

Explaining the Darfur Peace Agreement Part 15 Leadership for Implementing the DPA

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This is fifteenth and last in a series of articles explaining the Darfur Peace Agreement (DPA), explaining what lies behind the long and complicated text of the Agreement. As these articles have tried to explain, the text of the DPA is strong and reflects the hard work put in by the negotiators on both sides. This final article asks, what kind of leadership will be needed to implement the Agreement?

The responsibility for implementation falls first and foremost on the Government of Sudan and the SLM/A. Of these two parties, the GoS is the more powerful and capable by far and therefore shoulders the heavier duties. As Dr Magzoub al Khalifa and Minni Minawi sat opposite one another in the Presidential Villa in Abuja on the afternoon of 5 May, President Obasanjo said, “Unless the right spirit is there this document is not worth the paper it is written on.”

Few Sudanese have read the DPA. Most have only learned about it from the commentaries of political pundits—many of whom have not read it themselves, but just looked into it to see if it deals with the issues that concern them. Some have looked only at page 107 and seen the two signatures of Dr Magzoub and Minni. Many Darfurians who don’t support either the NCP or Minni Minawi, having failed to see the signature of a leader who they believe represents their real interests, have simply dismissed the DPA out of hand.

I urge Sudanese to read the text—and read it with explanations and commentaries to hand. Even though Abdel Wahid al Nour and Khalil Ibrahim did not sign the DPA, their negotiators had a major input into the text, especially on security and on wealth-sharing. But understanding what has been agreed in the DPA and why has little meaning, unless the Government and SLM/A are ready to implement it in the right spirit. Implementing a peace agreement requires much more than sticking to the letter of the text.

The DPA should be debated. There are ambiguities in the text and issues to be settled during the implementation. It is not a crime to criticize and oppose the DPA—it is a basic right to disagree, and it is the duty of an informed and active citizen to form an opinion on a matter of such importance. No-one can be sanctioned or imprisoned for simply opposing the DPA—the only reason for taking this kind of measure against someone is if he actively undermines it, for example by launching military attacks. Proper debate is essential. There are many shortcomings of the DPA, and they can only be identified and remedied if there is open discussion. The DPA is not a Koran or a Bible—the contents can be amended with the agreement of the signatory parties. In fact, as circumstances change, we can be sure that changes will be made. The important thing is that changes

should be made by consent and that any changes should either be improvements, or they should be inescapable, in response to the pressure of events.

The more that the Sudanese people understand the spirit of the DPA, the better they will be able to call the GoS and SLM/A to account in its implementation, and the better they will be able to press for improvements.

The task of implementing the DPA will fall not only on the political parties but also on technocrats. One of the central provisions of the DPA is the Transitional Darfur Regional Authority and its various constituent organs, which are to deal with security, reconstruction, land, peace and reconciliation, etc. Paragraph 66(e) provides that, when nominating the heads of these bodies, “the Senior Assistant to the President shall consider prominent and well-respected individuals who are capable of commanding the confidence of all parties.” Most Darfurians—elites and ordinary people—have confidence that impartial technocrats can do better than politicians in making peace a reality.

Many implementation tasks will also fall on community and tribal leaders. The Darfur-Darfur Dialogue and Consultation will be a very important step in moving peace forward. The Peace and Reconciliation Council, to be set up at the DDDC, will be an opportunity for respected elders of the community to use their wisdom in settling many of the local conflicts that cannot be resolved through the DPA.

The African Union and its partners, including the UN and US, have a secondary responsibility for implementation. There is a tendency for the Sudanese parties to blame the AU when things go wrong in Darfur, but they must always be aware that the AU can only monitor and verify an agreement that the parties themselves have agreed to. A referee cannot make bad teams play a good football match—but he can spoil a good game by bad decisions and even lose control of the match.

The “referee” for the DPA is currently the AU, although the AU has asked the UN to assist and ultimately to take over the mission in Darfur. But the referee also includes international partners. Pages 107-108 of the DPA contain the signatures of 14 international guarantors, from African countries (Nigeria, Congo, Libya, Egypt), the AU, the UN, the EU, the Arab League, the U.S., U.K., Canada, Norway, France and the Netherlands. The EU provides one deputy chairman for the Ceasefire Commission, a range of international partners are on the Joint Commission, and a neutral country or international organization is slated to provide the Security Advisory Team (it should be chosen soon). All of these comprise the international implementation team.

What qualities should this implementation team possess? They should be capable, organized and energetic—but also patient in the face of complication and delay. They should have a long-term vision twinned with a commitment to see that the best is done. They should always be well-prepared and well-informed, but also ready to take the initiative and bear the criticism that always rides with being out in front.

What qualities should be avoided in choosing the implementation team and especially its leaders? There are three types of person who would spell disaster.

The first is the functionary, who just insists on doing his or her job according to the book, who cannot be bestirred to work late at night or travel rough in the villages of Darfur to find out what the people are thinking. Implementing a peace agreement is no standard bureaucratic job, for the person who counts the hours until signing off and who keeps an eye on the per diems.

