

Communities and Natural Resource Conflicts in Africa: Reflections on Conflict Management Options for Peace-building in Darfur

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Abstract

The paper embarks on conflict and resource management issues in Darfur. In so doing, it explores how natural resource conflict management processes can contribute to conflict transformation in the region. It opens by examining some of the main issues that emerged from the University of Peace's 2009 conference, which stressed that peace-building efforts cannot be separated from immediate and long-term livelihood, resource management, and development issues. The paper then shifts to its main concern i.e. identifying and assessing strengths and limitations of key institutional settings and practices used by rural people for dealing with natural resource conflicts. Accordingly, it focuses on three major institutional domains viz. rights-based approaches exercised within national legal systems; informal/local practices rooted in custom and living law; and alternative dispute resolution (strategies and techniques aimed at consensus-building). Finally, the paper concludes by emphasising that enhancing people's ability to access a number of domains in seeking to address tensions and disputes related to resources must be a major part of peace-building efforts.

1. Introduction

The scope and magnitude of Darfur's conflicts, with destruction on a regional scale, a multitude of displaced people, persistent insecurity and profound unresolved political issues, distinguish it from the typical 'resource dilemmas' featured in the participatory-oriented natural resource conflict management literature.¹ Such studies, particularly of successful cases, overflow with terms such as pluralism, partnership, co-management and adaptive learning, denoting situations where a strong sense of predictability and trust was developed among participants (Berkes, 2009; Blackmore, 2007; Castro & Nielsen, 2003; Wollenberg, Anderson, & López 2005). It is important to bear in mind, however, that these participatory institutional arrangements were often created in response to chronic and sometimes seemingly intractable conflicts (Castro & Nielsen, 2001). Darfur's horrific violence has demonstrated the dangerous side of conflict. Despite this, conflict also serves crucial social purposes, allowing people to voice their grievances and to express interests and concerns. Conflict can be an integral part of constructive cultural change. As the people of Darfur seek to

¹A recent report highlighted the still volatile situation in many parts of Darfur (International Crisis Group, *Sudan: Justice, Peace and the ICC*. African Report No. 152, July 17, 2009; also see the Blog "Making Sense of Darfur").

reconstruct their communities and livelihoods, the issue of how to resolve conflicts related to the use of, or control over, natural resources will be of paramount importance. Natural resource conflicts² are often complex and multifaceted, involving resource users from different cultural backgrounds, as well as competing claims between local communities and the state. Such disputes have been major elements in Darfur's crisis (Alden Wiley, 2008; de Waal, 2007a; Mamdani, 2009; University for Peace, 2006). Political settlements will need to take into account the diverse institutions and procedures employed by communities and resource users to address these issues.

2. Reflections on the conference: an interpretation of key issues

The presentations and discussions at the 2009 University for Peace conference emphasized that Darfur has many kinds of conflicts, occurring in different areas and at different societal levels. These conflicts are embedded in its historical circumstances, demography, socioeconomic characteristics and drought-prone environments. However, the scale and intensity of violence and insecurity are not inevitable outcomes of history, population growth, identities or nature. Instead, people's reliance on bloody coercion, in pursuit of their perceived interests, with its high human costs, reflects contemporary social forces and processes. Sudanese national politics, marginalisation of large segments of Darfur's population, decline of customary land use and conflict management authorities, actions by neighbouring countries and by global superpowers and the global arms trade are examples of such forces and processes. If one is looking for a positive message, it is that widespread, extreme conflict is not predestined or inescapable in Darfur. At the same time, violence and insecurity often beget further violence and insecurity, creating a downward spiral of trouble. So, if large-scale violent conflict is not preordained, neither can peace be expected in Darfur without sustained effort aimed at reconciliation and participatory conflict resolution. Urgent action is required, but peace-building also requires considerable patience.

