

CHAPTER IV
**INVOLVEMENT OF THE ORGANIZATION OF
ORGANIZATION OF ISLAMIC
COOPERATION IN DARFUR**

This chapter will explain the role of the Organization of Islamic Cooperation (OIC) in the Darfur Conflict by using the Concept of Conflict Resolution, specifically using the method of mediation.

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" (Fanuta, 2011).

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. Mediation also could 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 research implements several stages introduced by United Nations (United Nations, 2012). Based on the research, the Organization of Islamic Cooperation (OIC) involved in three stages; developing issues, reaching agreement, conclusion. In explaining the concept, the researcher allocated the process into three major circumstances; pre – mediation, mediation and post– mediation stages.



Figure 4.1 Doha Document for Peace Darfur Signment

Source: <http://www.darfurconference.com/>

However, important to note that during the mediation process the Organization of Islamic Cooperation is not involved as the leader of the mediation. The mediation process in Doha was led by the African Union (AU) and United Nations (UN). The role of the Organization of Islamic Cooperation during the mediation process is as the participant and as the assisting party. Hence, the involvement of the Organization of Islamic Cooperation (OIC) in the mediation process will be explained below.

A. The Process of Pre – Mediation through Developing Issues

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.

According to the Guidance of Mediation by United Nations, in this stage 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 (United Nations, 2012).

In continuing the conflict development in Darfur, after consulting with the Foreign Minister of Sudan; H.E. Dr. Mustafa Osman Ismail, the Organization of Islamic Cooperation (OIC) Secretary General, H.E Prof. Ekmeleddin Ihsanoglu decided to send the delegation of the Organization of Islamic Cooperation (OIC). The delegates led by the Ambassador Celalettin Kart Director of Cabinet Adviser of the Secretary General, and the Directors of Political Affairs Department; Mr. Zaenal Saeedi and Dr. Irfan Yusuf Shami (Organization of Islamic Cooperation, 2005).

In 9 – 11 May 2005, the Secretary General of the Organization of Islamic Cooperation visited the African Union headquarters in Addis Ababa to hold discussions on the progress of African Union (AU) and United Nation in resolving the Darfur conflict. Within the meeting, the African Union was requested to consider the Organization of Islamic Cooperation to participate as an observer in the Inter – Sudanese Peace Talks.

Inter – Sudanese Talks is the a continuous meeting held by African Union and United Nation the media created by African Union and United Nation in order to understanding the development of the issue. The understandings of the issue developments make the proper conception to arrange the further peace agreement (African Union , 2005).

In 16 – 19 May 2005, the delegation of the Organization of Islamic Cooperation (OIC) along with the African Union (AU) and the United Nations (UN) visited the

Khartoum and The North Region of Darfur, in order to hold the Inter – Sudanese Talks. The Inter – Sudanese Peace Talks also attended by the National Government of Sudan, the Regional Government of North Darfur and the Non – governmental Organization’s in North Darfur.

B. The Process of Mediation through Reaching Agreement and Conclusion

The major stages of Mediation consist of three; resolving conflict, reaching agreement and conclusion. However, the Organization of Islamic Cooperation involve in the last two stages. According to that, the researcher explains the last two stages that involve the role of Organization of Islamic Cooperation.

The reaching agreement stage 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). Meanwhile the conclusion 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).

The reaching agreement and conclusion stage that had been done by the Organization of Islamic Cooperation in the event of signed process of Doha Document for Peace Darfur (DDPD) in 14th July 2011.

The Organization of Islamic Cooperation (OIC) Secretary General, H.E Prof. Ekmeleddin Ihsanoglu attended the signing process of the Doha Document for Peace in Darfur. The event was held in Doha, Qatar. The signing process was held under the H.H the Emir of the State of Qatar and H.E. the Sudanese President Omar Hassan Ahmad al-Bashir protection. Doha Negotiations is one of comprehensive and permanent

peace agreement aimed at putting an end to the conflict in Darfur, precisely the conflict between the Government of Sudan and the Liberation Justice Movement (LJM).

