security Council (UNSC) (2005). ‘Security Council Refers Situation in Darfur, Sudan, to Prosecutor of International Criminal Court’, retrieved from <https://www.un.org/press/en/2005/sc8351.doc.htm> [Accessed 29/04/2019]

United Nations Security Council (UNSC) (2011). ‘Doha Document for Peace in Darfur (DDPD)’, retrieved from <https://unamid.unmissions.org/doha-document-peace-darfur> [Accessed 29/04/2019]

United Nations Security Council (UNSC) (2019). ‘African Union-United Nations Hybrid Operation in Darfur Report of the Secretary-General’, retrieved from https://unamid.unmissions.org/sites/default/files/s_2019_305_e.pdf [Accessed 16/03/2019]

United Nations Secretary-General (2005). ‘Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General pursuant to Security Council Resolution 1564 of 18 September 2004’. Retrieved from https://www.un.org/ruleoflaw/files/com_inq_darfur.pdf [Accessed 20/04/2019]

INDIRECT SOURCES

BOOKS

Collins, Robert O. (2008). *A History of Modern Sudan*. Cambridge: Cambridge University Press.

Collins, Robert O. (2004). ‘Disaster in Darfur: Historical Overview’, in Samuel Totten and Eric Markusen (ed.) *Genocide in Darfur. Investigating the Atrocities in Sudan*. London and New York: Taylor & Francis Group. (3-25).

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

Flint, Julie (2009). *Beyond ‘Janjaweed’: Understanding the Militias of Darfur*. Geneva: Small Arms Survey.

Gallab, Abdullahi A. (2008). *The First Islamist Republic: Development and Disintegration of Islamism in the Sudan*. Aldershot: Ashgate.

Karim, Hassan Gad (1988). ‘Sudanese Government Attitudes Towards Foreign Investment — Theory and Practice’, in Tony Barnett and Abbas Abdelkarim (ed.) *Sudan. State, Capital and Transformation*. London, New York and Sydney: Croom Helm. (37-54)

Langa, Alfredo (2017). *Sudán y Sudán del Sur. Génesis, guerra y división en dos estados*. Madrid: Casa África.

Sidahmed, Abdel Salam and Sidahmed, Alsir (2005). *Sudan The Contemporary Middle East) (English Edition)*. London and New York: Routledge Curzon, Taylor & Francis Group.

Totten, Samuel and Markusen, Eric (2004) *Genocide in Darfur. Investigating the Atrocities in Sudan*. London and New York: Taylor & Francis Group.

Tubiana, Jérôme (2013). “Darfur after Doha”, in Sorbo Gunnar M. and Ahmed, Abdel Ghaffar M. (ed.) *Sudan Divided: Continuing Conflict in a Contested State*. New York: Palgrave Macmillan. (161-183).

ARTICLES IN MAGAZINES

De Waal, Alex (2004). “Counter-Insurgency on the Cheap”. *Review of African Political Economy*, 31(102), 716-725.

De Waal, Alex (2007). “Darfur and the failure of the responsibility to protect”. *International Affairs*, 83(6), 1039–1054.

Gravelle, Kent Benedict (1998). “Islamic Law in Sudan: A Comparative Analysis”. *ILSA Journal of International & Comparative Law*, 5(2), 2-22.

Hagan, John; Rymond-Richmond, Wenona and Parker, Patricia (2005). “The Criminology of Genocide: The Death and Rape of Darfur”. *Criminology*, 43(3), 525-562.

Hagan, John and Rymond-Richmond, Wenona (2008). “The Collective Dynamics of Racial Dehumanization and Genocidal Victimization in Darfur”. *American Sociological Review*, 73(6), 875-902.

Rodman, Kenneth A. (2008). “Darfur and the Limits of Legal Deterrence”. *Human Rights Quarterly*, 30, 529–560.

Rothe, Dawn L. and Mullins, Christopher W. (2007). “Darfur and the Politicization of International Law: Genocide or Crimes Against Humanity?”. *Humanity & Society*, 31, 83-107.

Willemse, Karin (2005). “Darfur in War The Politicization of Ethnic Identities?”. *ISIM Review*, 15(1), 14-15.

