

THE GAP BETWEEN NARRATIVES AND PRACTICES

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DARFUR: THE RESPONSES FROM THE ARAB WORLD

# 3. BRIDGING THE GAP BETWEEN NARRATIVE AND PRACTICES: THE ROLE OF THE ARAB LEAGUE IN DARFUR

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## A COLLECTION OF PAPERS TO INSTIGATE INTER-ARAB DIALOGUE ON POLICIES TOWARDS THE CONFLICT IN DARFUR

This paper is part of a collection of seven research papers published within the framework of the project '*The Gap between Narratives and Practices. Darfur: Responses from the Arab world*' undertaken by FRIDE from October 2008 to March 2010.

The project aims to develop an understanding of Arab states and society, as well as their attitudes and policies towards massive violations of human rights in their region. The research conducted for this purpose is manifold and aims at facilitating an inter-Arab dialogue; as well as the generation of ideas about how other actors may play a positive role to engage the Arab world in redressing the massive violations of human rights in the particular case of Darfur and beyond.

The project undertaken by FRIDE and funded by the Ford Foundation has gathered together a number of researchers and activists to develop background research, meet in an international conference in Tunis on October 2009 to discuss their findings and draw conclusions and recommendations in different thematic areas, including Arab perceptions of the crisis, Arab policies as individual states and within the framework of regional and international organisations, and other external responses somewhat related to or influential upon what Arab actors could do regarding the Darfur conflict.

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# 3.

## BRIDGING THE GAP BETWEEN NARRATIVE AND PRACTICES: THE ROLE OF THE ARAB LEAGUE IN DARFUR

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## INTRODUCTION

Although there are more than 105 Darfur peace talks and initiatives carrying the signature of the Arab League (AL), the League has not gained a distinct profile in conflict mediation. How can this gap between effort and result; between narrative and practices be explained? The League and its member states show activity regarding Darfur, yet there is no strategy or conflict resolution policy in place. Although the League is sometimes mentioned as the leading agency, in reality it is at best a partner in initiatives taken on by member states of the AL.

There are at least two contesting narratives grounded in different perceptions when looking at the Arab League and its role in Darfur. One is the expectation of the Arab League as a conflict mediator; the other is the perception of the conflict in Darfur itself. Nowhere in its summit resolutions or statutes does the Arab League conceptualise its foreign policy as one driven by human rights, good government and the need to mediate in conflicts within its sovereign member states. Conflict mediation is limited to inter-Arab state conflicts. The AL mandate states clearly that the main goal of the organisation is to promote Arab unity. The understanding is brotherly peace amongst the AL member states and unity vis-à-vis the rest of the world. Whereas the European Union, the African Union and the United Nations see conflict mediation as a core mandate, the Arab League does not. This has to be taken into consideration when judging the Arab League standards against their practices. The Arab League has a different organisational set up and has never put forward the value-based foreign policy that the other organisations have to be measured against. The League subsequently never established mechanisms in its structure to facilitate such efforts.

The second contested narrative is based on the conflict in Darfur itself. It further explains why the Arab League bases itself on silent diplomacy between member states to strengthen its position against the outside world. If a sitting head of a sovereign state in the Arab League is losing face; diplomatic efforts are clearly considered as great failures. This explains the resentment towards US policies in the region, which are often based on widely-publicised declarations against Sudan as a means to shrug off pressure from its domestic constituency.

As an organisation that is historically mainly concerned with outside interventions violating their member states' territorial integrity (Palestine, Iraq), it is not surprising that the Arab League's perception of the conflict in Darfur differs from the western one, which claims to be based on human rights. For the Arab League and its members it is important to have stability in unity and enough strength to withstand occupation and interventions. Its focus therefore was first and foremost on the government in Khartoum, concerned about the stability of the system, particularly during the precarious times of peace negotiations with southern Sudan. The AL took a cautious stance regarding the focus on victims in Darfur that was forced upon it through media campaigns and statements by western governments. There was also caution regarding the forces supporting the rebels and their respective interests: this issue was barely considered in the western world, where mere opposition to Omar al Bashir's government – a perceived 'rouge' government – was worthy of support. Western campaign groups did not question their governments on the interest of their involvement and did not denounce the actions of Darfur rebels against civilians with the same verve they showed when accusing the government. This was unacceptable to many in the Arab world, precisely because of the double standards with which armed groups would be labelled either 'good rebels' or 'bad terrorists' without a clear framework by the same external actors.<sup>1</sup> Given the long history of colonisation and foreign occupation in countries such as Sudan, the caution towards outside interests is quite pronounced.

The trigger for the fully-fledged military encounter in Darfur was the attack by one of the Darfur rebel groups Sudan Liberation Army (SLA) on El Fasher military airport in April 2003. This however was not the beginning, but

<sup>1</sup> Mahmood Mamdani makes this point in relation to Iraq, others made the point comparing the denouncement of Hamas after their electoral victory in 2007 with the friendly dealing with Darfur rebels by western governments. See Mahmood Mamdani, *Saviours and Survivors: Darfur, Politics, and the War on Terror* (New York: Pantheon Books, 2009).

rather the most serious escalation in a long smouldering conflict. At around the time when the situation in Darfur exploded, the long-standing conflict between the government of Sudan in Khartoum and the southern Sudanese Peoples Liberation Army (SPLA) was about to be settled. The timing was unfortunate and the majority of negotiators involved were reluctant to engage with yet another conflict in the vast country. It was of mutual economic interest to harvest the oil that brought the warring parties from the southern rebels of the South Sudan Liberation Army/Movement (SPLA/M) and the central government of President al Bashir to the table, not political agreement. The conflict in Darfur therefore was not a new and surprising event in a country whose rulers have used military force to stay in control since at least the colonial era. Yet unlike the seventeen year war between north and south Sudan resulting in the deaths of more than two million people; Darfur generated an incomparable amount of publicity. There was an incredible amount of coverage in the western press, and campaign organisations including 'Save Darfur' emerged.<sup>2</sup> These campaigns, with their celebrity endorsements, political lobbying skills and moral demands, forced their home governments to react. Although it was more statement politics than political follow-through, many western countries and eventually even China<sup>3</sup> had to position themselves critically towards Sudan because of the massive amount of public pressure.

On the other hand, the Sudanese and Arab media did not hold back in describing the situation in Darfur as a US conspiracy of the US, the Christian right or Israel. Several Sudanese officials talked about the greed for oil as the main motive for the West's involvement in Sudan: 'The West wants to punish those who doubted the Nazi Holocaust by calling Darfur genocide and plotting to intervene in Sudan'.<sup>4</sup> Darfur was seen as a nuisance. It aroused the attention of the League only after the Justice and Equality Movement (JEM) attack on Omdurman in May 2008. JEM was militarily the strongest Darfur rebel group and managed to pass through the country from the border of Chad up to the capital Khartoum without obstruction by the Sudanese army. The conflict arrived in the capital, and the reshuffling of the cabinet and arrest of several army members by President Bashir showed how this attack hit the nerve of the ruling National Congress Party (NCP).<sup>5</sup>

While the crisis in Darfur did not provoke as much activity as coverage, the arrest warrant against President Bashir initiated an extremely high level of action from the Arab League. The lack of concern and empathy for the (Muslim) victims in Darfur was criticised strongly by the rebels but also by intellectuals in the Arab world.<sup>6</sup>