The Doha Document for Peace Darfur has the important results. The content of each result was expected to be implemented well. The result is divided into 7th chapters, the chapters are:

1. Human Rights and Fundamental Freedom

This first chapter examine about the promotion and protection of human rights and fundamental freedoms. All parties; The Government of Sudan (GoS), the Darfur Regional Authority (DRA) and the Governments of the States of Darfur should fulfill their obligations under international human rights and international humanitarian law. The implementation of the law should assisted by the African Union – United Nations Hybrid Operation in Darfur (UNAMID). The Government of Sudan suggested taking necessary legal and administrative measures to ensure the freedom of opinion, political party, and equal right to vote as well as the freedom of press and other media in accordance with international human rights standards.

The governmental board guarantees the security and safety for all citizens as written in the rule of law. It aims to make the citizens get the right and freedoms, without discrimination on any grounds including sex, race, color, language religion, political or other opinion, nationality or social origin, and social status.

The agreement also examines the establishment of National Human Rights Commission in which coordinated with the Paris principles by The Government of Sudan, within thirty days since the agreement signed. The function of the National Human Right Commission is to monitor the situation of human right as well as protect and promote human right in Darfur.

2. Power – Sharing and the Administrative Status of Darfur

The second chapter examined the general principles of power sharing within the state. Power sharing is vital for the stability of the state. The devolution of power should be transfer between the governmental board, both national and regional cope by democratic, which means that should be done through free and fair elections.

Due to the equality issue in national political field, the agreement provided the regulation to respect the principle of proportionality. Darfurians embraced to fully participate in all forms of political power in Sudan's National Government both executive and legislative.

Beside examines the governmental board, the second chapter discussed about the establishment of the Darfur Regional Authority (DRA). The Darfur Regional Authority (DRA) is the principal instrument for the implementation, coordination and promotion of all post – conflict reconstruction and development projects and activities in Darfur, under the collaboration of the Government of Sudan and other international partners. Darfur Regional Authority (DRA) established has independent procedure, capable staff and established budget for that purpose.

The body of Darfur Regional Authority (DRA) comes directly after the vice – president. Darfur Regional Authority (DRA) led by the appointed chairperson by the President of Republic of Sudan. In their agenda, Darfur Regional Authority (DRA) put the prominent competencies; post conflict resolution and development, health issues, environmental protection, education and the resettlement agenda of Internally Displaced People (IDPS's) and Refugees.

3. Wealth – Sharing

This chapter examined the wealth sharing in general provisions. The wealth constitutes is the prominent instrument ran under the government, policies and programs. The focus

of the wealth – sharing program is on an economy development, social justice and wealth distribution. Its concept defined to include the natural and human resources, financial assets both international and domestic, and the international aid.

The chapter agrees that beside the factors above, Darfur is need fast rehabilitation, reconstruction and development. The development of infrastructure will automatically impact the balance of economy and wealth within Darfur. Due to the urgency of this sector, the agreement regulated the special fund to restore the stability of Darfur from internal and external of state.

The internal fund supported by The Darfur Reconstruction and Development Fund (DRDF), and the Zakat Chamber. The Darfur Reconstruction and Development Fund (DRDF) operated under the Government of Sudan, the Darfur Regional Authority (DRA) and the Government of the Darfur States. Its functions including the resettlement reconstruction projects, recondition the development imbalance, special budgetary for the needs of women, children and orphans. The source of funds coming from the National Government Allocation, the Government of Sudan allocates more or less in amount US \$300,000,000 within six year after the signing of the agreement (UNAMID, 2010). Meanwhile the Zakat Chamber is money collected from the Darfurians and should be spent for people in need such as the refugee and poor families in Darfur.

The external fund is the Darfur Joint Assessment Mission (DJAM). The Darfur Joint Assessment Mission (DJAM) is lead by the World Bank (WB), Darfur Development Bank (DDB), United Nations (UN) and the African Development Bank (ADB). Within the implementation, the leader cooperated with other interested countries and regional economic organizations.