Conference discussions also highlighted the complexities and difficulties of trying to respond to Darfur's multiple conflicts. There is not a singular conflict setting, but situations straddling the categories of post-conflict, active conflict and even pre-conflict. Displaced populations, disrupted livelihoods and widespread availability of arms not only serve as legacies of past violence but also contribute to ongoing instability. These dynamic circumstances call for site-specific analysis and flexibility in promoting conflict transformation. Such analyses should aim to illuminate past and present socio-economic, political and ecological dimensions of the conflict. General assumptions about the supposed role of identity politics, scarcity-driven motives, or bad governance cannot substitute for hard data on specific cases. This is not simply a plea to understand the micro in order to facilitate macro-level action. Disputes at the

² Conflict here refers to two or more parties engaged in a dispute arising from incompatible claims an issue, thing, or situation related to natural resources. Having a conflict of interest in a resource is not the same as being in conflict over it ((Hussein, Sumberg & Seddon, 1999).

local level are often closely connected to wider systems of power and politics. Peace-building efforts at all societal levels will require a deep understanding of these linkages.

Finally, the conference stressed that peace-building cannot be separated from livelihoods, resource management and development planning. These facets of life in turn depend on the strengthening of participatory processes for handling contentious issues regarding political representation, displacement, compensation and rights to resources. As in other parts of the world, people in Darfur seek greater involvement in the key decisions affecting their lives. How to promote participatory processes in Darfur's complex conflict settings is a challenge. Even under ideal conditions, outsiders hoping to foster participatory processes within communities face the tough question of when to furnish assistance, versus when to back away or exit. Overall, Sudanese scholars and practitioners – particularly those in Darfur – should receive substantial support to extend their activities related to such issues. Entities such as the Peace Centres at the three Darfur Universities offer enormous promise for merging conflict management with broad socio-economic concerns.

3. Managing natural resource conflicts in Africa: multiple approaches

Many of the ambiguities and questions regarding Darfur's conflict are mirrored in the wider literature on African natural resource conflicts. Analysts attribute these conflicts to a number of causes, sometimes summarised by pithy phrases, including environmental scarcity, need or greed, resource curses, failed states, structural inequalities, historical political economy and neo-patrimonialism (see Castro, 2005; Castro & Engel, 2007; Chabal, Engel, & Gentili, 2005; Gausset, Whyte & Birch-Thomsen, 2005; Peluso & Watt, 2001). These various interpretations reflect the theoretical interests and assumptions of analysts, for example, political ecology versus neo-Malthusianism. However, the interpretations are also an indicator of the dynamism of conflicts, as different kinds of resource conflicts exist, and these events and processes are linked in complex and dynamic ways to wider socio-economic, political, and environmental processes (Mason et al., 2008).

Although the notion that conflict is related to resource scarcity is highly popular, it must be treated with caution. Conflicts can arise when people place multiple and competing demands on a resource, yet such circumstances do not always result in tensions or disputes (Hussein, Sumberg & Seddon, 1999). Similarly, poverty is sometimes treated as an obvious cause of conflict, yet when and why poor people decide to support confrontation and violence is unclear, or not yet convincingly established (Justino, 2008). The plausibility of singular prime movers or conflict triggers declines when one moves from the macro level to particular conflict cases, where site-specific variables usually become apparent. In general, whether conflicts of interests, scarcity driven by inequalities, poverty, the environment, or some other trigger results in disputes or violence depends on other circumstances within the economic, social, and political context (Markakis, 1998).

People throughout Africa, including Darfur, use a range of institutions and settings to resolve or manage natural resource conflicts. These processes may be formal or informal, violent or peaceful, equitable or not. While the specific practices vary, rural Africans rely on the same fundamental procedural modes used by all people to resolve disputes: avoidance, coercion, negotiation, mediation, arbitration and adjudication (Nader & Todd, 1978). They pursue these procedural modes in a number of different institutional settings or legal domains, including ones rooted in the nation-state, local custom, religion, ethnic group, universal human rights or other social entities. The existence of multiple, often overlapping legal domains is called legal pluralism. Africa's legal pluralism derives from indigenous, colonial and post-colonial influences and experiences. The various legal orders can be complementary or competitive, in harmony or contradictory. Nation states attempt to exercise exclusive control over the definition of legal, extra-legal and illegal orders. People, however, hold their own views of legitimate and illegitimate authority.