From a global point of view, the crisis in Darfur symbolised a growing disconnect between the Arab world and the West, as well as between the Arab world and the African Union, the most active organisation dealing with the crisis on the ground. When during the crisis in Darfur Sudan assumed leadership of the Arab League and hosted the Khartoum summit in March 2006, the bitter feelings expressed by Secretary General Amr Moussa capture what still prevails in the opinion of many in the Arab League as in central Sudan, referring to 'the importance of standing as one to face the onslaught that has adopted the clash of civilisations as a launching pad for insult and accusation and basis for the exercise of force, extremes of arrogance and contempt, double standards and the violation of human rights'.<sup>7</sup> The bone of contention that is buried in this statement sums up the sentiments of injustice that the West feels towards the Arab world. These very sentiments however reflect the Darfur population's feeling of humiliation by the central government and their grievances against the Arab world. Moreover, there are a growing number of Arab commentators criticising the Arab position on Darfur.<sup>8</sup>

<sup>2</sup> For in-depth critique on this phenomena see Mahmood Mamdani, op. cit. and David Lanz, 'Save Darfur: A Movement and Its Discontents', *African Affairs* 108/433 (2009).

<sup>3</sup> The campaign against the 'Blood Olympics' with director Steven Spielberg resigning out of protest towards the uncritical Chinese Darfur policy provides an example.

<sup>4</sup> Various references quote President Bashir and his presidential advisor Majoub al Khalifa making these allegations. See for example: Sudanese Media Center, 23 August 2007 and the Sudanese newspaper Al-Sahafa on 14 November 2007, citing a speech by President Bashir.

<sup>5</sup> See Annette Weber, 'Die Schlacht um Omdurman' und ihre Folgen für den Frieden im Sudan'. *SWP-Aktuell* Berlin, June 2008.

<sup>6</sup> The Justice and Equality Movement in particular is very outspoken in its criticism of the Arab world, its countries' leaders and the public for not reacting to the conflict. See their website: <http://www.sudanjem.com/2009/archives/category/press/en/>

<sup>7</sup> Address of his Excellency Mr. Amr Moussa, Secretary General of the League of Arab States, to the opening session of the 18th Summit of the Arab League in Khartoum.

<sup>8</sup> See Jacob Hoigilt, 'Darfur and Arab Public Opinion: Strategies for Engagement'. FRIDE, 2010. Editorials in Al Hayat, Al Sharq al Awsat (Diana Mukkalea), Director of Al Arabiya TV.



The position of the Arab League on Sudan reflects a reversal of cause and effect. The international response to Darfur, rather than the conflict itself, is the topic of interest. Despite the division and competitions between the League and its member states, the arrest warrant against President Bashir provided glue for an Arab consensus and paved the way towards greater Arab unity.

Now there is a real window of opportunity for the Arab League to establish itself as an organisation with a peace portfolio in the region. The different political contacts could thereby be an asset, as they could guarantee access to all actors in the conflict. This however can only be truly successful if the league acts as one, with transparent coordination of efforts rather than secret competition between member states.

## INSTITUTIONAL STRUCTURE AND PREPAREDNESS OF THE LEAGUE OF ARAB STATES TO DEAL WITH CONFLICTS

The Arab League was founded in 1945 – just one month before the United Nations came into existence – with the aims of providing ‘good office’, facilitating the mediation of conflicts occurring among member states and strengthening Arab unity against the outside. The League was founded by Iraq, Syria, Lebanon, Saudi Arabia, Egypt and what is now known as Jordan. It currently includes 22 member states.<sup>9</sup> Similar organisations founded at later dates are the Organisation of the Islamic Conference, a body representing the Muslim world established in 1969, and the Gulf Cooperation Council, which connects the main economic powers in Arab world, established in 1981. Both organisations are also involved in diplomatic initiatives.<sup>10</sup>

The League’s governance is structured on the basis of the duality of supra-national as well as sovereign identity of its member states. This is also reflected in their peace initiatives, mainly originating from a member state and then taken to the supra-national organisation. The League is governed by five bodies: the Summit Conference, the Council of the League, the Technical Committees, the Secretary General and the specialised Ministerial Councils.

The summit conferences are called when needed and heads of states attend them. The Council of the League is the supreme body with a vote for all members. The objectives and policies are discussed and voted upon in the Council. The Council meets biannually and is the body that appoints the Secretary General. The Secretary General is appointed by a two-thirds majority and his main responsibility is to oversee the day-to-day operations of the Secretariat, based in Cairo. The Secretariat is the administrative body of the League as well as the executive body of the Council.

The AL decided to create an Arab Parliament at their Damascus summit in 2001 and hopes to open the doors to the Parliament building in Damascus in 2010, while the secretariat remains in Cairo. During the League’s summit in Algiers in 2005 the AL decided to establish an Arab Peace and Security Council<sup>11</sup> (APSC) and issued the statutes during the following summit in Khartoum. The APSC was to replace the ‘Mechanism for Conflict Prevention, Management and Resolution between Arab States’. The focus remains on the AL’s position of facilitating peace amongst Arab Countries and mediating between Arab countries and the rest of the world. The bi-annual meetings of the councils are taking place on Ministerial levels in preparation for the summits.

<sup>9</sup> Member states of the AL are Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen.

<sup>10</sup> Both websites provide much more transparent information than the website of the Arab League. See Organisation of the Islamic Conference, <http://www.oic-oci.org/>; Gulf Cooperation Council, <http://www.gccsg.org/eng/index.php>; Arab League, <http://www.arableagueonline.org/las/index.jsp>

<sup>11</sup> Statutes of the Arab Peace and Security Council. Summit Resolution 331-5-18-29.3.2006

The League was meant to deal with Arab problems through Arab solutions. The idea was to create an organisation to strengthen Arab unity as well as to prevent conflicts in the Arab region. Although it is a regional organisation, the Arab League functions very much as an echo of the political ideas of its member states. Peace initiatives by member states therefore are very often attributed to and claimed by the League.

The functioning of the League is based on common interest and implementations of decisions are voluntary. This lack of institutional implementation mechanism makes follow-up on decisions a task for individual member states. If decisions taken by the AL are not implemented by member states, no sanction mechanism is in place. Given the heterogeneous character of the member states and their different ideological alliances and interests, it is highly unlikely that the AL will implement common decisions taken at an AL summit. The current Secretary General of the League, former foreign minister of Egypt Amr Moussa, started his position with a strong will to reform the League and make it a regional organisation with political power. He was very vocal and pushed the organisation: 'The Arab League should be strong or not exist at all' was his credo, and he seemed determined to put it into practice. His reform agenda and subsequent resolutions of AL summits stress the necessity to establish strong mechanisms to implement resolutions. The creation of an Arab Economic Bloc, a Security Council, an Arab Parliament and an Arab Court of Justice have been on the agenda since the Tunis summit 2004. The Council of the League of Arab States declared the statutes of the Arab Peace and Security Council in an extraordinary session under Resolution 6479<sup>12</sup>. However, so far none of these essential preconditions to strengthen the foreign and security policy of the AL are in place. Whereas the League's secretariat and diplomatic corps functions with full capacity and is increasingly asked to play a more influential role in the international arena, the follow through is still hampered by the difficulty to find a common position and political will to act.

