

CHAPTER I INTRODUCTION

A. Background

The Organization of Islamic Cooperation was established in 1969, 25 September in Rabat, Morocco. Its foundations have been discussed since 1964, on Arab Summit that had been held in Mogadishu – Somalia. They made a concept of gathering Islamic States strength in international circumstances. In 1965, the Arab League Summit has been held in Jeddah – Saudi Arabia. Saudi Arabia brought the concept of gathering the Islamic States power to resist Zionism.

The spirit to actualize the concept expanded after the Middle East War against Israel in 1967 moreover when Israel burning down the Al – Aqsa Mosque on 21 August 1969. In the next month, King Faisal as the representative of Arab Saudi and King Hassan II from Morocco has held the High Conference from 22 – 25 September 1969. The Conference also supported by Iran, Malaysia, Pakistan, Somalia, and Nigger. In 1970 the first meeting of Islamic of Foreign Minister (ICFM) was held in Jeddah. There was decided to establish the headquarters of The Organization of Islamic Cooperation (OIC) and it was headed by Tunku Abdul Rahman as the representative of Malaysia.

The first Organization of Islamic Cooperation (OIC) Charter was adopted by the 3rd Islamic of Foreign Minister (ICFM) Session held in 1972. The Charter laid down the objectives and principles of the organization and fundamental purposes to strengthen the solidarity and cooperation among the Member States. Over the last 40 years, the membership has grown from its founding members of 30 to 57 states. The Charter was amended to keep pace with the developments that have unraveled across the world. The present Charter of The Organization of Islamic Cooperation (OIC) was adopted by the Eleventh Islamic Summit held in Dakar on 13-14 March

2008 to become the pillar of The Organization of Islamic Cooperation (OIC) future Islamic action in line with the requirements of the 21st century.

In 1969 Sudan has joined the Organization of Islamic Cooperation by 80.10 % of Muslim citizen percentages (Kettani, 2010). Sudan dominated by military regimes since independence from Anglo-Egyptian in 1956, it's regulated by National Islamic Front (NIF) under General Omar al-Bashir as the power base in the primarily Arab and Muslim north of the country. Darfur is part of Sudan's region; it is located in the west of Sudan.



Figure 1.1 The Location of Darfur

Source: www.middleeasteye.net

In 1994, the Sudanese government divided Darfur into three administrative districts: North Darfur, with its capital, Al-Fashir; South Darfur, with its capital, Nyala; West Darfur, with its capital, Al-Geneina (Figure 1.1). A 2000 census reported a population of 31.2 million, of which 6 million inhabited Darfur: in North Darfur 1.46 million, West Darfur 1.78 million, and South Darfur 2.76 million (Fouad, 2004).



Figure 1.2 The Main Tribes of Darfur

Source: www.origins.osu.edu

Ethnically, Arabs constitute 39 percent while Africans make up 61 percent; religiously, Muslims make up 70 percent while the rests are Christians and traditional believers (Human Rights Watch, 2004).

Over 80 tribes' lives there, in Arabic word Dar roughly means home and land its population is divided into several Dars, not only of the Fur people, who live in central Darfur (Figure 1.1). There are more than thirty ethnic groups in Darfur, but these can be divided broadly into two main categories: Arab and African (Alex de Waal, 2005, pp. 1-16). Historically, camel nomads, principally the Zaghawa and

Bedeyat, who are non-Arab in origin, and the Arab Mahariya, Irayqat, Mahamid, and Beni Hussein, inhabited the north (Eyes on Darfur, 2007). African sedentary farmers, primarily from three principal African ethnic groups, the Fur, Zaghawa, and Masalit (Masaalit), inhabited central Darfur (Alex de Waal, 2005). Cattle are herded by the Arab nomads of the eastern and southern zones of Darfur, who comprise the Rezeigat, Habbaniya, Beni Halba, Taaisha, and Maaliyya.⁵⁹The Rezeigat is prevalent in northern Darfur as well (Eyes on Darfur, 2007)

According to their cultural characteristic, they are divided into the Farmers and the Nomads. The Farmers are dominated by the African which has a preference to stay in a place and farming; meanwhile, the Nomads generally come from the Arabian ethnic, opposite to the Farmers the Nomads likely to lives nomadic. In the past, the Darfur region was a fertile region which received heavy rains. This benefited both the Farmers and the Nomads. Therefore, both were living peacefully also have had intermarriages.

