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THE EUROPEAN UNION ROLE IN RESOLVING THE ARMED CONFLICT IN THE WESTERN SUDANESE PROVINCE OF DARFUR

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ABSTRACT: The article outlines the role of the EU in resolving the armed conflict in the western Sudanese province of Darfur, and explains the important role played by the EU in its engaged in peacekeeping and that guided his condition, as well as how it actions and decisions were received by the Darfurians and the government in Khartoum. Unfortunately, the nature and progress of the conflict, and above all, the great ignorance of the region and the population, makes all attempts to resolve the conflict are ineffective. Through these years, the EU has introduced a number of resolutions, declarations and sanctions. All this was not only to save the life of hundreds of thousands of civilians, but also opposition to the regime and impact on its interests. Unfortunately, there was no general coordination of EU the actions, not only in Darfur, but also in the whole of Sudan. That resulting chaos in actions related to the quality of cooperation between the EU bodies. There was no close co-operation aimed at planning of aid from the United Nations, also because it was a kind of rivalry between EU and UN organizations who want to be seen as a major mediator in peacekeeping.

BACKGROUND OF THE CONFLICT IN DARFUR

Darfur is the western province of Sudan, bordering Chad to the west. Its area is about 500,000 square kilometers. It stretches of uninhabited desert areas in the north, through the semi-arid Sahel area in the center to a more fertile savannah landscapes in the south.

It is estimated that Darfur has a population of about 6.5 million. It is divided into three states of North Darfur, West Darfur and South Darfur, each with its own capital city. The whole region is inhabited by a mixture of 60–70 different ethnic groups. The largest tribe is Fur and has a population of about two million. Although any categorization is a problem, people are often divided into old tribes of Africa, such as the Fur and Masalit that inhabited this region for years. Among the African tribes, there are also new ones such as the Dam, Dajo and Borgo, which are smaller and have less historical rights to their lands.¹

For centuries, Darfur was an independent sultanate. Although the central part of the Sudan was under British control after the Battle of Omdurman in 1898, Darfur was not included in the colony of Sudan, even after independence in 1956. Darfur played a minor role in the long civil war between the north and south of the country in the years 1956 to 1972 and in 1983. The overall decline in rainfall in 1970 and drought in 1985 led to a deterioration of relations between growers and nomads in Darfur.²

According to UN figures between 2003–2008, in a terrible conflict and in Darfur, up to 400,000 civilians were killed, another two to three million driven from their homes and 1,000–2,000 villages razed to the ground. The international criminal court in the Hague made it clear they believe that the slaughter may have amounted to genocide.³

Darfur was a well organised and successful empire – a Sultanate. It was Egypt's largest single trading partner, and controlled the region's salt, textile, iron, copper, and slave trades. Its capital was a thriving town called Al Fasher where the Sultan ran his far-flung empire from the comfort of his sumptuous palace.

Most of the newcomers were nomads in drier parts of the Sahel. Clashes between indigenous residents and nomads have become commonplace. The conflict began when two rebel groups JEM and SLM announced their

¹ M. Mohamed Mahmoud Ahmed Hassan Abdul Aziz, *Arid regions: a study in geographical features and patterns*, Darul Uloom, Riyadh, 1981.

² M. Suliman, *Darfur harb al-mawarid wa-al-hawiyah*, Cambridge 2004, p. 356.

³ *Darfur: The history behind the bloodshed*, The official website of BBC History Magazine: <http://www.historyextra.com/darfur> (accessed: 20.05.2014).

opposition to the government in Khartoum, and shortly after they launched an attack on the area under the government's control. Jem was dominated by the Zaghawa clan while the SLM were Futura, Masalit and Zaghawa as well as other clans. After a period of confusion, the government mobilized the militia loyal Arab tribes- Janjaweed – which supported their huge campaign to combat the insurgency. The most intense fighting took place in the years 2003–2004. The government main tactic was lurching aircraft raids. The land army, though, was also involved in shooting men, raping girls and women, killing and stealing animals and poisoning wells. Systematically bodies have been removed and thus whole villages started diminishing. Passengers were forced to escape into the wilderness.⁴

Security Council Resolution 2007 established the United Nations and the African Union UNAMID peacekeeping forces which currently include 19,000 troops and police officers. Their leader Martin Agwaj, in August 2009, found that the threat of war is serious. Earlier in March the same year, the prosecutor realised at the Criminal Court in The Hague issued an arrest warrant for President Omar al-Bashir. He was accused of crimes against humanity in Darfur.⁵