The Israeli-Palestinian conflict is the essential reference point for the AL. That the Palestinian state is a member of the League without actually existing shows the power of the common goal binding the AL together. Other regional conflict issues however sometimes create more friction than unity: the various Gulf wars, the war in Iraq and the Hamas-Fatah divide cause disagreements among the AL. It was able to facilitate mediation efforts in several crises, such as that between Lebanon and Syria, and engaged in preventive diplomacy between Iran and the US. In the case of Sudan, the AL was present as an observer in and guarantor of the CPA negotiations. However, some critical voices declare that the involvement in the Naivasha negotiations came too late, as did the involvement in the Darfur conflict.<sup>13</sup>

The AL declarations concerning Darfur do not often translate into action. While the Arab League acknowledged the active role of the African Union in Darfur, there is not much effort to achieve better coordination with AU initiatives. AL initiated peace talks could have much more sustainable impact when coordinated with the AU/UN talks on a complementary rather than competing basis.

<sup>12</sup> *The Statutes of the Arab Peace and Security Council*. 19 January 2005, Cairo. English translation available at: [http://www.arableagueonline.org/las/picture\\_gallery/PeaceSecurity2.pdf](http://www.arableagueonline.org/las/picture_gallery/PeaceSecurity2.pdf)

<sup>13</sup> Interview with Dr. Eglal Raafat, Director of the Program of African Studies at the Faculty of Economics and Political Science, Cairo University, June 2009.

## THE LEAGUES' RELATION WITH SUDAN

The Arab League's relationship with Sudan is long and ambivalent. Sudan is the bridge from the Arab world to Sub Saharan Africa. For neighbouring Arab countries Sudan plays a decisive role in their security. This ranges from aspects of human security such as Nile water quotas and resource allocation to the military aspect of the support for various armed groups by the Government of Sudan. Sudan was and is feared for its links to international terrorism, applauded for their firm opposition to the West and belittled as a 'primitive cousin', whose claim to Arab identity is not taken seriously. Because of their northern neighbours' feelings towards the Sudanese, it is not uncommon to hear Egyptian politicians and intellectuals wholeheartedly proposing Sudan to unite with Egypt for the sake of Sudan's stability.<sup>14</sup>

The relationship between Sudan and Egypt is particularly complex, with both countries acknowledging the influential position of the other, yet nevertheless often working around each other rather than together. Sudan was an influential country in the Tripoli-Baghdad-Teheran axis of conflict throughout the nineties and was feared in the heydays of Hassan al Turabi's political Islam as a destabiliser for many Arab regimes. Turabi was a leading ideological and political figure in Sudan from the mid 1980s onwards, even more so following the military coup of Omar al Bashir in 1989. Turabi's foundation of the Popular Arab and Islamic Conference was clearly understood as a sign of disrespect and even contempt against the Arab League and as an implicit criticism of the leaders of Arab Countries. The relationship between Egypt and Sudan has since been severely impaired. Sudan repeatedly accused Egypt of being a stooge of the United States and a supporter of Israel. Several factors led to a severe crisis between the two countries, including the power cut off of the Egyptian embassy, the Hala'ib border issue and the support for Usama bin Laden, the Egyptian Muslim Brothers, Iranian revolutionary guards, Hezbollah and Hamas by Hassan al Turabi in Khartoum, led to a severe crisis between the two countries. Egypt pushed for sanctions in the Security Council<sup>15</sup> after the assassination attempt against Egyptian President Hosni Mubarak 1995 which was directly linked to Turabi and his regime. The forbidden Sudanese political opposition (National Democratic Alliance, NDA) was given shelter in Cairo and even John Garang, the leader of the Southern Sudanese rebel movement SPLA (Sudan Peoples Liberation Army) was received by President Mubarak. When President Bashir split from his former ally and king-maker Hassan al Turabi in 1999, Egypt fully supported Bashir. Although the two countries now maintain normal diplomatic relations, Egypt remains wary on Sudan.

Sudan was internationally isolated during the 1990s. However the US administration's approach strengthened links to the Arab world which had been weakened by Turabi's support for Saddam Hussein's invasion of Kuwait. Sudan was placed on the list of states sponsoring terrorism by the US administration after the World Trade Centre bombs in 1993. After the attacks on US embassies in Nairobi and Dar es Salaam in 1998 which were carried out by al Qaida East Africa, the US accused Sudan of being a major supporter of al Qaida and retaliated by bombing a pharmaceutical factory on the outskirts of Sudan's capital Khartoum, the al Shifa factory. The al Shifa bombardment had two consequences. The unfair treatment and risk of intervention by the West was proven again. President Bashir saw the risk of isolation and because of the oil that was about to be harvested in Sudan, he opted for his country to be part of the international community and therefore removed the troublemaker al Turabi from power in 1999.

<sup>14</sup> There were proposals for an alignment of northern Sudan after the referendum splitting the country as well as proposals for an alignment of Sudan and Libya with Egypt to form a strong regional hegemonic power. These were all made during interviews with politicians and intellectuals in Cairo 2009.

<sup>15</sup> Egypt was the only Arab member of the Security Council in 1995.

## THE ARAB LEAGUE AND SOUTHERN SUDAN

As Francis Mading Deng wrote in 1995 in his book *War of Visions*<sup>16</sup>, conflicts of identity and the 'superiority respectively inferiority complex' are deeply embedded in the history of Sudan. Deng was referring to the relationship between northern and southern Sudanese. However his analysis could be enlarged to describe the relation between the Arab world and the political actors in southern Sudan.

Although most southern Sudanese do speak Arabic, during interviews they seemed to view the Arab world as allies of the government in Sudan. Racism plays a role not only in the relationship between western states and Sudan but also between the Arab world and Sudan and northern Sudanese and southerners.<sup>17</sup> As the head of the Africa Institute at Cairo University points out, 'the Arab World does not see the Somalis or the people from Darfur as Arabs, maybe the Sudanese in the centre, they are Arabs'.<sup>18</sup>

Whereas the AL and member states had serious reservations regarding essential positions in the Comprehensive Peace Agreement (CPA) regulating the future of the relationship between south and north Sudan, the negative position vis-à-vis the CPA has slightly shifted. The right to self determination sent shivers through leaders in the Arab world symbolising the separation and – in the case of Egypt the main point – a serious violation of economic interests with an unknown future of rights on the river Nile.

Egypt has an interest in building good relations with southern Sudan. Egypt hopes for a number of water projects – such as the Jonglei canal – to guarantee its water flow. There is a sentiment amongst southern Sudanese – those in political positions as well as amongst the population – that keeps their engagement with Darfur quite reserved. Although SPLA was engaged in training and supporting the SLA early on, there is reservation to engage in Darfur based on the understanding that it was mainly soldiers from Darfur fighting in the ranks of the Sudanese Allied forces against southerners during the conflict 1994–2005. For the south the Darfuris were not so much fellow Africans but rather northern Muslims. A similar reluctance can be observed in the relation between southern Sudan and the Arab League. Although Egypt allowed the SPLA to open offices in Egypt, their dealings with each other were characterised by reluctance.

Throughout the struggle of the SPLA against the various governments in Khartoum the AL made its support for the government clear. However, the AL never actively intervened or sponsored the northern regime in this struggle. There were incidents throughout the war years (Anyana as well as the SPLA) where both Libya and Egypt actively supported the government militarily. The League as a regional organisation never sanctioned nor condemned this. In a reply by a southern Sudanese scholar to a series of articles published by the former advisor to President Mubarak in the weekly *Al Ahram* magazine, the dividing positions are spelled out sharply.<sup>19</sup> Yet the threat of growing American and western influence in a separate southern Sudan is clearly feared by the AL.