The second is the quick-witted charmer who relies on his or her sharp political instincts to stay ahead of the game, but fails to do sufficient preparation and doesn't work hard enough to make the administrative systems function. Such people often get far through bluff, because of loyal subordinates whose hard work may pave their way, and through the goodwill of their peers. But this approach simply isn't enough to manage a delicate process that requires a detailed understanding of a complicated agreement and the patient building of trust between parties. A casual approach that relies on protocol and the ability to size up a situation as it arises may be enough to charm one's way through a diplomatic reception but more solid qualities are required for the serious work of implementing peace. Meeting the rigorous deadlines for implementing the DPA is no job for someone who is casual or easily distracted.

And the third danger is to appoint someone who has an outsize ego. Conviction, determination and a thick skin are required—but these must be balanced by a readiness to study the details and manage the complexities, listening to advisers and subordinates. The leaders of the implementation team must know the text of the DPA so well that they are never caught out by an issue of procedure that they didn't expect; they must know the parties intimately, and their strengths and weaknesses. No single person can manage the implementation process. Good managers who know how to delegate and trust their professional staff are needed.

Many African leaders are tolerant of senior staff who under-perform, and are unwilling to appear disrespectful by being more demanding. Peace in Darfur is far more important than the occasional hurt feelings of a civil servant. Just as Paragraph 250 provides the Joint Commission with extensive powers to name and shame, and even sanction, individuals for failing to do meet their obligations under the Comprehensive Ceasefire, so too should the members of that Commission call to account those in the implementation team—even its leaders—who fail to do their jobs.

Many Sudanese are disappointed with the capacity of the AU in Darfur and are campaigning for the UN to take over. It is certainly true that the UN has much more experience with handling peace building operations, and has a more established institutional apparatus, more funds and more people who have done this kind of job before. But let us have no illusions that the arrival of the UN—should President Bashir allow it—will solve the problems of peacekeeping and implementing the DPA. The same basic problems will remain whether it is the AU or the UN. When Darfurians see the size, expense and lifestyle of the UN presence they may wish to have the AU back!

Most of the debate on the peacekeeping force has focused on the numbers of troops, the logistics, the mandate, and whether it falls under the AU, UN or even NATO. This debate misses the key issue: what is the long-term vision of the mission? What does the mission intend to leave behind when it completes its job, and how does it intend to use its time in Darfur—five years until the end of the transition, at least—to achieve the task?

Anyone who has seriously analyzed the situation in Darfur realizes that three preconditions are necessary for success.

First, the international mission will need to be in place for at least five years. Darfur cannot be stabilized quickly. It will take at least until the end of the transitional period in 2011 for security to be restored, for a police force to be built up, and for militias to be brought under control. Once this timeframe is accepted, then the peacekeeping mission can be designed accordingly. Its members should be required to be acquainted with Sudanese society and should learn at least enough Arabic to function socially. They should be posted for long enough to understand how the communities function and to gain the trust of community leaders. They shouldn't simply be content with doing their job for six months or a year and then departing.

Second, this effort at stabilization must be an all-inclusive effort. Forcible disarmament—providing security without obtaining the consent of the armed groups—is simply impossible. The leaders of all Darfur's communities must be made part of a collective effort at stabilizing the region. If the importance of collaboration is recognized, it will quickly be obvious that the great majority of the peacekeeping work can be done by the communities themselves. For example, the task of controlling and disarming undisciplined elements within the militia can be done largely by the tribal authorities, with monitoring by international elements. Let Darfurians and the international mission work together.

Third, success is possible only if the long-term aim is to restore the authority of government (that is, "government" not "the current government") and establish a stable and unified Sudanese state. Government as a feature of life, in the sense of a state that delivers security and basic services, and regulates key aspects of civil life, simply does not exist in Darfur and has not existed for some years. The very idea of the state as an entity that has authority over the territory of Sudan and represents the interests of all Sudanese citizens has all-but-vanished. The only long-term solution to Darfur's crisis is to restore the concept of "government" which in turn can only be done if Darfurians—and all other Sudanese citizens—have confidence in their state. This concept of "government" includes an independent civil service, a native administration chosen by the people, and state authorities that deliver essential services such as health and education to all.

All Sudanese aspire to have this kind of government. Some see the current Government of National Unity as the only option while others want to transform the nature of the state. The reality of a negotiated end to Sudan's wars—through the CPA, DPA and

hopefully the EPA—means working with the government in power today. It is today's government which has the major responsibility for implementing the DPA.

No-one pretends that implementing the DPA will be straightforward. But the best start is to understand the Agreement and to work in a spirit of cooperation, professionalism and goodwill to make it a reality. Leadership for implementing the DPA must come, first and foremost, from Sudanese political leaders. If they are wise, they will appoint independent and impartial technocrats, men and women of integrity who are trusted by the people, to key positions. They will also allow the people to choose their Native Administrators and minimize political interference in those positions. But an onerous responsibility also falls on the leaders of the AU and international organizations and partners in Sudan. Their leadership is also required: they must take the DPA as seriously as if their own personal futures depended upon it.