ARTICLES IN ONLINE MAGAZINES

Abiodun, Oluwadare (2011). "Darfur: A Complicated Peace Process?". *Journal of Alternative Perspectives in the Social Sciences (JAPSS)* [Online] 3(1), 183-207. Retrieved from: [www.japss.org/upload/9.oluwadare\[1\].pdf](http://www.japss.org/upload/9.oluwadare[1].pdf) [Accessed 14/03/2019]

Assefa, Hizkias (1990). "Religion in the Sudan: Exacerbating Conflict or Facilitating Reconciliation?". *Bulletin of Peace Proposals* [Online] 21(3), 255-262. Retrieved from: <https://journals.sagepub.com/doi/10.1177/096701069002100302> [Accessed 17/03/2019]

Barnes, Gwen P. (2011). "The International Criminal Court's Ineffective Enforcement Mechanisms: The Indictment of President Omar Al Bashir". *Fordham International Law Journal* [Online], 34(6), 1582-1619. Retrieved from: <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?referer=https://scholar.google.com/&httpsredir=1&article=2313&context=ilj> [Accessed 29/04/2019]

Boshoff, Henri (2005). "The African Union Mission in Sudan". *African Security Review* [Online] 14(3), 57-60. Retrieved from: <https://www.tandfonline.com/doi/abs/10.1080/10246029.2005.9627371?journalCode=rasr20> [Accessed 15/03/2019]

Budabin, Alexandra Cosima (2009). "Genocide Olympics: The Campaign to Pressure China over the Darfur Conflict". *CEU Political Science Journal* [Online], 4(4), 520-565. Retrieved from: https://www.researchgate.net/publication/237593881_genocide_olympics_the_campaign_to_pressure_china_over_the_darfur_conflict [Accessed 28/04/2019]

Brooks, Sean P. (2008). "Enforcing a Turning Point and Imposing a Deal: An Analysis of the Darfur Abuja Negotiations of 2006". *International Negotiation* [Online] 13, 413-440 Retrieved from: https://brill.com/abstract/journals/iner/13/3/article-p413_7.xml?crawler=true [Accessed 15/03/2019]

Christian, Patrick James (2013). "Darfur—Ground Zero for Africa's Crises of Identity: A Psychohistoriography of Tribes in Conflict", *African Security* [Online], 6(1), 1-37. Retrieved from: www.tandfonline.com/doi/abs/10.1080/19392206.2013.759457 [Accessed 19/05/2019]

Large, Daniel (2008). "China & the Contradictions of 'Non-interference' in Sudan", *Review of African Political Economy* [Online], 35(115), 93-106. Retrieved from: <https://www.tandfonline.com/doi/abs/10.1080/03056240802011568> [Accessed 28/04/2019]

Large, Daniel (2010). "Southern Sudan Before the 'Referendum for Freedom' ". *ARI* [Online] 167. Retrieved from: <http://www.realinstitutoelcano.org/wps/wcm/connect/3fcede0044cd596091ea93f55cb546a4/ARI167->

[2010_Large_Southern_Sudan_Referendum.pdf?MOD=AJPERES&CACHEID=3fcede0044cd596091ea93f55cb546a4](#) [Accessed 16/03/2019]

Mansaray, Allan Vic (2009). “AMIS in Darfur: Africa's litmus test in peacekeeping and political mediation”. *African Security Review* [Online], 18(1), 35-48. Retrieved from: www.tandfonline.com/doi/abs/10.1080/10246029.2009.9627513?journalCode=rasr20 [Accessed 30/04/2019]

Olsson, Ola (2010). “After Janjaweed? Socioeconomic Impacts of the Conflict in Darfur”, *The World Bank Economic Review* [Online], 24(3), 386-411. Retrieved from: <https://academic.oup.com/wber/article-abstract/24/3/386/1682201?redirectedFrom=fulltext> [Accessed 25/04/2019]

Reyna, Stephen P. (2010). “The Disasters of War in Darfur, 1950–2004”. *Third World Quarterly* [Online], 31(8), 1297-1320. Retrieved from: www.tandfonline.com/doi/abs/10.1080/01436597.2010.541083 [Accessed 23/04/2019]

Rolandson, Øystein H. (2011). “The making of the Anya-Nya insurgency in the Southern Sudan, 1961-64”. *Journal of Eastern African Studies* [Online], 5(2), 211-232. Retrieved from: www.tandfonline.com/doi/abs/10.1080/01436597.2010.541083 [Accessed 17/03/2019]