<sup>16</sup> Francis Mading Deng, *War of Visions* (Washington DC: Brookings Institution, 1995).

<sup>17</sup> It is still quite common that southern Sudanese are approached as *abd* (slave) by northern Sudanese. Describing southern Sudanese as backward and underdeveloped and the eastern African and Horn of Africa region as pure products of US support was not uncommon during my interviews with Arab intellectuals in Cairo in June 2009.

<sup>18</sup> Interview with Dr. Ibrahim Nasr El Din, Director of the Institute of African Studies, Cairo University. Cairo, 10 June 2009.

<sup>19</sup> Riang Yer Zuor, 'The Arab World and South Sudan: A case of unfairness', *Sudan Tribune*, 11 March 2007. This was a response to 'Splitting the Sudan' by Abdullah Al-Ashaal in *Al Ahram Weekly* (Cairo), Issue No 832, 15–21 February 2007. Accessed at <http://weekly.ahram.org.eg/2007/832/op5.htm>

## FROM CONCERN TO DENIAL: CHANGES IN CONFLICT PERCEPTION

The conflict in Darfur was never seen as one of the 'Arab Causes' such as the Israeli/Palestinian conflict by the Arab League. It was equally not seen as similar to other civil wars in Sub-Saharan Africa, but perceived more as a local affair that created international mayhem. There was no recognition that the conflict was based on power imbalance and marginalisation. Darfur was perceived as a tribal affair made international, which resulted in a 'clash of civilisations' between the West and the Government in Khartoum. Unlike the crisis in Kashmir and the conflict in Bosnia, where the Arab World empathised with Muslims rather than Arabs, the situation of Muslims in Darfur did not spark concern and solidarity. Yet there some Arab commentators raised critical voices calling the Government in Khartoum to take responsibility. These views were not however reflected in official Arab League statements but could be heard in the corridors of the League.<sup>20</sup>

While the West laid the blame in Khartoum and filed al Bashir's regime under 'rogue states' again, the rebels gained unprecedented popularity. The Darfur rebels gained recognition. SLA leader Abdel Wahid al Nur moved to Paris after a difficult exile in Asmara/Eritrea. Although human rights organisations called upon the rebels to follow the Geneva conventions, in the western media the rebels were generally seen as the 'good guys'.<sup>21</sup> In the Arab world however the perspective was different. The legitimate government in Khartoum was attacked by armed insurgents threatening the government's monopoly of violence. These rebels were now even hosted and assisted by the very West that labelled every other armed group a terrorist threat. For the West, the rebels became the equivalent of freedom fighters; for commentators in the Arab world, they were a 'full industry supported by many interests from outside'.<sup>22</sup> The conflict itself disappeared from the picture altogether.

Although there were Muslims under attack in Darfur, the conflict was neglected just as the previous Sudanese conflicts. Human rights violations committed by the government in Khartoum against civilians in southern Sudan or the Nuba Mountains never attracted much attention from the AL. The Khartoum government's assertion that it would deal with the insurgents in Darfur militarily was therefore seen as a reassurance rather than an alert. The external factor, possible interference against the sovereign government, was highlighted as one major cause of the conflict. Israel was again perceived as strategising to disintegrate the Arab world.<sup>23</sup>

Some commentators from the Arab world lamented that the Arab League did not become more active: as one said, 'The killing was brushed over – no responsibility was taken'.<sup>24</sup> The League was transfixed on outside interference. The conflict was stripped of its political root causes and seen as a mere tribal affair by the Arab League.<sup>25</sup> First ignored then finally acknowledged, Darfur is now seen as a legitimate counter insurgency operation by the government of Sudan.<sup>26</sup> In the Sudanese and Arab media alike, the international implications of the Darfur crisis are by far more frequently reported than the domestic origin or the conflict dynamics themselves.<sup>27</sup>

In May 2004 the Arab League sent a fact finding mission to Darfur. Although its report was not made public, it was leaked and there was strong wording on human rights abuses committed by all sides, including the government for-

<sup>20</sup> For critical commentators see for example Tareq al Hamed and Abdel-Rahman Al-Rashid in their opinion columns in *Al Sharq al Awsat* in July 2008.

<sup>21</sup> Some former civil society activists of the French political former left (Alain Finkelkraut and Bernard-Henry Lévy) turned into supporters of the rebels. Their argument was mainly based on the Holocaust and a possible genocide happening in Darfur without any outside intervention or commitment.

<sup>22</sup> Interview with the Former Deputy Minister for Foreign Affairs and liaison officer to President al Bashir. Dr. Abad Allah Al Ashaal. Cairo, 10 June 2009. The incidence of the French NGO 'L'arche de Zoe', taking Sudanese children from Chadian refugee camps was a cause for concern and fed the assumption of a western conspiracy in Darfur even more.

<sup>23</sup> Interview with Dr. Abdel Moneim Said, Director of the Al Ahram Center for Political and Strategic Studies, Cairo, 9 June 2009

<sup>24</sup> Ibid.

<sup>25</sup> The government in Khartoum originally claimed that the traditional tribal conflict over resources was the main factor behind the Darfur crisis. For a critical reflection on this narrative see Gill Lusk, 'False Premise and False Response to the Darfur Crisis', *Peace Review* 20, pp. 166–74.

<sup>26</sup> This assessment was shared by many interviewees and widely communicated in the Arab press.

<sup>27</sup> For a detailed analysis of the media coverage of Sudanese and Arab media reports on Darfur see: Jacob Hoigilt, 'Darfur and Arab Public Opinion: Strategies for Engagement'. FRIDE, 2010) as well as 'Media Coverage of the Darfur Conflict in Sudanese and non-Sudanese media', Report. Cairo, June 2009.

ces. Part of the report is now available on the Arab League's website.<sup>28</sup> The report called for an independent investigation. The pressure by the Sudanese government to keep the report secret was met with compliance, as were many of its other expectations. Then Sudanese Foreign Minister Muhamed Osman Ismail called on the Arab League for an urgent meeting on Darfur after the Security Council adopted Resolution 1556 on 30 July 2004. Ismail called on the League for support, declaring: 'We expect Arab countries to support Sudan on Security issues and to help the Sudan armed forces to secure roads and arrest rogue elements in Darfur'.<sup>29</sup> The first public reaction by the Arab League was a diplomatic twist. There was no commitment by the League on direct military support for Sudan to secure roads and engage in counter insurgency. However there was a defined position in favour of the government of Sudan on the international diplomatic stage. AL spokesperson Hassam Zaki stressed that Sudan needs more time and blamed the destabilisation of the country on foreign parties.<sup>30</sup> The League urged the Security Council to waive their 30 day ultimatum for the government to disarm the *Janjaweed*. The Sudanese government did not attempt to disarm the *Janjaweed* and later claimed that it would be beyond their control; a reasoning eagerly accepted by the League.<sup>31</sup> The AL spokesperson later argued that: 'Imposing sanctions would put Sudan, an Arab League member, in a corner and not allow it to be an effective partner.'<sup>32</sup> The pro-government of Sudan position actually put the League 'into a corner' and hampered its potential to be seen as a possible broker with access to all parties to the conflict.