Some analysts suggest that legal pluralism may cause conflicts to escalate, because disputants keep shifting their case to different settings (Lavigne Delville, 2000). What can emerge is not only a contest between two parties, but a power struggle among the various authorities concerned with land and resources. Others contend that legal pluralism creates socio-political spaces where multiple claims can be negotiated through a range of dispute resolution processes (Berry, 2002). This multiplicity of authorities supposedly provides people with a chance to engage, as much as they can, in strategic manoeuvring to secure their claims. Negotiability has its limits, however, because not all people have equal access to all dispute-resolution options: class, gender, age, social identities, remoteness and other factors can restrict which avenues are open to certain individuals and groups (Peters, 2004).

4. Rights-based approaches and national legal systems

Discussing the role of national legal systems and rights-based conflict management may seem incongruous or naïve in the case of Darfur, where many of its people perceive the central government as responsible for the large-scale violence, deaths, destruction, and displacement (Buchanan-Smith & Jaspars, 2007; de Waal, 2007a). Adding to the practical and ethical issue is the fact that in counterinsurgencies, national officials often seek to replace local authorities and institutions with ones unquestionably serving state interests (Castro & Ettenger, 1994). Even before the outbreak of warfare in 2003, Darfurian communities may have felt that they have had too much involvement by the central government in their affairs. Since 1971, National leaders have imposed a series of top-down institutional interventions reducing the long-standing roles and authority of local administration. In combination with broader socioeconomic changes occurring in Darfur, these interventions diminished local capacity for natural resource conflict management (Abdul-Jalil, Mohammed & Yousuf, 2007). However, conflict transformation in Darfur will depend ultimately on the re-establishment of a system of governance linked – in whatever way determined by a peace agreement – to national institutions and policies (Mamdani, 2009). It is

within this context that I consider the role of national legal systems in natural resource conflict resolution.

Rights-based approaches to natural resource management have gained popularity, at least in terms of rhetoric. Rights are legally enforceable entitlements, held by individuals or groups, which pertain to civil, economic, or cultural aspects of life. Some analysts now link poverty alleviation and sustainable resource management to principles of human rights, equality, well-being, and participation (Moser and Norton, 2001). International agreements and national policies seek to define such entitlements, but many people contend that inherent human rights exist (Wollenberg et al., 2005). A society's effective ability to use its national legal systems to clarify and enforce rights, including natural resources, is evidence of its members' empowerment. Public use of national legal systems can help keep governments accountable, transparent and responsive.

The national legal system consists of the overall framework of legislation, policy and state institutions, including regulatory and judicial administrations extending from national to local levels. National constitutional structures throughout Africa are based on civil or common law, traditions inherited at independence, with Islamic legal traditions included in several countries. Elements of indigenous law were sometimes incorporated into colonial states, usually falling under the jurisdiction of native administration. Current governments often include customary law within their formal judicial institutions as long as it conforms to official statutes. Adjudication by judges, administrative officers, or local authorities is the main conflict management technique of national legal systems. Arbitration, negotiation and mediation are also used in some settings.

Table 1 summarises general strengths and limitations of national legal systems. In all countries including Sudan, the poor community, women, remote communities, pastoralists and other marginalised groups, often encountered difficulties accessing courts and officials due to financial, political, social or other constraints. Female heads of household, for example, may need to take male kinfolk along with them for their grievances to be handled adequately by authorities. Slow procedures can make national systems unappealing, as disputes may linger for years in the courts or in administrative offices. Finding a lawyer or legal advice can be difficult, especially for rural dwellers, since environmental advocacy law is a small specialty in most places. National and regional alliances of lawyers, non-governmental organisations and others concerned about environmental rights are emerging, but greater capacity is needed to meet the public's needs (Environmental Law Institute, 2004). Individuals and groups may face intimidation when pursuing grievances through official channels and repressive laws, and oppressive practices pose a threat to activism and dissent.