However, in recent years the land and water resources available for both have considerably declined. This has led to increased conflict between the Farmers and Nomads. As can be seen from the above, the root cause of the Darfur crisis is the competing interests of the nomadic and the farmer tribes over declining land and water resources. (Waal, 2007).

This long-standing clash of interests was compounded by two external factors. First, the involvement of several tribal leaders from Darfur, they joined the rebellion in Chad. In order to protect their interests, both the Farmers and the Nomads acquired sophisticated weapons and formed their own militias.

Secondly, the economic sanctions imposed against Sudan under the pretext of the hostilities in Southern Sudan, particularly those imposed by the European Union (EU), which froze Sudan's development assistance under the Lome and Cotonou agreements, which was primarily earmarked for the Darfur region.

As the peak of the conflict, on February 2003 there were two rebellion groups; Sudan People's Liberation Movement/Army (SLM/A) and Justice Equality Movement (JEM). They were starting the aggression by destructing infrastructure till harmed the civilians. Most of them came from Fur and Zagawa tribes; they claim that the aggression is rooted in the marginalization of their people. They demand equality and also equitable infrastructure development.

In responding the rebel groups, the government launched their supporter to hunt them by burning villages, polluting water sources. It's worsening by other following crimes such as murdering, raping and torturing the Darfurians. This situation makes the conflict tapered, over 480.000 people have been killed and more than 2.7 million people are displaced.

The Organization Islamic Cooperation as a regional organization which proposes the realization of world peace supposed to involve in resolving the issue. Moreover as written in the status quo that Republic of Sudan is the member of the Organization of Islamic Cooperation (OIC). Hence, the Organization of Islamic Cooperation has responsibility to maintain the peace condition within the member, specifically Darfur, Republic of Sudan.

B. Research Question

Refers to the background, the research question of this undergraduate thesis would be:

How does the role of The Organization Islamic Cooperation as the mediator in resolving the Darfur Conflict?

C. Theoretical Framework

1. The Concept of Conflict Resolution

There are two types of common impact existed between the relationship among states; conflict and collaboration. In accord with Burgess, conflict is inevitable in human life, this impossible to be avoided moreover in

international level (Burgess & Burgess, 2000). Meanwhile, in Sandole and Riswed books, they define conflict as a dynamic phenomenon, it's characterized by stages of initiation, escalation, controlled maintenance, and management and possible to lead into the stages of resolution or transformation (Sandole & Riswed, 1995).

Although conflict it is synonymous with negativity, Dudley Weeks came with the different perspective. Quoted from his book,

“Conflict is a complex phenomenon of human interactions which is prevalent all around us. In fact, conflict is almost universally perceived as a negative occurrence, a blemish on what most people expect should be the smooth operation of a well-ordered life (Weeks, 1994)”

According to Oxford Dictionary of Politics, Alistair McMillan explains that Conflict Resolution is “The method and process of negotiation, arbitration, and institution building which promote the peaceful ending of social conflict or war” (McLean & McMillan, 2009).

Resolving conflicts involves entrusting their traditional justice and conflict resolution on the principle of win-loss (winner-defeated) solution still unresponsive to the various conflicts in the current society. Starting from these considerations a struggle determination can be accomplished through mediation. Mediation aims to discover the reasonable and realistic solutions for both sides within the conflict, in accordance with the law.

Mediation can be characterized as a conflict resolution by the involved parties with the help of a neutral agent, who is referred to as the mediator. The peace mediation is a term that covers a range of instruments used to deal with intra and interstate conflicts. The concept of mediation was explored in the 1970s in the United States. In the United States, mediation is perceived to be a useful alternative to litigation and is considered to be a model to relieve the workload of the courts.