Afterwards, the chapter also examined about the management of the land divisions. The agreement regulated to establish the Darfur Land Commission (DLC). The Darfur

Land Commission (DLC) has the right to access to all land records in order to settle the dispute among the livelihood in Darfur. The divisions include the allocation of the natural resources within Darfur.

4. Compensation and the Return of Internally Displaced People (IDP's) and Refugees

In the fourth chapter, the Darfur Document for Peace Darfur (DDPD) examines the general principles for compensation and the return of Internally Displaced Persons (IDPs) and Refugees. The discourse of the Internally Displaced Persons (IPDs) and the returning of refugees was came since the Framework Agreements between the Government of Sudan and the Justice and Equality Movement in February 2010 and the Framework Agreement between the Government of Sudan and the Liberation and Justice Movement in March 2010. Hence, within the chapter defined the specific detail that the Parties should take responsibility in the right of the Internally Displaced Persons (IDPs) and refugees. The rights include the protection, equality, assistance during the displacement and return. The parties also provide compensation for harm and losses is intended to all victims of conflict.

Due to the execution of this chapter, the agreement regulated the establishment of a committee in managing the compensation and the return of the victims. The committee is well known as Voluntary Return and Resettlement Commission (VRRC). The Voluntary Return and Resettlement Commission (VRRC) had three divisions; the Voluntary Return Committee (VRC), the Property Claims and Restitution Committee (PCRC) and the Compensation/*Jabr Al-Darar* Fund (JAF).

The Voluntary Return Committee (VRC) responsible in the returning of the Internally Displaced Persons (IDPs) and refugees. During the execution, the committee cooperated with the United Nations High Commission for Refugees (UNHCR). The second committee is the Property Claims and Restitution

Committee (PCRC). The committee should manage and ensure that the Internally Displaced Persons (IDPs), refugees and other victims have their houses, land and property under the supervision of law proof. The last committee is Compensation/*Jabr Al-Darar* Fund (JAF). This committee focused in the payment of compensation.

5. Justice and Reconciliation

The justice and reconciliation are in line for achieving the peace in Darfur. The parties agree in the establishing justice in Darfur. Continuing that point, the Government of Sudan increase the number of courts and judicial agent in Darfur, utilizing the system of mobile courts, ensure the security of the judicial agent, victims and witnesses, and ensure the support of the Ministry of Justice in discharge the prosecutorial duties.

In implementing the justice, this agreement creates the Truth, Justice and Reconciliation Commission (TJRC). The Truth, Justice and Reconciliation Commission (TJRC) divided into Justice Committee, and Truth and Reconciliation Committee. The Justice Committee handling to receive, examine and assessing claims, cooperated with the *Jabr Al – Darar* (Compensation committee), and determining the individual losses and damaged. The member of Justice Committee are nominated by the Parties and appointed by the chairperson of the Darfur Regional Authority (DRA).

The second committee is Truth and Reconciliation Committee (TRC). The focus of Truth and Reconciliation Committee (TRC) is assessing the root causes of the conflict by investigate the violations, crimes and human rights abuses in economic, social and cultural since February 2003.

6. Permanent Ceasefire and Final Security Arrangements

The basic principles of the permanent ceasefire and final security believe that the Darfur conflict cannot be resolved through military process but political process. Due to the agreement, the parties agree to cease the act of hostility, violence against the Darfurian and human rights.

In controlling the peace within Darfur, the forum agrees to establish the Ceasefire Commission (CFC). The Ceasefire Commission (CFC) headquarters placed in El – Fasher, and the chairperson is from the UNAMID Force Commander.

During the implementation, the Ceasefire Commission (CFC) was support by two sub divisions. First is the Sector Sub – Ceasefire Commission (SSCFC). The Sector Sub – Ceasefire Commission (SSCFC) established in each sector inclusive of woman. It aims to ensure an effective investigation and reporting cycle. The primary functions of the Sector Sub – Ceasefire Commission (SSCFC) are to oversee the parties in fulfilling their obligations, consider, verify, investigate and report all matters of disagreements and violations.