## ABUJA AND THE LEAGUE

The situation in Darfur did not come as a surprise and many observers agree that the dynamics of the CPA were influential on the developments in Darfur. Only armed groups were taken seriously and allowed access to the negotiation table. The same exclusive approach was used for the Darfur Peace Agreement talks in Abuja.<sup>33</sup> This led to the formation of even more armed movements, as the wielding of arms seemed to be the entry route to peace talks with the government. But not only was civil society excluded; armed Arab groups and the *Janjaweed* were also denied entry to the talks. This caused the complication of disarmament and the ambiguous relationship between the government in Khartoum and the *Janjaweed*.<sup>34</sup> The League failed to understand the internal dynamics in southern Sudan and their right for self determination. The strong position of the League against the CPA in these respects sidelined the Arab actors and caused them to miss the opportunity to engage more actively when there was time for peace negotiations in Darfur.

The diplomatic practice of the Arab League is based on silent diplomacy. The rationale behind this is that that nobody in leadership should lose face. The League does not have a common position on the Darfur crisis. By not disclosing the report of the AL fact finding mission in May 2004, the League remained silent. The common position only relates to keeping trouble away from the government in Khartoum. During a number of Arab League summits and closed-door talks, the League formulated an active position on the humanitarian need in Darfur, stressing that it should be the sovereign government in Khartoum that is supported if needs be.<sup>35</sup>

Although the League was party to the peace negotiations between the Sudanese government and the Darfur rebels, it did not take full initiative in the run up to this AU sponsored peace talks in Abuja, starting in August 2004.<sup>36</sup> Yet the prerequisites of these negotiations were laid out and accompanied in the various ceasefire agreements in N'djamena in Chad, Libya and Egypt, many of them under the auspices of the Arab League or respective member

<sup>28</sup> This was announced by the Head of the Africa Department of the AL, Samir Hosni during his comments on this paper at the Tunis meeting of FRIDE in October 2009.

<sup>29</sup> 'Sudan seeks Arab help in avoiding sanctions', Reuters, Khartoum, 8 August 2004.

<sup>30</sup> 'Arabs rally to Sudan as world condemns it over Darfur', AP, Cairo, 27 July 2004.

<sup>31</sup> 'The government denies involvement in militia attacks on villagers in Darfur', *Los Angeles Times*, 2 November 2004.

<sup>32</sup> 'Arabs try to break campaign for sanctions on Sudan', Reuters, Khartoum, 29 July 2004.

<sup>33</sup> Interview with Dr. Eglal Raafat, Director of the Program of African Studies (FEPS) at Cairo University, Cairo, 11 June 2009.

<sup>34</sup> For further information, see Julie Flint, 'Beyond the 'Janjaweed': Understanding the Militias of Darfur'. *Small Arms Survey* 17 (Geneva, 2009). The command and control question is discussed in chapter IV. P: 40ff.

<sup>35</sup> Khartoum Declaration, Council of the League of Arab States at Summit Level, 18th ordinary session, Khartoum 28–29 March 2006.

<sup>36</sup> The peace talks in Abuja took place under the auspices of the African Union and included the Arab League, the United Nations, the EU and several states. For the Darfur Peace Agreement see: [http://www.sudantribune.com/IMG/pdf/Darfur\\_Peac\\_Agreement-2.pdf](http://www.sudantribune.com/IMG/pdf/Darfur_Peac_Agreement-2.pdf)

states.<sup>37</sup> However, Abuja was perceived as AU negotiations pressured by the US using deadline diplomacy and the international community taking a second-row seat. The Arab League's influence was not felt to its full potential. The presence of the League at the Peace talks in Abuja is reflected in an important contribution to the talks; however there was also criticism that it was sidelined by the western international actors. Under enormous pressure from the US negotiator, the Darfur Peace Agreement was reluctantly signed by the SLA Minni Minnawi faction but failed to gain support from the much larger SLA faction of Abdul Wahid al Nur or the leadership of the JEM, making the situation on the ground difficult.<sup>38</sup> The late response to the conflict in Darfur is owed to the simple lack of interest by most of the 22 member countries of the League. Only Egypt and Libya have direct interests in Sudan. The fact that the African Union made the first step to deal with the crisis – in the eyes of Arab observers – made it clear that the parties involved did not have much interest in the AL playing a direct role.<sup>39</sup> For the countries closer to Darfur, such as Egypt, the growing concern did not link them to the League. They decided to rank their national security higher than coordination with the Arab League: 'We changed our views. First we were inside [the Arab League]. Now we are like the US. We are in the centre of our interest'.<sup>40</sup>

## SUPPORT FOR THE GOVERNMENT AGAINST A UN MISSION

There was tremendous pressure by the government of Sudan for Arab League countries to reject outside interference in sovereign affairs. However, the 10,000-strong UN force in southern Sudan (UNMIS) as part of the CPA was never rejected either by Khartoum or by the Arab League under the pretext of a violation of sovereignty. The support for the Sudanese government against a UN peacekeeping force became paramount for the Arab League: 'We were principled. We are not for any force in expense of the government', argued the AL Chief of Cabinet in retrospect.<sup>41</sup> When discussing the possibility of deploying an African Union monitoring mission, the Sudanese government was very vocal in opposing this as a threat to their national sovereignty. They argued that despite the AU being actively involved in the conflict in Darfur, only Sudanese troops could be responsible for maintaining peace and stability. The AU had to gain approval before expanding their observer mission into a protection force. When the Arab League held an urgent Darfur meeting in Cairo in August 2004, Egyptian human rights organisations criticised them: 'The Arab League works in favour of Arab governments and not their people'.<sup>42</sup> The Arab League reacted by asking the government of Sudan to accept the AU troops and by sending Arab troops to boost the AU troops in Darfur.

In their effort to support the Sudanese government against the deployment of an international UN peacekeeping force in Darfur, the Arab League declared during their Khartoum summit in March 2006 that the League would bear the costs of the African Union mission<sup>43</sup> and furthermore stressed their full support for the African Union's effort to deal with the crisis. Despite the verbal commitment during various AL summits, just ten per cent of the financial pledges were delivered and only small numbers of soldiers from Arab countries were deployed in the AU mission.<sup>44</sup>

During their 18th Council meeting in Khartoum in March 2006, one of the key topics was the position of supporting the AU mission and fully rejecting the deployment of other troops.<sup>45</sup> The League was in strong favour of the African force, which seemed easier to control and had less military capacity. Since Khartoum had called

<sup>37</sup> N'djamena Humanitarian Ceasefire Agreement, 8 April 2004; negotiations between GoS and Darfur rebels in Egypt, October and December 2004; Tripoli agreement to settle the dispute between Chad and Sudan, 8 February 2005.

<sup>38</sup> For a critical review of the Abuja talks and the DPA see 'Darfur's fragile peace agreement', International Crisis Group: Africa Briefing, 20 June 2006. See also the debate on the DPA on the SSRIC blog by Alex de Waal: 'Making sense of Darfur', accessed at [http://blogs.ssrc.org/darfur/category/darfur/peace\\_process/](http://blogs.ssrc.org/darfur/category/darfur/peace_process/)

<sup>39</sup> Interview with Dr. Mohamed Megahed, Deputy Director of the national Center for Middle East Studies in Cairo, 9 July 2009.

<sup>40</sup> Interview with Dr. Ahmed Abdel Hali, Secretary General of the Committee for Arab, Foreign and National Security Affairs and member of the Shura Council in Egypt, Cairo, 11 June 2009.