According to The United Nations Guidance for Effective Mediation describes mediation as a voluntary process

"whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements" (United Nations, 2012)

The term peace mediation comprises the entire structured process of supporting negotiations, from initial contact between mediators and conflict parties to ceasefire negotiations and the implementation of peace agreements. It also includes mediation, mediation support, and mediation-based dialogue processes. Such mediation and dialogue processes can be actively supported by third parties with relevant mandates and mediation frameworks. States play a key role and often make effective contributions. Just like diplomacy in general, peace mediation aims to address and resolve conflicts in a constructive and non-violent manner. Yet a significant difference between mediation aims to address and resolve conflicts in a constructive and non-violent manner. A significant difference between mediation and diplomacy lies in the fact that diplomacy predominantly focuses on a country's own foreign policy goals and interest.

Whereas mediation is a consensus-based method for further all parties' interests. This leads to differing concepts of the roles of diplomats and mediators. Mediators are fully able to include any conflict party in mediation processes in appropriate conditions. This is why coordination of diplomacy and mediation offers great potential (Federal Foreign Office and Initiative Mediation Support Deutschland, 2015).

Above all, in the mediation process, the mediator's art to turn a conflict in an agreement as a result of alternatives created and chosen by the parties, the conflict management process permitting prevention or determination of a conflict do to third person's involvement, being impartial and with no decision power, who ensures communication between partners and thus helps to reestablish the social bond.

Method and techniques used by the mediator might serve only legitimate interests and goals of the parties to the conflict, so the mediator could not force an arrangement on parties to the conflict submitted to mediation. Conflicting parties are entitled to be assisted by an attorney or other parties, as provided by mutual agreement, but the submissions made during the mediation by the parties to the conflict and by the mediator are confidential to third parties and could not be used as prove in legal proceedings or arbitration unless the parties make another agreement or the law stipulates something else.

The mediator will advise the people who participate in mediation on the obligation of keeping up the confidentiality and will be required to sign a privacy agreement, and if, during mediation; there is a situation likely to affect its purpose neutrality and impartiality of the mediator, they are required to bring it to parties who will choose on keeping up or breaching the mediation contract.

“The mediator has the right to abstain and close the mediation being required to return the fee proportional to the not covered stages of mediation, or, if appropriate, to ensure the continuation of the mediation, the mediation contract terms” (Fanuta, 2011)

In the stage of pre-mediation, a basic setting is created which enables the parties to mediate. In some cases, it was helpful for me as a mediator to contact the other party and invite them for mediation, but these steps largely depend on the situation. As the bottom line, we can say that all the involved parties must be willing to mediate and try to find a solution that fits for all of them. The stage of pre-mediation will be explained below.

a. Contracting

After the introductory getting-to-know-each-other, the concept, the process and the fundamental rules of mediation have to be explained. In the meantime, the mediator assesses meditability. The most important established fundamental

rules are the following: One has to listen to the other party and let the conflict partner talk without interruption. No offenses are permitted. The parties shall treat each other with respect. The mediator controls and manages the process; she or he might interrupt, if necessary. There is no litigation during the mediation process. Everything is confidential in the process. After a commitment with all parties on how to deal with each other in the upcoming process of mediation, the mediator starts to gather issues and topics of the dispute. (United Nations, 2012)

b. Developing Issues

Each party has the opportunity to describe the issues from her or his point of view. The mediators do not evaluate; they just listen and try to understand, sum up or ask, if something seems unclear to them. This means that the mediator also gathers a lot of information, identifying areas of agreement and disagreement. At this stage the parties sometimes get impatient. But each statement takes time, and all the statements have to be heard. The fundamental rules must be respected during the period of presenting statements as well. (United Nations, 2012)

After the pre – mediation stage, the mediator will start to examine the issue in the mediation stage. Hence, the mediation stages started by the following explanation below.