A key natural resources in Darfur are primarily crop plants such as millet as well as livestock, for example, camels. The main model of land rights in Darfur is a common law right of use on land and not private property in the literal sense of the word. If a household ceases to use a piece of land a community leader can assign the land to another house, which is going to maintain it and where it is much more needed. The same is true for newcomers to a village. They can also be given land if they indicate their willingness to contribute to the local community. Another important element of customary land tenure in Darfur is that they are open to grazing animals after harvest. This law also applies to nomadic pastoral groups. It allows, with a prior notification, grazing animals in

⁴ El-Bushra El-Sayed, *Alsraa ala almawareed: Abaadhi al almia wa aliglimyia wa almalyia*, Khartoum 2005, pp. 15–16.

⁵ United Nations Information Centre, *The role of the UN Joint Statement on Darfur*, on-line version of 17.06.2013: <http://www.unic.un.org/pl/sudan/index.php?news=2209> (accessed: 20.05.2014).

exchange for milk or meat. Sedentary cattle keeping groups sometimes leave the animals under the care of nomads.⁶

The basic model of customary land ownership underwent modifications. While Darfur was an independent sultanate dominated by the Fur, a system called Hakura was implemented, which gave a possibility of granting land rights to teachers of Islam and other important people. Over time, in effect the administrative system of the sultan hakuras allocated land to the leaders of certain tribes. Such administrative Hakura law is commonly referred to as a gift for the largest tribes of Darfur, possessing formal ownership of such tribes of the Fur, Masalit, Zaghawa and Rezeigat. Dar is such that most of the Masalit villages will be dominated by the Masalit and will have a Masalit leader. However, immigrants from other tribes, they are welcome if they are willing to contribute to the welfare of society and ultimately may own land. The described above joint land use continues to be widespread. The whole complexity of the ownership of land was approved by the Government of Sudan in 1970, stating that all land not owned by the government will be recorded. Recurrent droughts together with political manipulation by groups in Chad and other neighboring countries have contributed to the difficult situation in Darfur between 1980 and 1990. Agricultural tribes like Fur and Masalit fought numerous battles with the nomadic tribes.

THE EUROPEAN UNION IN DARFUR

Although the structure of the European Union has an international reach in the assessment of independent commentators, the European Union's lack of commitment is apparent when it comes to implementing measures which would help in ending the armed conflict in Sudan. It seems that the main obstacle is a lack of a unified EU foreign policy aimed at alleviating the conflict. The EU's involvement focuses

⁶ S. Jaspars, S. O'Callaghan, *Challenging choices: Protection and livelihoods in Darfur*, "HPG Working Paper" December 2008, pp. 7–20.

on aspects related to occupational issues and environmental development. Pressure has been put on the EU to act and draw particular attention to strengthening and supporting the African Union, so it can independently respond to violence and support the development of the region as well as spread humanitarian aid.⁷

According to the EU Special Envoy for the internal conflict in the Sudan is the ability to monitor the activities of peace in this region, in close cooperation with the Arab League. In 2006, AL has promised \$ 150 million worth of support to the African Union peacekeeping mission in Sudan. However, these promises have not been fulfilled. The EU itself, however, maintains close relations with many Arab countries through the so-called Barcelona Process (Euro-Med). Although one of the declared objectives is to create a political dialogue, the issue of the conflict in Darfur remains on the sidelines of the EU, which is the main their efforts and goals of peacekeeping directs to the Middle East.⁸

First problem arose when Slovenia, during its six-month presidency of the EU, declared a reduction in financial support. The EU Member States are considering the possibility of finding a way of reducing the financial gap created by this decision. At the time of the Swedish Presidency in the EU, Sudan has been treated with a bit higher priority. Swedish Foreign Minister Carl Bildt met in this case with Egyptian Foreign Minister Ahmed Abul-Gheit. However, explicit measures intended to provide support to improve the situation in Sudan remains at the stage of discussions. It has not been set clear lines of action, as well as attempts to cooperate declared, in the form of agreements or resolutions. The issue of change in Sudan is still open, and there are a number of non-governmental groups from Europe in Sudan, that only with the support of their governments carry humanitarian aid in Darfur and in the Sudan. The very fact of

⁷ G. Gya, *The EU's role in the Darfur crisis from 2003 until today, the gap between narratives and practices, Darfur: the responses from the Arab world*, 23.02.2010, <http://www.frider.org/publication/733/the-eus-role-in-the-darfur-crisis-from-2003-until-today> (accessed: 20.08.2014), pp. 7–8.