<sup>41</sup> Interview with Ambassador Hesham Youssef, Chief of Cabinet of the Secretary General of the Arab League, Cairo, 9 June 2009.

<sup>42</sup> Egypt organisation HR IPS 21 August 2004.

<sup>43</sup> Council of the League of Arab States at Summit Level, 18th ordinary session, Khartoum 28–29 March 2006. Resolution I. On the issue of Darfur. Article 2.

<sup>44</sup> Nadim Hasbani, 'About the Arab stance vis-à-vis Darfur', *Al-Hayat*, 21 March 2007.

<sup>45</sup> Council of the League of Arab States at Summit Level, 18th ordinary session, Khartoum 28–29 March 2006. English translation of a Security Council Document. S/2006/285.

upon the Arab world to support it in its counter insurgency effort, the League decided to send troops to support the AU observer mission in Darfur, AMIS. At a press conference calling for the AU to accept the deployment of Arab troops in Darfur, Secretary General Amr Moussa called the conflict in Sudan 'the world's worst current humanitarian crisis'.<sup>46</sup> Yet despite the support for the Sudanese government, a month after the DPA agreement was signed in Abuja in May 2006 the Secretary General of the Arab League made it clear that the rapid deployment of a UN peace mission to Darfur was important and should be welcomed by the government in Khartoum, because only then would a rapid implementation of the DPA could be guaranteed.<sup>47</sup> This position did not prevail.

## WAKE UP CALL: THE JEM ATTACK ON OMDURMAN

The attack of the Justice and Equality Movement on Omdurman, the oldest part of the centre of Khartoum, in May 2008 awoke the Arab world from its slumber. The attack clearly demonstrated that there was a real political dimension to the problem of Darfur. The insurgence managed to pass through thousands of kilometres of desert and reached the capital without being uncovered and militarily crushed. The regime's reassurance that it would deal with this insurgence militarily and by jailing the disagreeable political opposition – Hassan al Turabi, accused of being the conspirator behind the JEM attack – this time did not assure the Arab world or the worried Egyptians. Bringing the conflict to the capital however did not fully change the perception of the crisis in Darfur, but the political dimension was taken much more seriously and the Arab World reacted by initiating peace talks.

The implications of JEM's growing military might, its connections to the Khartoum military establishment and its close links to Chadian President Idriss Déby caused some quick moves by AL member states to push for negotiations. Also originating from this chock are the Libyan/Qatari initiative to mediate between Chad and Sudan, and the Doha (and lately the Egyptian) initiative to bring the rebels and the Sudanese government to the table for talks.

## THE LEAGUE AND UNIVERSAL JUSTICE

*'Bashir is the only unifying factor in Sudan. The state is not there, if you take him all will collapse.'*<sup>48</sup>

Since the arrest warrant against President Bashir there has been a remarkable shift in the rhetoric on justice and security. 'Justice' had formerly been the Arab world's mantra, with the aim of bringing the injustice in the Israeli-Palestinian conflict to the fore; but justice was once again seen as biased. The League and its member states unanimously voiced their concern that the arrest warrant would threaten the internal security of Sudan. With president arrested, the entire government's survival was seen as being at stake.

The ambivalence towards universal justice defines the relationship between the Arab League and the International Criminal Court. The ICC is perceived as a neo-colonial instrument of power with the 'West' against the 'rest'. However there is hope that the universal justice instrument could also serve the Arab world in their pursuit of justice of the Palestinian cause.

Whereas many members of the AL are signatories of the Rome statute, only two have ratified the Rome Statute of the ICC.<sup>49</sup> Comments on the rulings of the ICC by the AL were rare, but even in the case of Sudan there was no fundamental opposition to the fact that the Security Council referred the Darfur case to the ICC. As the Director of Al Ahram, a leading think tank in the Arab world, said: 'The government is guilty, but the ICC is only complicating things. Now the CPA will collapse'.<sup>50</sup> There is a clear dictum in Arab League statements on a full

<sup>46</sup> 'Arab League head wants Arab troops in Darfur', AFP, Khartoum, 14 October 2004.

<sup>47</sup> 'Arab League urges Sudan to accept UN troops in Darfur', *Suna*, Khartoum, 5 June 2006.

<sup>48</sup> Interview with Dr. Abad Allah Al Ashaal, Former Deputy Minister for Foreign Affairs and liaison officer to President al Bashir, Cairo, 10 June 2009.

<sup>49</sup> Jordan and Djibouti ratified whereas Sudan, Israel and the US sent a letter to the United Nations, indicating that they have no further intention to become state parties to the ICC. See [http://www.iccnw.org/documents/Signatories\\_RomeStatute.pdf](http://www.iccnw.org/documents/Signatories_RomeStatute.pdf)

<sup>50</sup> Interview with Dr. Abdel Moneim Said, Director of the Al Ahram Center for Political and Strategic Studies, Cairo, 9 June 2009.



commitment to the end of impunity. Even the verdict against President Bashir is not disputed in essence, it is rather criticised because of its formal procedure. However, the style, publicity and timing of the arrest warrant have been widely criticised. Unlike the African Union,<sup>51</sup> the Arab League has no acknowledged commitment to the Responsibility to Protect (R2P) as a guiding principle of its international relations. The concept of responsibility is rarely mentioned in AL statements, yet new voices are emerging to call for an active position.<sup>52</sup>

The AU's rapid intervention could be seen as a consequence of the Rwanda genocide; a collective failure nobody wished to be repeated on the continent. However this is not reflected in the Arab World. Although the region is highly influenced by the consequences of the Holocaust and intervenes in wars (Gulf war, Iran-Iraq war) and the prosecution of minorities (such as the Kurdish population in Iraq), the discourse of a responsibility to protect is not part of its vocabulary. The Arab League does not value the rights of the individual at the same level as the sovereignty of the leader of a country.

According to a public opinion survey, the majority of African countries are in favour of the indictment against President Bashir, but a majority in Arab and Muslim countries disapproved. A remarkable exception is Egypt, where more than 47% of the respondents approved of the arrest warrant.<sup>53</sup> The discrepancy between an end to impunity and the refusal to accept the arrest warrant against President Bashir is even more obvious when considering the efforts the Arab League made regarding the activities of the ICC. First, Amr Moussa called on the Sudanese government to hand the two accused, Ahmed Haroun and Ali Mohamed Ali Abdel-Rahman (also known as Ali Kushayb), over to the International Criminal Court or else to try them in a domestic court.<sup>54</sup> In July 2008 the chief of staff of the Arab League's Secretary General, Hesham Youssef, announced a plan by the Arab League to enable the Sudanese justice system to try the two men.<sup>55</sup> Arab League ambitions to help Sudan set up a national jurisprudence able to deal with war crimes and crimes against humanity and to try the ICC suspects on their own were ignored by Sudan. The joint effort by the Arab League and the African Union<sup>56</sup> to lobby for an Article 16 intervention by the Security Council to postpone the coming into force of the arrest warrant for a year was ridiculed by Khartoum.<sup>57</sup>

During the AL summit in Doha<sup>58</sup> in March 2009, the secretariat presented a draft resolution containing the refusal to cooperate with the ICC on the case of President Bashir and also calling on the ICC to investigate war crimes and crimes against humanity committed by Israel in the attacks on Gaza in January 2009.<sup>59</sup> The criticism of the League's conflicting positions was brushed away by Amr Moussa. As the Secretary General of the League said in a statement, 'The conflict in Sudan is understood as a semi civil war with responsibilities shared by many parties. The arrest warrant is against a sitting head of president but what is occurring in Palestine is a military occupation responsible for all that is committed on the ground'.<sup>60</sup>

The Doha summit was initially seen as a victory for Bashir because he was welcomed quite pompously despite the arrest warrant, but many important leaders<sup>61</sup> refused to attend the summit.<sup>62</sup> The Sudanese State Minister

<sup>51</sup> A. Sarjoh Bah. 'The AU and the Darfur Crisis: A Regional Response to an International Problem', FRIDE 2010.