a. Resolving the Conflict

What lies behind is the question for this phase of mediation. Here the mediator helps the parties to find out what needs and interests are the reasons for their positions. Everything that might be important should be discussed. The mediator guides the parties through this phase with the relevant skills and techniques of asking and intervention, which she or he is trained in. The conflict parties come into more contact with each other and they begin to notice that at this stage they also deal directly with each other, whereas previously they always used the mediator as a channel of communication with the other party. The aim of this phase is for each person to understand her- or himself, and later on also

to understand her or his conflict partner, and their differing views as well. Together they identify reference points and work on their disagreements. (United Nations, 2012)

b. Reaching Agreement

Next, it is necessary to find, develop and evaluate options. This is accomplished by using the technique of brainstorming, which means gathering all the proposed suggestions for solutions first, without evaluating them. Then, each option is considered and evaluated from all points of view, choosing, testing and revising them. (United Nations, 2012)

c. Concluding

The last stage is the finding of solutions for all parties. Most mediators write down agreements in an advisor's review, and after reading, clarifying, thinking it over and finalizing, all parties sign it and agree, affirming it. Some commitments need time to find out if they work; therefore another meeting after a certain time often makes sense. (United Nations, 2012)

Beside the two stages already mentioned, the research will present the post – mediation of the Organization of Islamic Cooperation (OIC) in the agreement. The post – mediation will examine the result of the mediation process. It will include the proof and the actions taken by the Organization of Islamic Cooperation. Comparing with the previous stages, the post – mediation is also important in whole of the mediation stage, because this process will show the implementation of the the agreement.

D. Hypothesis

Due to the background and the theoretical framework, it can be summed up that the role of the Organization of Islamic Cooperation in resolving the Darfur Conflict as the mediator could be done by implement the conflict resolution concept through mediation process. The mediation process includes the steps of contracting, developing issues, resolving the conflict, reaching agreement, and concluding.

E. Methodology

Qualitative research was used as the method for this research in order to analyze the problems. It is completed by comprehensive fact to find the conclusion and to answer the research question.

F. Type of Research

The type of the research according to the purpose of the study was a fundamental research. It aims to solve a problem by adding to the field of application of a discipline and to fulfill the last task of International Relations Study's college.

1. Data Collection

The data of this research were collected from accurate literature such as books, encyclopedia, magazines, journals, articles, newspapers and internet sources.

2. Data Analysis

The writer conducted analysis based on the data collection and data categorization correlated with the theories that have been described on the theoretical framework. Conclusion was pointed out in order to answer the research question.

3. Data Interpretation

The data interpretations were refer to the implementation of processes through which data is reviewed for the purpose of the final conclusion.

4. Data Categorization

The results of data collection were classified to determine the suitable data for the research analysis.

5. Scope of Research

The research is focus on Organization of Islamic Cooperation (OIC) perspective in overcoming the Darfur Conflict. The writer restrains the research timeline by 2003 when the aggression happened to 2008 as the conflict resolution from Organization of Islamic Cooperation (OIC) had been released. The writer references possibly use data before the aggression happened or after the resolution released, as long as it still relevant to examines the issue.

G. Aim of the Research

This research is aimed to know the role of Organization of Islamic Cooperation (OIC) as the mediator in resolving the Darfur Conflict in the Republic of Sudan. This research also examined the form of Organization of Islamic Cooperation (OIC) involvement during the Darfur conflict through direct or indirect assist.

H. Organization of Writing

Five chapters with the same core and different specification are written based on the rules applied in a scientific writing. Five chapters conducted in this research are explained below.

Chapter I consists of the research background, research question as the focus of the research, the theoretical framework as the foundation of this research analysis, research argumentation as the writer argumentation about the issue, method of the research, purpose of the research, and the system of writing. The content of the first chapter would be the basic framework to compile the next chapters.

Chapter II will define the general overview of the Organization of Islamic Cooperation (OIC). The second chapter also examines the track record the Organization of Islamic Cooperation (OIC) role in the previous conflict or issue.

Chapter III will examine the origin of the Darfur Conflict. It will explained by the actors and also the impact of the conflict.

Chapter IV will elaborate the Organization of Islamic Cooperation (OIC) role in the Darfur conflict using the concept Conflict Resolution, specifically in the mediation stages.

Chapter V will conclude the analysis coming from the first chapter until the fourth chapter as a form of the conclusion of this research. The suggestion is also included as the input for further research.