Verhoeven, Harry; Soares de Oliveira, Ricardo and Jaganathan, Madhan Mohan (2015). “To Intervene in Darfur, or Not: Re-examining the R2P Debate and Its Impact”. *Global Society* [Online], 30(1), 21-37. Retrieved from: www.tandfonline.com/doi/full/10.1080/13600826.2015.1093464 [Accessed 30/04/2019]

WEBSITES

African Centre For Justice and Peace Studies (2016). “Sudan’s new law on rape and sexual harassment. One step forward, two steps back?”, retrieved from <http://www.acjps.org/wp-content/uploads/2016/03/Sudan%E2%80%99s-new-law-on-rape-and-sexual-harassment-One-step-forward-two-steps-back-.pdf> [Accessed 10/04/2019]

Amnesty International (2004a). “Sudan: Darfur: ‘Too many people killed for no reason’”, retrieved from <https://www.amnesty.org/en/documents/afr54/008/2004/en/> [Accessed 13/03/2019]

Amnesty International (2004b). “Sudan, Darfur Rape as a weapon of war Sexual violence and its consequences”, retrieved from <https://www.amnesty.org/download/Documents/92000/afr540762004en.pdf> [Accessed 07/04/2019]

Amnesty International (2013). “Annual Report: Sudan 2013”, retrieved from <https://www.amnestyusa.org/reports/annual-report-sudan-2013/> [Accessed 06/05/2019]

Amnesty International (2016). “Sudan: Scorched Earth, Poisoned Air: Sudanese Government Forces Ravage Jebel Marra, Darfur”, retrieved from <https://www.amnesty.org/en/documents/afr54/4877/2016/en/> [Accessed 06/05/2019]

Caddick, Hannah (2015). “Sexual violence in Darfur” in International Bar Association [Online], retrieved from <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=8BE55DC6-54C1-47ED-A7D8-3ACAF8F0822D> [Accessed 18/03/2019]

Dagne, Ted (2004). “Sudan: The Crisis in Darfur” in Congressional Research Service (CRS) [Online], retrieved from https://www.researchgate.net/publication/265204986_Sudan_The_Crisis_in_Darfur_The_Crisis_in_Darfur [Accessed 15/03/2019]

Henry, Jehanne(2019). “A Bloody Day of Protest in Sudan” in Human Rights Watch [Online], retrieved from <https://www.hrw.org/news/2019/01/10/bloody-day-protest-sudan> [Accessed 13/05/2019]

Higginbotham, Meghan (2019). “Darfur Conflict Timeline” in Enough Project [Online], retrieved from <https://enoughproject.org/blog/darfur-conflict-timeline> [Accessed 13/05/2019]

Human Rights Watch (2008b). “Q & A: Crisis in Darfur”, retrieved from <https://www.hrw.org/news/2008/04/25/q-crisis-darfur> [Accessed 03/04/2019]

Human Rights Watch (2008a). “Five Years On No Justice for Sexual Violence in Darfur”, retrieved from https://www.hrw.org/reports/2008/darfur0408/darfur0408_web.pdf [Accessed 21/03/2019]

Human Rights Watch (2015). “‘Men With No Mercy’. Rapid Support Forces Attacks against Civilians in Darfur, Sudan”, retrieved from <https://www.hrw.org/report/2015/09/09/men-no-mercy/rapid-support-forces-attacks-against-civilians-darfur-sudan> [Accessed 16/05/2019]

Human Rights Watch (2016). “Sudan. Events of 2015”, retrieved from <https://www.hrw.org/world-report/2016/country-chapters/sudan> [Accessed 24/04/2019]

Human Rights Watch (2019). “Sudan: Video Footage Shows Extreme Violence, Abuse”, retrieved from <https://www.hrw.org/news/2019/02/10/sudan-video-footage-shows-extreme-violence-abuse> [Accessed 13/05/2019]

International Criminal Court (ICC) (1998). “Rome Statute of the International Criminal Court”, retrieved from <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf> [Accessed 08/04/2019]

International Criminal Court (ICC) (2005a). “Darfur, Sudan Situation in Darfur, Sudan”, retrieved from <https://www.icc-cpi.int/darfur> [Accessed 28/04/2019]

International Crisis Group (2018). “Global Overview. December 2018”, retrieved from <https://www.crisisgroup.org/crisiswatch/december-2018> [Accessed 14/05/2019]

International Crisis Group (2019a). “Global Overview. January 2019”, retrieved from <https://www.crisisgroup.org/crisiswatch/january-2019> [Accessed 14/05/2019]