<sup>52</sup> See press statement by the Saudi Ambassador to the UN calling for a fairer and stronger ICC, 24 July 2009. Available at <http://www.mofa.gov.sa>

<sup>53</sup> 'Many approve of the ICC indictment of Bashir: Poll of 7 African and Arab nations', World Public Opinion, 16 July 2009. Available at [http://www.world-publicopinion.org/pipa/articles/btjusticehuman\\_rightsra/624.php](http://www.world-publicopinion.org/pipa/articles/btjusticehuman_rightsra/624.php)

<sup>54</sup> 'Sudan says no evidence received against Haroun', *Sudan Tribune*, Khartoum, 3 August 2008.

<sup>55</sup> Arab League says Sudan ready to investigate Darfur war crimes', *Sudan Tribune*, Washington, 23 July 2008.

<sup>56</sup> The African Union panel under the leadership of former South African president Thabo Mbeki reports regularly on peace efforts by the Sudanese government. Text available from <http://sudantribune.com/spip.php?article32905>

<sup>57</sup> See Tull/Weber, Der Internationale Strafgerichtshof und Darfur: Wie hinderlich ist Gerechtigkeit?', *SWP Aktuell* 2008/A 65, July 2008.

<sup>58</sup> Twenty First Regular Session, Doha Summit. The Doha Declaration was issued by the heads of states regarding the position of the Arab League on their rejection of the warrant of arrest against Sudanese President Omar al Bashir by the International Criminal Court. March 30 2009. See [http://www.dohasummit.com/english/news\\_website\\_details.php?id=39](http://www.dohasummit.com/english/news_website_details.php?id=39)

<sup>59</sup> On the status of International Law regarding Israel and Gaza: Amnesty International. 'Israel/Gaza: Operation 'Cast Lead': 22 Days of Death and Destruction'. MDE 15/015/2009, July 2009, p. 94.

<sup>60</sup> 'Arab League chief says Darfur crimes different than ones committed in Gaza', press conference, Arab League Summit Doha. Doha, 28 March 2009.

<sup>61</sup> Neither the Egyptian president, nor the Saudi King or the King of Morocco attended the summit.

<sup>62</sup> Egypt and Saudi Arabia refused to attend the summit mainly because Hamas was invited and Qatar was seen as too close to Hamas. See 'Arab Support slips for Doha summit on Gaza', Reuters, Dubai, 15 January 2009.

of Foreign Affairs Ali Karti, heading his country's delegation, opted for a full refusal of the ICC's arrest warrant and no further interaction with the Security Council. The Arab League however was divided on this issue.<sup>63</sup>

There is a feeling that the ICC is acting in favour of and even under orders from the West. Some even believed that the 'ICC is punishing those who are against Israel.'<sup>64</sup> The Arab League's efforts to hold the Israeli state accountable for war crimes during the Gaza attacks in January 2009 is one effort to break through this circular reasoning. Despite this, the strategy changed and the Arab League and member countries fully supported President Bashir. They issued invitations for Bashir to visit their countries, in violation of the Rome Statute.<sup>65</sup> His populist demeanour in response to the verbal attacks of chief prosecutor of the ICC, Luis Moreno-Ocampo, made Bashir a strong symbol of the resistance against a neo-colonial instrument with a self-righteous leader. The focus shifted from Darfur to the wrongful and arrogant behaviour of the West – in the form of the ICC – towards the Arab and African world. President Bashir's perception of himself as a rightful victorious leader standing up against unfair and unfounded prosecution did not even change when he expelled thirteen international humanitarian aid agencies from Darfur. There was immediate verbal commitment from the Arab League, acknowledging the humanitarian dire situation in Darfur. Arab countries were asked to send their own agencies to help the population in Darfur and the League announced the appointment of a Special Coordinator for Humanitarian Affairs in Darfur.<sup>66</sup> However, this post still remains vacant.

## ARAB PEACE INITIATIVES

With more than 105 peace initiatives by member states of the Arab League and the League itself, the AL remains active in facilitating peace efforts in Sudan. This is not reflected in public perception. Since the Darfur Peace Agreement – hosted by the African Union in Abuja 2006 – failed, joint mediation efforts by the UN and the AU were then perceived as the main channel of communication between the rebels and the government of Sudan. However since the attack on Omdurman by JEM and the arrest warrant against President Bashir, Arab League member states became lead negotiators. The League itself, however, remains fragmented and torn between the competing initiatives of its member states. Among the 105 initiatives, only a small number operate under the auspices of the AL; most are member state initiatives which have sometimes been adopted by the League in retrospect. The competing initiatives undermine the global efficiency of the Arab League as a mediator in the Darfur conflict.

The most promising peace initiative on Darfur is the Arab League Initiative currently hosted in Doha. In September 2008, the foreign minister meeting of the Arab League decided on a committee to coordinate peace efforts for Darfur including Libya, Syria, Algeria, Egypt and Saudi Arabia. Even so there are doubts in the League that the Doha meetings will achieve a great breakthrough, the Doha meetings are supported as an Arab League initiative rather than as the initiative of a single Arab country. However in Egypt there are strong feelings against Qatar's role. As a leading Egyptian intellectual said, 'Doha can bribe two or three factions to sign anything'.<sup>67</sup>

Looking at the multitude of peace initiatives by Arab League member states, Libya is by far the most influential country and most active in initiating peace talks. This might not always reflect the wish of the Arab League, but illustrates the hegemonic role that Libya's leader Muhammad al Ghaddafi claims.

<sup>63</sup> 'Sudan angered by Arab league position on ICC's Bashir warrant', Sudan Tribune, Washington, 28 March 2009.

<sup>64</sup> Interview, Dr. Abad Allah Al Ashaal, Cairo, 10 June 2009.

<sup>65</sup> 'Rome Statute of the International Criminal Court', UN Doc. A/CONF.183/9\*, Part 9, Article 87.

<sup>66</sup> 'Arab League to appoint Humanitarian Coordinator to Darfur', Sudan Tribune, Cairo, 9 April 2009.

<sup>67</sup> Interview with Dr. Abdel Moneim Said, the head of the Al Ahram Center for Political and Strategic Studies (the most influential think tank in the Arab world), Cairo, 9 June 2009.

## QATAR AND EGYPT: EMERGING BROKERS; LIBYA: MEDDLING IN THE MIDDLE

There are a multitude of meetings, negotiations, and visits, exchange of emissaries, conferences, round tables, summits and ad hoc meetings which could all be subsumed under the label of Arab peace efforts. The sheer number and the unilateral and bilateral nature of the meetings might be described as emblematic of the League's efforts. These include agreements which only lasted a day, mini summits without announced results, unattended peace conferences and peace initiatives rejected by the beneficiaries. This shows the competition and lack of coordination between parties involved in the peace initiatives, but also reveals that the government in Khartoum only really responds to frameworks provided either by Arab leaders or the US.<sup>68</sup> There is, however a distinct pattern to these meetings: they are either triggered by a certain event in Sudan or called for by the government in Khartoum.