Table 1: Strengths and limitations of the national legal systems

Strengths	Limitations
<ul style="list-style-type: none"> • Reinforces rule of law, promotes accountability • Standardized rights, rules & procedures involving judicial specialists • Decentralization offers community participation • National & international concerns can be taken into account • Advocacy movements widening access • Potentially impartial & legally binding decisions 	<ul style="list-style-type: none"> • Lack of accessibility to the poor, marginalised • Burdensome & timely process with high costs • Often excludes local institutions & knowledge • Locally inappropriate national or global standards may be imposed • Activists vulnerable to repression • Domination/corruption, lack of enforcement of agreements

Adapted from Matiru et al., 2000

Public sector reforms, such as decentralisation, are supposed to increase responsiveness and efficiency. For example, de-concentration shifts responsibility to field units of ministries, while devolution conveys substantive power to the local level. Privatisation, economic liberalisation and co-management arrangements seek to widen public access to resources, simultaneously reducing the role of the state agents or repositioning them as partners. In practice, these reforms frequently fail to meet their high expectations (Ribot, Agrawal, & Larson, 2006). Due to a number of motives and circumstances, state officials may be unwilling or unable to transfer sufficient authority or resources to the local level. A major issue for many countries is that administrative and judicial systems are under-resourced, undermining their capability. Bureaucracies are reeling from demoralising years of shrinking budgets, reduced staff and declining policy-making roles. Local-level authorities may lack the resources, information and training to engage in new responsibilities. Political and personal motives, especially regarding valuable natural resources, also exert an influence. Regional or community elites may use their political connections and market access to enhance their access to resources at the expense of less powerful groups. Decentralisation can exacerbate, rather than reduce, natural resource conflicts (Castro & Engel, 2007). Ironically, initiating conflicts, including use of violence, may be one of the few options that less powerful groups can use to defend their interests. Official decisions, perceived as self-serving by the public, fuel mistrust of state administrative and legal procedures.

For lasting peace to come to Darfur, effective engagement is needed between diverse members of civil society, the government, the national legal system and other interested parties. It is beyond the scope of this paper to cover the troubling, and at times even dismal, history of conflict resolution in Darfur. As de Waal (2007b, p. 367)

states, “Darfur’s peace is no less complicated than its war.” In a recent posting to the Blog “Making Sense of Darfur,” de Waal describes the dilemma of Sudan’s legal system, citing criticisms about the judiciary’s lack of independence, the overall lack of concern for human rights issues, and so on (<http://blogs.ssrc.org/darfur/2009/07/14/the-au-panel-and-the-justice-challenge-iii/>, accessed July 15, 2009). However, in a related posting about sessions held in Darfur and Khartoum by the African Union Panel on Darfur, de Waal reported that many people eagerly seek increased engagement by civil society in negotiations and other legal processes related to peace-building in the region (<http://blogs.ssrc.org/darfur/2009/07/13/the-au-panel-and-the-justice-challenge-ii/> accessed on July 15, 2009). Nonetheless, national legal systems are indispensable for conflict transformation and sustainable resource management.

5. Informal/Locally-based conflict management processes

People within and across communities possess their own means of handling disagreements and disputes over natural resources. Frequently, the same authorities that governed natural resources also handle conflicts and transgressions related to them. This situation reflects the fact that resource management and conflict management are essentially one in the same process. Both aim to bring consistency, order and accountability to situations of competition and conflicting interests. In fact, the local authorities that manage resources are also the same ones that deal with conflict. For example, Haro, Doyo, & McPeak (2005) describe “nested” resource management and conflict management institutions among East African pastoralists consisting of households, camps, assemblies of camps and “neighbourhoods.” The term informal does not mean that local resource management processes are ad hoc, but that state officials do not recognise their processes and decisions. The main techniques used by communities are negotiation, mediation, arbitration and adjudication. People also frequently use avoidance and coercion, with the latter manifested in peer pressure, gossip, ostracism, public humiliation, witchcraft and the fission of kin or residential groups.

Table 2 identifies strengths and limitations of local/informal approaches. The greatest strength of informal dispute resolution is that it is rooted deeply in the norms, values, institutions and practices of communities, fostering reconciliation in a context where conflicting interests in resources are rife. People generally know a conflict’s context: the principals, their interests and events leading up to the dispute. Discussion takes place in the local language, and within a cultural context with which people are comfortable. Customary practices offer several advantages: low cost, flexible schedules, inclusion of local knowledge, reference to local norms and public participation in the proceedings. Community leaders can serve as mediators, facilitating negotiations and promoting conciliation, or they may act in adjudication roles if the parties cannot reach a solution. In many cultures, agreement is marked by a ritual or ceremony aimed at fostering reconciliation.