International Crisis Group (2019b). “Global Overview. February 2019”, retrieved from <https://www.crisisgroup.org/crisiswatch/february-2019> [Accessed 14/05/2019]

International Crisis Group (2019c). “Global Overview. March 2019”, retrieved from <https://www.crisisgroup.org/crisiswatch/march-2019> [Accessed 14/05/2019]

International Crisis Group (2019d). “Global Overview. April 2019”, retrieved from <https://www.crisisgroup.org/crisiswatch/april-2019> [Accessed 14/05/2019]

International Refugee Rights Initiative (IRRI) (2016). ““No one on the earth cares if we survive except God and sometimes UNAMID”. The challenges of peacekeeping in Darfur”, retrieved from <https://www.refworld.org/pdfid/576b99c84.pdf> [Accessed 19/05/2019]

JEM (2005). “Proposal by the Justice and Equality Movement (JEM) for Peace in Sudan in General & Darfur in Particular” in Sudan Jem [Online], retrieved from http://www.sudanjem.com/sudan-alt/english/books/JEM%20Proposal%20for%20Peacein%20Sudan_Darfur-English.pdf [Accessed 17/03/2019]

Jooma, Mariam Bibi (2006). “Darfur and the Battle for Khartoum” in Institute for Security Studies [Online], retrieved from <https://www.africaportal.org/publications/darfur-and-the-battle-for-khartoum/> [Accessed 18/03/2019]

Loeb et al. (2010). “Darfurian Voices” in 24 Hours for Darfur [Online], retrieved from <https://static1.squarespace.com/static/52920ed5e4b04a0741daa89c/t/529224ffe4b049dd0ca09a3f/1385309439460/Darfurian+Voices+-+Report+-+English.pdf> [Accessed 22/04/2019]

Martin, Sarah (2007). “Ending Sexual Violence in Darfur: an advocacy agenda” in Refugees International [Online], retrieved from <https://www.refworld.org/pdfid/47a6eb950.pdf> [Accessed 12/04/2019]

Petersen, Andreas Höfer and Tullin, Lise-Lotte (2006). “The Scorched Earth of Darfur: Patterns in death and destruction reported by the people of Darfur. January 2001-September 2005” in Bloodhound [Online], retrieved from http://www.bloodhound.se/06_04_26_DARFUR_report.pdf [Accessed 20/04/2019]

Physicians for Human Rights (2006). “Darfur Assault on Survival. A Call for Security, Justice, and Restitution”, retrieved from <https://phr.org/wp-content/uploads/2006/01/darfur-assault-on-survival-1.pdf> [Accessed 09/04/2019]

Prunier, Gérard (2008). “Armed Movements in Sudan, Chad, CAR, Somalia, Eritrea and Ethiopia” in Zentrum für Internationale Friedenseinsätze (ZIF) [Online], retrieved from http://www.operationspaix.net/DATA/DOCUMENT/5382~v~Armed_Movements_in_Sudan_Chad_CAR_Somalia_Eritrea_and_Ethiopia.pdf [Accessed 26/04/2019]

Seekers of Truth and Justice (2004). “The Black Book: Imbalance of Power and Wealth in Sudan” in Sudan Jem [Online], retrieved from http://www.sudanjem.com/sudan-alt/english/books/blackbook_part1/book_part1.asp.htm [accessed 28/03/2019]

SLM/SLA (2003). “The Sudan Liberation Movement and Sudan Liberation Army (SLM/SLA). Political Declaration” in Indymedia [Online], retrieved from <http://de.indymedia.org/2004/06/84927.shtml> [Accessed 17/03/2019]

Tsai, Alexander C. et al. (2012). “Medical Evidence of Human Rights Violations against Non-Arabic-Speaking Civilians in Darfur: A Cross-Sectional Study” in PLOS Medicine [Online], retrieved from <https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1001198> [Accessed 10/04/2019]

United Nations Department of Public Information (2007). “The United Nations and Darfur”, retrieved from https://www.un.org/News/dh/infocus/sudan/fact_sheet.pdf [Accessed 08/04/2019]

United Nations News Service (2013). “Darfur: UN and partners assist civilians fleeing renewed tribal violence”, retrieved from <https://www.refworld.org/docid/512ddc042.html> [Accessed 05/05/2019]