⁸ *Ibidem*, p. 8.

the existence of these organizations will not improve the situation in Sudan. This is the only support that the civilian population, which is at constant risk of attacks from the Sudanese Government receives.⁹

In the early 1990s, the EU has not shown any significant involvement in activities in Sudan. It was the result and answer to the military coup carried out by Al-Bashir. As a result the financing of peacekeeping by EU has been significantly reduced until the crisis broke in 2003.

As a result of reports coming from the world of the EU acted assistance in the region before the crisis will become a larger scale. The huge influx of refugees from Chad made EU realise that financial assistance is needed, and that the situation requires immediate action on her part. From March to April 2004, the EU launched a strong political mobilization all its diplomatic instruments available. U.S. reaction to the situation in Darfur was clear- unanimously called it a genocide. But the EU did not decide to make such a strong declaration, the statement by EU High Representative stated that it was not a genocide, but there was an acknowledgment that there is a reasonable doubt as to whether the Sudanese government's complied fully with the obligation to provide protection for civilians and protective action against the attacks on them.¹⁰

Only at the end of 2004, the European Parliament stated that what has happened in Darfur amounted to be called a genocide. As a result the EU has threatened to impose sanctions if the UN will be limited by the Sudanese government. The EU was criticized for a very late response to the developments. The news reports at that time we point out, to what they saw as, indifference and silence on the part of the EU in the face of military conflict in Darfur. For the purposes of the EU declaration, the UN is the main and primary international body to respond to such situations and has the authority to make decisions to intervene in such matters and to help.¹¹

⁹ Ibidem, p. 9.

¹⁰ Ibidem, p. 9.

¹¹ European Parliament resolution on Darfur, Texts adopted Thursday, 6.04.2006-Strasbourg, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2006-0142+0+DOC+XML+V0//EN> (accessed: 20.05.2014).

In addition to that EU had difficulties in their actions from the side of the Sudanese government by reducing administrative staff from Europe. The EU strongly and unequivocally supported the UN action in Darfur and Sudan, but for various political reasons it cannot act on its own. The EU has set its action primarily on long-term action in the humanitarian field and focus on stimulating the development.¹²

Despite of the clear policy towards the government of Sudan, as using some kinds of commercial blockades, bans on trade cooperation with this country, it did not cause any significant reaction from the EU. In October 2009, the UN General Assembly on human rights resulted in one of the EU's response, which was trying to persuade the Sudanese government to put an end to impunity and put to justice those responsible for abuses. This was to protect civilians. EU reaction force was also dependent not only on the short-term actions, but also those that have been implemented over the long term, through the instruments of the response to armed conflict within the country. For the short term is considered military action, military aim of ensuring stability within the country. They fall within the competence of the General Secretariat of the EU Council and the recommendations of the Political and Security Policy. The European Parliament supervises the activities of individual security and defense, especially in the disposition of the budget for external action. Hence, Member States are the main driving mechanism for short-term action aimed at military defense units exposed to the effects of civil war. Military support given to AMIS II (July 2005- December 2007), by the EU, was much smaller than in the case of assistance even in the conflict in Lebanon. This is set out in the press as biased actions. It was considered that the EU's commitment to provide larger assistance to "chosen" sides of a conflict or if a conflict has a direct impact on the interests of the EU and is a threat to its territory.¹³

The current EU Member States support for the activities of UNAMID is very weak and limited, but the pressure of public opinion resulted in increased EU involvement in Darfur. Despite support for AMIS and direct

¹² *Ibidem*, pp. 11–12.

¹³ *Ibidem*, pp. 11–12.

EU intervention in Darfur, the action of the EU left much to be desired, which resulted in a growing wave of criticism from the international community.