Reliance on local relationships and knowledge is also one of the limitations of customary approaches. Such practices depend on disputants being “local and identifiable... neighbours with an interest in strengthening the system of local accountability” (Mamdani, 2009, p. 290). What is “local” in Darfur has been altered in many places by destroyed villages, displaced people, new occupants on the land and chronic insecurity. Nonetheless, informal dispute resolution processes continue to operate throughout Darfur, including among internally displaced populations. As Abdul-Jalil et al. (2007, p. 66-67) observed, “While understanding the fragile and limited capacity of native administration, the international talks should recognize and seek to enhance the function of the tribal leadership at the grassroots levels.” While their comments are directed primarily at local administration tied to the national legal system, they are also applicable to the role of informal processes.

Table 2: Strengths and limitations of the local/informal system

Strengths	Limitations
<ul style="list-style-type: none"> • Familiarity, participatory & promotes stability • Principles of consensual decision-making can be extended to integrate new situations and parties • Involves local leaders as negotiators & mediators • Consensual decision-making • Locally appropriate agreements fostering reconciliation • Respects local culture, promotes empowerment 	<ul style="list-style-type: none"> • Exclusion due to sex, poverty, social identity or other factors • Difficulties can arise accommodating conflicts between distant social groups or between a community & the state • Leaders may be biased towards their own interests • Decisions may reflect political strength • Agreements may not be recognised by officials, nor sustained by participants • Vulnerable to take-over by the state

Adapted from Matiru et al., 2000

It is important to bear in mind other limitations of informal conflict management practices. Socially marginal groups can encounter difficulties accessing dispute resolution forums. The poor, women, lower castes, migrants and others seen as “strangers” may lack the social standing to participate in local tribunals. Many studies now emphasise the influence of powerful individuals and groups in informal conflict management processes (Moore, 2005). Instead of being a forum where disputes can be resolved through reference to tradition, informal conflict management processes may serve mainly as an arena for testing the political strength of local factions. Local conflict management processes do not necessarily yield more equitable, harmonious or longer-lasting settlements than other approaches (Moore, 1986). Providing legal recognition to informal conflict management processes can bolster their legitimacy, but it can also have a deleterious effect. In South Wello, Ethiopia, for example,

officials tried to incorporate religious leaders, who possessed informal conflict management roles, into state-run tree planting campaigns. Because the trees were often planted on local pasture - to the detriment of local livelihoods - they proved highly unpopular within communities. The religious leaders were reluctant to get involved because of the threat to their moral authority (Pankhurst, 2003). In spite of these limitations, informal, locally-based practices continue to serve as a major option for conflict management in rural Africa.

6. Alternative dispute resolution

Alternative dispute resolution (ADR) promotes consensus-based approaches for managing and resolving conflicts. Its development in the United States was inspired in part by James Gibbs' account of informal dispute resolution among Kpelle villagers in Liberia. ADR has been used extensively in American environmental conflicts since the 1970s (often with government support), it is seen as a flexible, low-cost substitute to adversarial legal proceedings and adjudication. Major ADR techniques include interest-based negotiation, multi-stakeholder dialogue, and negotiated rule making, with strong reliance on the role of facilitators. Substantial attention is also directed in ADR towards capacity building. The proponents of ADR see it as a means of encouraging creative "win-win" settlements and its emphasis on training and building social capital are portrayed as enlarging human and social capital whilst promoting social justice. In theory, such processes should result in environmentally appropriate, socially sound and sustainable agreements. Only recently, however, have such claims started to be evaluated (O'Leary & Bingham, 2003). Meanwhile, international donor agencies, technical assistance agencies and the ADR industry have promoted its introduction into Africa and other developing areas (Castro, 2005).