The second sector is the Ceasefire Team Site Groups (CTSGs). The Ceasefire Team Site Groups (CTSGs) is aim as the first level of conflict resolution within the Mission. It has responsibility to monitoring, patrolling, visiting, inspecting, liaising, investigating, verifying and reporting the Parties. The Ceasefire Team Site Groups (CTSGs) worked under the Sector Sub – Ceasefire Commission (SSCFC).

7. Internal Dialogue and Consultation & Implementation Modalities

The last chapter examines the internal dialogue within Darfur. The parties agree to conduct in Darfur Internal Dialogue and Consultation (DIDC). The Darfur Internal Dialogue and Consultation (DIDC) aims to widening ownership and mobilizing support for the implementation, raising awareness and bringing social and political in Darfur.

The Darfur Internal Dialogue and Consultation (DIDC) is facilitated by UNAMID, the African Union and the State of Qatar. The facilitators help the Darfur Internal Dialogue and Consultation (DIDC) to develop the modalities and the mechanism in holding the agenda.

In order to maintaining the implementation of each point within the agreement, the parties agree to establish the commission in aims to oversee the process of agreement implementations. That is the Implementation Follow – up Commission (IFC).

C. The Post – Mediation Process

Due to the DDPD's implementation, the Organization of Islamic Cooperation had given a mandate by the forum. Even though the Organization of Islamic Cooperation's involvement here not as the prominent actor, the role of Organization of Islamic Cooperation cannot be underestimated. Here is the post – mediation process that had been followed by the Organization of Islamic Cooperation due to the Darfur conflict settlement.

1. The Implementation Follow – up Commission (IFC)

Due to the third chapter of Doha Document for Peace Darfur, the Organization of Islamic Cooperation was appointed to be the member of the Implementation Follow – up Commission (IFC). The Implementation Follow – up Commission (IFC) established to assisting the implementation of each chapters within the DDPD. The Implementation Follow – up Commission (IFC) led by the representative of the State of Qatar, and the following member have to express commitment to support the implementation of the agreement. The member of Implementation Follow – up Commission (IFC) consist of The representative of the State of Qatar as the chairperson, two representatives from the Government of Sudan, two representatives from the Liberty and Justice Movements and a representative from each state or regional

organization involved in the Doha Document for Peace Darfur (DDPD).

The three focuses that should be done by The Implementation Follow – up Commission (IFC) by monitor and assess the implementation of Document for Peace Darfur agreement, assist in the provision of funding and technical assistance to bodies established by this agreement and support the implementation of this agreement in accordance with the agreed timelines.

Furthermore, the meeting of The Implementation Follow – up Commission (IFC) supposed to be convened by the State of Qatar as the chairperson. The African Union - United Nations Hybrid Operation in Darfur (UNAMID) shall establish the Secretariat to support of The Implementation Follow – up Commission (IFC).

2. Darfur Development Bank (DDB)

Besides assisting the Doha Document for Peace Darfur (DDPD) through the Implementation Follow – up Commission (IFC), the Organization of Islamic Cooperation involved in another following agendas. In refers to the chapter three of Doha Document for Peace Darfur (DDPD), it mentioned the role of Darfur Development Bank as one of the external fund support for the stabilization in Darfur.

Darfur Development Bank (DDB) planned within the Doha Document for Peace Darfur (DDPD). Following the establishment of the Darfur Development Bank (DDB), in 29 December 2014, the Secretary General of the Organization of Islamic Cooperation (OIC), Iyad bin Amin Madani had a meeting with the Chief of Transitional Authority for Darfur in Khartoum. The meeting arranged to continue the establishment of Darfur Development Bank. Due to its establishment in January 2015, the Organization of Islamic Cooperation (OIC) holds the meeting between the OIC Secretary – general, Mr. Iyad Ameen Madani and the Chairperson of Darfur Regional Authority in Khartoum,

Republic of Sudan. The meeting followed by the conference, it holds at the Organization of Islamic Cooperation Secretariat in Jeddah, Saudi Arabia.