United Nations Security Council (2018). “Musa Hilal Abdalla Alnsiem”, retrieved from <https://www.un.org/securitycouncil/sanctions/1591/materials/summaries/individual/musa-hilal-abdalla-alsiem> [Accessed 17/03/2019]

U.S. Department of State (2015). “U.S. Relations With Sudan”, retrieved from <https://2009-2017.state.gov/r/pa/ei/bgn/5424.htm> [Accessed 20/03/2019]

U.S. Department of the Treasury (2007). “Treasury Designation Targets Sudanese Government, Rebel Leader”, retrieved from <https://www.treasury.gov/press-center/press-releases/Pages/hp426.aspx> [Accessed 14/05/2019]

ONLINE MEDIA

Abdelaziz, Khalid (2018). “Opposition leader Sadiq al-Mahdi greeted by thousands upon return to Sudan”, in Reuters [Online], retrieved from <https://www.reuters.com/article/us-sudan-mahdi/opposition-leader-sadiq-al-mahdi-greeted-by-thousands-upon-return-to-sudan-idUSKCN1OI2EU> [Accessed 13/05/2019]

Africa News (2019). “Sudan protest hub: Bashir probed over money laundering, terrorism financing”, retrieved from <https://www.africanews.com/2019/05/03/sudan-protest-hub-africanews-updates/> [Accessed 13/05/2019]

Al Jazeera (2004). “Sudan rejects UN Darfur deadline”, retrieved from <https://www.aljazeera.com/archive/2004/08/20084101034958144.html> [Accessed 15/03/2019]

Almayl, Husameldin Badawi Ahmed and Topcu, Gulsen (2019). “Sudan: Doctors announce strike at some hospitals”, in Anadolu Agency [Online], retrieved from <https://www.aa.com.tr/en/africa/sudan-doctors-announce-strike-at-some-hospitals/1367910> [Accessed 13/05/2019]

Andersson, Hilary (2008). “China 'is fuelling war in Darfur'”, in BBC News [Online], retrieved from <http://news.bbc.co.uk/2/hi/africa/7503428.stm> [Accessed 11/04/2019]

BBC (2014). “ICC prosecutor shelves Darfur war crimes inquiries”, retrieved from <https://www.bbc.com/news/world-africa-30458347> [Accessed 04/05/2019]

BBC (2017). “Sudan says militia leader Musa Hilal arrested”, retrieved from <https://www.bbc.com/news/world-africa-42141938> [Accessed 01/05/2019]

Bukerman, Oliver and Rice, Xan (2006). “Sudan rejects UN peacekeeping plan”, in The Guardian [Online], retrieved from <https://www.theguardian.com/world/2006/sep/01/sudan.oliverbukerman> [Accessed 16/03/2019]

Elbagir, McKenzie, Bashir, Nasir and Abdalaziz (2019). “They tried to use rape to silence women protesters. It didn't work”, in CNN [Online], retrieved from <https://edition.cnn.com/2019/05/17/africa/sudan-protests-asequals-intl/index.html> [Accessed 20/05/2019]

France 24 (2019). “Timeline: Four months of protests in Sudan”, retrieved from <https://www.france24.com/en/20190411-sudan-timeline-four-months-mounting-protests-bashir> [Accessed 13/05/2019]

Giordano, Chiara (2019). “Sudan coup leader Awad Ibn Auf steps down hours after toppling Omar al-Bashir”, in Independent [Online], retrieved from <https://www.independent.co.uk/news/world/africa/sudan-coup-protests-leader-omar-al-bashir-awad-ibn-auf-a8868011.html> [Accessed 13/05/2019]

Jen Kirby (2019). “Sudan’s military says it won’t extradite Omar al-Bashir to face war crimes charges”, in Vox Media [Online], retrieved from <https://www.vox.com/world/2019/4/12/18307649/sudan-omar-al-bashir-war-crimes-icc-military> [Accessed 13/05/2019]

McDoom, Opheera (2011). “South Sudan votes for independence by a landslide”, in Reuters [Online], retrieved from <https://www.reuters.com/article/us-sudan-referendum/south-sudan-votes-for-independence-by-a-landslide-idUSTRE7161KV20110208> [Accessed 24/04/2019]

Mohamed, Hamza (2019). “Sudan's female protesters leading the pro-democracy movement” in Al Jazeera [Online], retrieved from <https://www.aljazeera.com/news/2019/04/sudan-women-protesters-leading-pro-democracy-movement-190423134521604.html> [Accessed 20/05/2019]