Critics of ADR question its assumptions, uses and impacts. Much of this criticism centres on issues of power. Nader and Grande (2002, p. 574), who attack its export to Africa, state that, "ADR has power dimensions that have not been adequately analysed or understood." ADR proponents are portrayed as accepting too easily the claims that its interest-based negotiation techniques can significantly level power differences among disputants. Sceptics contend that masking power differences behind participatory discourse only perpetuates, if not widens, inequalities (Cooke & Kothari, 2001). Some analysts suggest that the effectiveness of ADR may be helped by political reforms that increase government accountability, while also supporting democracy (Castro, 2005). Such reforms, however, would probably enhance the performance of all conflict management processes, since each shares difficulty in dealing with power and social exclusion. ADR's emphasis on "managing" conflict is viewed by some critics as disguised people-manipulation, reducing the legitimacy of conflict as a political process. In addition, ADR has been depicted as undermining or supplanting indigenous conflict management practices. Another criticism is that ADR proponents often focus only on capacity building (to be provided by their consulting firms), while failing to follow-up on what people do with this knowledge in the absence of additional resources for conflict management activities. Finally, it is not

clear that ADR-based agreements are more equitable or sustainable than those reached by other means.

Strengths and weaknesses of ADR are summarised in Table 3. As with any social innovation, caution and sensitivity are needed in promoting and using ADR. The Food and Agriculture Organisation's (FAO) recent experience with its African Training of Trainers Programme showed that ADR could be combined with customary practices in effective, yet culturally appropriate ways (Castro & Engel, 2007). The FAO programme emphasised the need to treat both informal practices and ADR techniques as adaptations, with the overall aim of trying to widen people's options for dealing with conflict. The FAO programme differed from many in that some resources were provided to trainees for follow-up conflict management work in their home areas. Two case studies from the Gambia and Namibia prepared by trainees showed that this modest support for community visits and other expenses produced significant outcomes, resulting in agreements in previously intractable conflicts (Castro & Engel, 2007). Thus, ADR has potential to contribute to conflict management processes in rural Africa, but its form and deployment need to match local circumstances.

Table 3: Strengths and limitations of alternative dispute resolution approaches

Strengths	Limitations
<ul style="list-style-type: none"> • May help overcome obstacles to participation • Emphasis on capacity building through training • Uses means similar to traditional practices such as consensual negotiation • Promotes consensual decision-making • Fosters ownership in solution/implementation 	<ul style="list-style-type: none"> • Power differences are difficult to overcome • Usually few resources for post-training work • Imported methods may not fit local context, displace customary practices • May be difficult to engage all stakeholders • Decisions may not be implemented/sustained

Adapted from Matiru et al., 2000

7. Conclusion

The conflicts in Darfur require urgent action. Peace-building efforts are required at all levels: local, national, regional and global. The challenges are daunting and so both considerable effort and patience will be required. However, one cannot succumb to paralysis. Big steps, little steps, macro concerns, micro concerns all matter. Conflict transformation is not possible in Darfur, however, without addressing the issues of livelihoods, long-term development needs and the use and management of natural resources. Agreements will need to take into account institutions and procedures for communities and resource-users to resolve natural resource-related conflicts in a participatory manner. Addressing these conflicts will require a multifaceted approach

based on legal pluralism. This paper reviewed strengths and limitations associated with three main conflict management settings: rights based approaches within national legal systems, informal/local conflict management processes rooted in custom and living law and alternative dispute resolution.

Peace-building in Darfur also requires the strengthening of local capacity to handle the tensions and disputes that inevitably arise in accessing, using and managing natural resources. In this regard, increased support is especially needed for Sudanese institutions, scholars and practitioners - particularly those in Darfur - concerned with natural resource conflicts, livelihoods, development and other issues related directly and indirectly to peace-building. They have the ability to work efficiently and effectively with the area's population. My prior experience with the FAO's African Training of Trainers Programme has shown that even modest investment of resources in conflict management activities can provide significant results.

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Discussion

Throughout the discussion period, participants commented that conflicts *per se* are neither good nor bad. They also mentioned that it is always important to identify and address the bone of contention prior to making efforts to settle the dispute or trying to suppress conflicts.

Regarding the issue of the decision on whether Sudan should be one or two states, participants commented that Sudan is presently one country with two governing systems. They highlighted the need for local communities to have a forum within the mediation team, so that the team could benefit from information about the existing situation on the ground. Participants added that such a discussion should be carried out with those people whose lives are directly or indirectly affected by the problem, and that the voices of the various minorities should be heard across the table.

One participant insisted on the merits of side shows and other new methods of negotiation, instead of expecting different results while pursuing the same process over and over again. Additionally, the participant explained that the strategies that have been used in the peace process so far should now be replaced with educating the armed movements together with the minorities, and bringing CSOs on board to have a dialogue with both the armed movements and the government.