The competition between Egypt and Qatar exemplifies the fragmentation in the League. However, Libya is the central broker; there is hardly any initiative in which Libya is not involved. This is partially due to Ghaddafi's status as President of the African Union, as well as an intractable member of the AL.<sup>69</sup> Ghaddafi has a long history with Darfur, which he used as a training ground for several rebel groups. One rebel trained there is the current president of Chad, Hassan Idriss Déby. Much to the annoyance of the Egyptians – who want to perceive themselves as the only influential and hegemonic regional power – Ghaddafi continues to play out his vested interests as the rich hegemon in the region who wants to make sure that he is in control of his backyard. As an eccentric leader with a habit of directly financing African military dictators (Idi Amin, Charles Taylor), Ghaddafi is now suspected of supplying the rebels as well as fully supporting the government. During his latest remarks in support of southern Sudanese independence, Ghaddafi stepped away from the Arab League position and angered the NCP in Khartoum. At the same time he is a great advocate for President Bashir's attempt to ignore the International Criminal Court.<sup>70</sup>

After the attack of the Justice and Equality Movement in May 2008, the Arab League and its member states were quite concerned by the undeniable strength of the rebels. The AL now took the threat seriously and announced in September 2008, during a regular council meeting of the Arab League, the establishment of a 'Ministerial Committee on Darfur' under the joint chairmanship of Qatar and the Arab League. This indicated a coordinated strategy of the League to further deal with the crisis in Darfur. A first diplomatic meeting in Doha/Qatar followed in January 2009 with high ranking diplomats from both governments. There was however disruption of a combined effort during the Qatar summit in summer 2009. Because of the differences amongst AL member states regarding the Israeli attacks on Gaza and the invitation of President Bashir, who by then had an arrest warrant against him issued by the ICC, the summit made no headway because it was boycotted by Egypt and Saudi Arabia. President Hosni Mubarak called the summit a 'comic play'.<sup>71</sup> The Doha initiative made progress with the NCP and JEM and presented an 'Agreement of Good Will and Confidence building for the Settlement of the Problem in Darfur.' The Egyptians were annoyed, stating that the Arab League drafted an initiative for all Arabs, not one to be owned by one single country. In March 2009 Egypt drew up an initiative for a national Sudanese peace conference. Sudan brushed off the initiative and relations between the two countries subsequently worsened. However in June the Qatar initiative was described as an Arab League initiative: 'It is the best initiative and other active countries are ready to pursue the Doha talks'.<sup>72</sup> After the talks stalled in late June, the Egyptian initiative was revitalised and Arab League Secretary General Amr Moussa held talks with JEM factions in Cairo, without any coordination with the Doha meetings.<sup>73</sup> The US led Quartet and Egypt equally excluded Qatar. Qatar side held meetings without inviting the chief UN/AU mediator Djibril Bassolé. All in all, the multitude of games being played makes it easy for the Sudanese actors to tactically pit one initiative against another and play for time while earning per Diems for their cadres. The AL accepts Djibril Basolé as the leading mediator. However, for a sustainable and conclusive negotiation, a better coordination of initiatives is the main prerequisite.

<sup>68</sup> See the Quartet consultative meeting as a US-driven initiative to strengthen the CPA where Qatar, the host country of the current Arab League Initiative for peace in Darfur, is absent. 'Qatar absent from Quartet consultative meetings on Sudan', Sudan Tribune, Cairo, 24 August 2009.

<sup>69</sup> His recent verbal attacks against the Saudi King during the Qatar Summit are just one example. See 'Gaddafi storms out of Arab Summit – Slams Saudi King for Pro-Americanism', Doha, AP, 30 March 2009.

<sup>70</sup> 'Sudan Slams Libyan leader over pro-secession remarks', Sudan Tribune, Khartoum, 28 August 2009.

<sup>71</sup> 'Egyptian State newspaper mocks Sudan president for attending Qatar summit', Sudan Tribune, Cairo, 19 January 2009.

<sup>72</sup> 'Interview with the Chief of Cabinet for the Secretary General of the Arab League, Ambassador Hesham Youssef, Cairo, 9 June 2009.

<sup>73</sup> 'On the differences between Egypt and Qatar see Steinberg/Niethammer. 'Katars Nahostpolitik'. SWP-Aktuell 2009 / A 18, April 2009. Furthermore the infighting about various Arab positions regarding Syria and Iran has to be acknowledged in order to understand the disputes.

## CONCLUSION

In comparison to other regional organisations, the League of Arab States has problems with collective decision making, which have become embedded into its structures. The coherence of the policies of the European Union, the African Union or the United Nations is hard to detect, although they are possibly more unified in official statements. In the case of Sudan the fragmentation of positions plays into the divided politics of the country itself and thereby leaves little space to manoeuvre.

One structural problem in the response to the Darfur crisis was the fragmentation. The piecemeal approach of dealing with one crisis separate from the other was not conducive to the peaceful development of Sudan. Fragmentation of crises and actors allowed the actors to switch their attention from one crisis to the other and from one external actor to another. The long list of meetings and peace initiatives by scores of external actors substantiate this point. The lack of clarity in dealing with the national actors provided space for more armed groups to establish themselves as actors demanding to be taken serious. This has led to a situation in which too many actors are involved and there is no coordination; as a result neither external pressure nor external support is coherently used. The discrepancy between the positions represented by the leaders in the League vis-à-vis the ICC or the humanitarian situation in Darfur and the results of surveys among the population of Arab countries reflect another dilemma: the difference between the political elite and the population. The same situation occurs in Sudan. It would be wise for the Arab League to formulate a more unified policy towards the crisis in Darfur and to act accordingly. Including their own population and the position of civil society as well as legitimate Sudanese actors outside the government in Khartoum would allow the League to play the primary role in peace negotiation efforts.

## RECOMMENDATIONS

The enormous quantity of peace initiatives somehow attributed to the Arab League and its member states does not correspond with the League's image. The League is still seen as an organisation with diverse and fragmented opinions and positions and with a high competition among its member states on questions of conflict mediation and peace and security. By planning a Peace and Security Council and drawing up the statutes for it, the AL made the right steps to bring the member states together and to better coordinate their foreign policy and peace and security initiatives and concerns. However the PSC is not yet implemented and the statutes focus on the risk to the Arab world from the outside rather than mentioning inner-state conflicts.

It would be recommendable for the Arab League to follow up the implementation of the Peace and Security Council and to draft a common peace and security policy agenda. The coordination of peace initiatives by member states of the Arab League could instead be carried out by the Peace and Security Council secretariat. Not only would this reduce competition among Arab League member states; a proper coordination of initiatives would also raise the profile of the League regarding peace and conflict strategies tremendously.

Given the capacities and resources member states are able and willing to invest and the acceptance of the League by the government of Sudan, the role of the League could become much stronger and more influential.

Although the Arab League does not include human rights, good governance and conflict mediation in its statutes, the League is inevitably active in this field. To bridge the gap between the narrative and the practices of the League, it should conceptualise a common policy and implement this through appropriate offices and mechanisms of the League.

International efforts to prevent and manage conflicts could be improved and made more constructive if all regional organisations began to communicate and coordinate much more closely on these sensitive issues.

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