Morello, Carol (2017). “U.S. lifts sanctions on Sudan, ending two decades of embargo”, in The Washington Post [Online], retrieved from https://www.washingtonpost.com/world/national-security/us-lifts-sanctions-on-sudan-ending-two-decades-of-embargo/2017/10/06/aac1bd22-86d5-434e-9a21-1e0d57a72cb0_story.html [Accessed 13/05/2019]

Radio Dabanga (2011). “Khalil Ibrahim: I was under house arrest”, retrieved from <https://www.dabangasudan.org/en/all-news/article/khalil-ibrahim-i-was-under-house-arrest> [Accessed 07/03/2019]

Radio Dabanga (2016). “Referendum outcome dissolves Darfur Authority”, retrieved from <https://www.dabangasudan.org/en/all-news/article/referendum-outcome-dissolves-darfur-authority> [Accessed 06/05/2019]

Radio Dabanga (2018a). “Darfur lawyers denounce Musa Hilal's military trial”, retrieved from <https://www.dabangasudan.org/en/all-news/article/darfur-lawyers-denounce-musa-hilal-s-military-trial> [Accessed 01/05/2019]

Radio Dabanga (2018b). “Sudan’s Revolutionary Awakening Council call for leader’s release”, retrieved from <https://www.dabangasudan.org/en/all-news/article/sudan-s-revolutionary-awakening-council-call-for-leader-s-release> [Accessed 01/05/2019]

Radio Dabanga (2018c). “AUHIP mediators suspend roadmap consultations indefinitely”, retrieved from <https://www.dabangasudan.org/en/all-news/article/auhip-mediators-suspend-roadmap-consultations-indefinitely> [Accessed 13/05/2019]

Reuters (2019). “Military council says will not extradite Bashir, may try him in Sudan”, retrieved from <https://www.reuters.com/article/us-sudan-politics-bashir/military-council-says-will-not-extradite-bashir-may-try-him-in-sudan-idUSKCN1RO154> [Accessed 13/05/2019]

Sadek, Salwa (2019). “The women who helped bring down Sudan’s president”, in Vox Media [Online], retrieved from <https://www.vox.com/world/2019/4/11/18305358/omar-al-bashir-sudan-president-military-coup-protests-women> [Accessed 18/05/2019]

Smith, David (2012). “Sudan's Omar al-Bashir extends 26-year presidency with 94.5% of the vote”, in The Guardian [Online], retrieved from <https://www.theguardian.com/world/2015/apr/27/sudan-bashir-elected-majority-vote> [Accessed 30/04/2019]

Sudan Daily (2019). “Army announces the formation of a transitional council”, retrieved from <https://sudandaily.org/en/2019/04/11/army-announces-the-formation-of-a-transitional-council/> [Accessed 13/05/2019]

Sudan Tribune (2011). “Darfur rebel leader Khalil Ibrahim killed ‘en route to South Sudan’”, retrieved from <http://www.sudantribune.com/Darfur-rebel-leader-Khalil-Ibrahim,41083> [Accessed 24/04/2019]

Sudan Tribune (2014). “Janjaweed leader defects from NCP, establishes new political movement”, retrieved from <http://www.sudantribune.com/spip.php?article49444> [Accessed 11/05/2019]

Sudan Tribune (2019). “Sudan’s military council says ready to form civilian government”, retrieved from <http://www.sudantribune.com/spip.php?article67359> [Accessed 13/05/2019]

The Economist (2019). “Sudan’s dictator, Omar al-Bashir, is forced out of power”, retrieved from <https://www.economist.com/middle-east-and-africa/2019/04/13/sudans-dictator-omar-al-bashir-is-forced-out-of-power> [Accessed 13/05/2019]

Tran, Mark (2012). "Sudan's Darfur region still living through troubled times", in The Guardian [Online], retrieved from <https://www.theguardian.com/global-development/2012/aug/30/sudan-darfur-region-troubled-times> [Accessed 02/05/2019]

DOCUMENTARIES

Barnwell, Robin (Producer) and Barnwell, Robin (Director) (2008). *Panorama: China's Secret War*. UK: BBC.

Sundberg, Annie et al. (Producers); Sundberg, Annie and Stern, Ricki (Directors) (2007). *The Devil Came on Horseback*. USA: Break Thru Films.