Participants also raised the need to involve environmental activists, who were absent in the Abuja peace talks, and to globalise the issue in order to bring environmental and ecological issues on board.

The need to understand the Darfur conflict within the wider context of Sudanese conflicts was also raised and discussed. Participants emphasised that the intervention of the international community has both helped and harmed the Sudan. They stated that, since the primary interests of the parties are political arrangements and the issue of power sharing, the presence of the international community is important in helping the parties identify whether conflict is intractable or not. However, in order to do this effectively, the international community needs to understand the local realities, the nature of the conflicts and the implication for the national economy—particularly on pillars of the economy such as trade, the war economy, livelihoods and the question of leadership.

Deliberating on the recent decision made by the ICC regarding the indictment of President Al Bashir, participants expressed their fear that this move may hamper the ongoing peace process and asked how the AU-UN Mediation would be able to continue leading in Darfur, given the ICC decision. They mentioned that this should be seen within the context of a lack of homogeneity among the international community *vis-à-vis* the issue of Darfur before airing their fears that the Darfur problem may not be resolved prior to the national election. Participants were anxious

that if the election takes place without involving the Darfurians, it may have negative repercussions on the stability of Sudan.

The recent CSO mapping study was mentioned by the participants, who stated that it demonstrates an inadequate representation of the society, given that the CSOs themselves represent a particular group. For instance, the recent mapping of CSOs indicates that only ten out of between 250 and 300 civil society organisations have interests in the *abbala* and that a significant portion of the society is not represented by the CSOs at all. It was also noted that a similar gap exists through the lack of representation of Sudanese professionals, who are not necessarily the voices of the civil society, the political system or the tribal administrations. Participants commented that more participatory processes facilitated by local experts are required, and that these could be one way through which the voices of Sudan's professionals could be brought to the table.

In their discussion, participants asserted that, as the rebel movements may not have an adequate understanding of the issues related to the conflict, there is a need to involve them in any workshops, consultation meetings and academic seminars pertaining to the conflict. They also noted that the ongoing changes in the Darfur region should be continuously incorporated into the peace process. Some participants further stressed the need to use environmental issues as a tool in peace building in Darfur. For instance, it was pointed out that organising workshops on pastoralism and adaptation across the Sahel might facilitate the peace process.

Various participants noted that the ongoing research and dialogue facilitated by UPEACE could be linked with institutions such as the Darfur Peace and Stability Fund and the Darfur Joint Assessment Mission, in order to encourage synergies. A similar exercise involving a larger number of stakeholders was also suggested.

As a concluding remark, the need for a follow-up to the conference, a wide distribution of the conference report and making the report accessible to a wider audience, were all highlighted. Participants especially emphasised the importance of a follow-up meeting in Darfur involving a broader number and range of participants, including UNEP, UNAMID Civil Affairs Section, UPEACE and the Darfur Universities. They also remarked that the mediation team should organise confidence building and knowledge sharing workshops. As a final point, it was suggested that another workshop should be organised on IDPs in Darfur, in collaboration with partners such as Tufts University, UNAMID and the IDPs themselves, to draw lessons from other experiences of displaced populations.

Closing Remarks

to the Conference on Environment and Conflict in Africa, with Special Emphasis on
Darfur, Addis Ababa 23 July 2009

Statement by Mr. Pekka Haavisto

Mr. Pekka Haavisto provided a general summary of the discussions and major points raised during the four-day conference. He stated that the issue of environmental factors as a source of conflict is no longer in question. Instead, the issues of environment and conflict should be discussed in parallel ways as both are relevant to one another. He further noted that deliberations about ecology, natural resources, and livelihoods are all complementary; hence, one issue alone should not be given special attention at the expense of others. He then reminded participants of the fact that the issue of environmental sustainability is often set aside, which he underlined to be a mistake, before stating that some of the tools used for environmental assessment would be useful in the ongoing peace process.