Many EU Member States have not engaged themselves in long-term measures, basing their action only on bridging missions, which passed for further implementation to the United Nations. It was only in 2007, once again raised security issues in Darfur. Also raised issues related to the instability of displaced persons from the region of Darfur and Chad.¹⁴

Criticism of the EU from international commentators is ambiguous. EU despite held seats, effort and financial support for the military does not use their instruments in a manner sufficient to ensure security in Chad and Darfur. The constant drumbeat under the direction of the EU is mainly a failure to increase the scope of helping to resolve the conflict in Darfur, including for the provision and restoration of political stability in Sudan. According to the commander of the EU operational only in some regions EU was able to improve security. However, to maintain long-term stability is not possible with such limited military resources coming from the UE.¹⁵

The previously mentioned UE actions' are short term actions, while was expected from EU plans and actions to make changes that provide the effect for a longer time perspective. The introduction of such measures was considered development with the support of legal documents conferring the right to make changes not only related to the safety of the civilian population, but also lead to changes associated with the maintenance of normal relations with the government of Sudan. The main priority is the implementation of the Comprehensive Peace Agreement signed in 2005, which is a start in solving an already 23 years old military conflict between North and South Sudan. In addition to working the Commissioner for Development Cooperation and Humanitarian Aid, the EU should provide support for DG DEV, which is aimed at realization and implementation of programs such as financial support to ensure political and economic stability and supervision of foreign policy. The mandate of the EU Special

¹⁴ Ibidem, pp. 11–12.

¹⁵ Ibidem, p. 14.

Representative (EUSR) for Sudan is twofold. First of all, serves as the primary point of contact with representatives of the AU but also provides a protection for the conduct of affairs and the peace talks to resolve the conflict in Darfur. Its main task is to create a constructive dialogue between North and South Sudan, with due regard to the regional aspects of the conflict.¹⁶

EUSR international community could do much more to expand the means of providing support and assistance on changes in Darfur, by exerting significant pressure on the Sudanese government. Measures long and short-term need to efficiently coordinate, and should rely on more strategic activities, not only on theoretical plans later ceded to the United Nations.

The purpose of taking the political dialogue, required actions from the Member States of the European Union, including take the initiative in China's commitment to improving the situation in Sudan. Unfortunately, for too long ignored China as a major recipient of oil from Sudan, and could have a huge impact to make changes in this region due to its economic relations with the region.

The International Criminal Court (ICC) as well as those of the UN Security Council established a number of arrest warrants for Sudanese officials. ICC by virtue of the powers conferred under Art. 13 of the Rome Statute has the ability and the tools to apply and put before the Court of Criminal those directly responsible for the actions of armed crimes and genocide.¹⁷

Cooperation of the European Union is based, on relations with the Council of National Unity (GONU) in Khartoum, as well as with the Government of Southern Sudan (GOSS) in Juba. In connection with the signed peace agreement 2005 the European Commission published its plan for a significant financial support and various reforms through a variety of instruments. Declared financial expenditures amount to € 500 million, inclusive. These funds were directed at programs such as security, food, education, water equipment and support for non-governmental organizations. In December 2007, the Commission forwarded € 3 million

¹⁶ Ibidem, p. 15.

¹⁷ Ibidem, p. 16.

to the UN Trust Fund to support the work of the AU and the UN to support the work of Mediation Support Team. Because it is very difficult to direct financial aid in Sudan, the EU operates through financial support given to NGOs with and through the UN.

The European Commission has explicitly declared its readiness to the financial support in order to improve the situation in Sudan, however, as already mentioned, only in the short term. According to critics, the EU should also rely more heavily on increasing funding for development initiatives.¹⁸

The EU have been implementing a number of initiatives which aimed at improving the situation in Sudan but many of them have not produced desired results. The EU's cooperation with the United States does not lead to a reduction of further military action in Sudan or fully reduce the ongoing conflict of the Civil War.

Despite all the warnings in the EU, which should be developed and a plan of action in case of worsening of the situation of conflict in Sudan, the situation is not improving. The EU should initiate activities related to the formal separation of the economic interests of the armed forces, the oil trade, and support for debt repayment North and South Sudan.¹⁹

In conclusion, the overall relief efforts by EU are very weak, because of the fact that there is no coordination of international activities both in Darfur, and in the other regions of the Sudan. The resulting chaos in the operation of the EU is related to such the quality of EU-US cooperation. There was no close cooperation aimed at planning of aid activities, also because of the peculiar was the rivalry between the neighboring countries which want to be seen as a major mediator in peacekeeping. It is up to the EU is to exert stronger pressure on the Sudanese government, while formally not equipped for the job. This role should be taken over by the U.S. and the EU should take over the role of formal support for these activities. The most effective action would be to create an international group of countries such as Russia, China, Arab and African States, in order to exert political and economic pressure on the government of Sudan.²⁰

¹⁸ Ibidem, p. 17.

¹⁹ Ibidem, p. 19.

²⁰ Ibidem, p. 20.

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