In addition, Mr. Haavisto mentioned that the creeping urbanisation (the impact of which has not been closely observed), as well as the changing social and physical infrastructure in Darfur, should be considered and integrated into the peace process. He further highlighted the issue of land rights of those who had lost their privileges over land use and ownership during the conflict, adding that it is important to discuss how to adapt to the changes brought about by the conflict and to protect the rights of the people who consequently lost their land and other properties.

Regarding the representation of specific groups of Darfurians, including women, IDPs, the youth and CSOs, Mr. Haavisto stated that the parties that are currently negotiating (the rebel movements and the Government of Sudan), do not represent the interests of all the people of Darfur. He then posed the question to participants to reflect on how to organise these groups so as to get a proper representation, without overshadowing the rebel movements or challenging the government.

Mr. Haavisto went on to discuss the importance of environmental rights. He emphasised the need to consider the local, national and international levels of environmental rights, stating that Darfurians have the right to all of these. In this regard, he commented on the interests and concerns of the Sudanese people on various issues including the environment, climate change, desertification, the issue of the River Nile, Southern Sudan's problems, oil issues and the numerous environmental debates that prevail in Sudan. He finally asserted that interest and concern are constructive tools that enhance the understanding of the Darfurians and other Sudanese people of environmental issues.

Statement by Ambassador Boubou Niang

Ambassador Niang noted that the role of mediators and the international community is to help the parties to come to an agreement. He argued that for peace to prevail in Sudan, all parties should be committed towards peace and have the good-will to resolve their differences in a peaceful way. He added that, although the international community is playing a significant role in the peace process, most of the responsibilities lie on the parties in the conflict itself.

Stressing that there is mistrust between the government and other parties, Ambassador Niang said that bringing experts to the negotiation table is as difficult as finding a common ground for negotiation. He further commented that whenever CSOs identify experts and organise a workshop in relation to the peace process, the government may label them as pro-movement, whereas the movements may consider them as pro-government. This shows that there is fear and mistrust on both sides.

Ambassador Niang pointed out that it is important to make use of best practices, lessons learnt from past experiences and workshops organised on related issues as a basis for future interventions. Illustrating this, he stressed that the experiences and lessons learnt from the Abuja and Kenyan peace processes are both relevant and important.

Focusing on the need for representation, Ambassador Niang stressed that the problem with the mediation process is that it is difficult to include all groups as negotiating partners. He explained that this was because—as a rule—peace can only be negotiated between those who carry arms. Bringing the minorities into the negotiation process may lead to losing both the government and the rebel movements. Therefore, a new mechanism should be sought through which the concern of all parties in the conflict, and other stakeholders, can be channelled towards the discussion table.

Ambassador Niang stated that it is important that any peace process takes into account the people at the grassroots level. He also underlined that the parties should be informed about the issues of local communities in order to feed them into the negotiation process.

Statement by Mr. Abdul Mohammed

Mr. Abdul Mohammed focused his remarks on the civil society organisations and their representation in the peace talks. He commended CSOs for having played a pivotal role in creating awareness and clarifying issues raised in the peace talks, which has, in turn, produced a visible improvement in articulating subsequent steps to be taken.

He further stated that there is a consensus regarding which outstanding issues pertaining to the Darfur conflict should be addressed. These issues include whether Darfur should politically be one region or not, the compensation for the damage inflicted during the conflict, the creation of a post of Vice-President reserved for Darfur and a return to the 1956 borders of Darfur.

Mr. Abdul indicated that the political infrastructure of the region is still lacking, despite the fact that the main issues in the mediation have matured. Reminding participants of the crucial decision for Sudan on whether it is going to be one or two states, he commended CPA for introducing a timeline for the national elections and for the referendum in the South. He cautioned, however, as to whether the existing political infrastructure would enable Sudan to have a smooth transition, questioning whether, given the timetable, it is feasible for the Darfur issue to be resolved before the April 2010 election and whether it might enter into an intractable conflict if not.

Statement by Dr. Jean Bosco Butera

In his closing remarks, Dr. Butera thanked participants of the workshop for their active participation, helpful discussions and continuous commitment. He extended his gratitude to the participants and all resource persons from various universities and peace centres for their contributions. Finally, he concluded by re-emphasising the importance of involving local communities, CSOs and women's groups in the peace process. To this end, Dr. Butera affirmed that UPEACE will continue its commitment to the ongoing efforts.