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ADDRESSING NATURAL RESOURCES ISSUES IN DARFUR THROUGH A PARTICIPATORY AND NEGOTIATED TERRITORIAL DEVELOPMENT APPROACH
Preliminary results

ABORDER LES QUESTIONS RELATIVES AUX RESSOURCES NATURELLES AU DARFOUR À TRAVERS UNE DÉMARCHE TERRITORIALE PARTICIPATIVE ET NÉGOCIÉE Premiers résultats

CÓMO ABORDAR LA PROBLEMÁTICA VINCULADA A LOS RECURSOS NATURALES EN DARFOUR CON ARREGLO A UN ENFOQUE TERRITORIAL PARTICIPATIVO Y NEGOCIADO Resultados preliminares
The roots of the conflict in Darfur have been characterized as an erosion of natural resources caused by climate change that have contributed to social strife and ethnic conflicts. One of the critical issues still requiring resolution is the long-standing conflict over land and grazing rights between non-Arab farmers and Arab pastoralists. The need to address Darfur resource and development issues were recognized, initially by the Darfur Peace Agreement signed in 2006, and more recently in the Government of Sudan’s New Strategy for Darfur, 2010 and the Doha Darfur Peace Document (DDPD) signed in July 2011. The complexities involved in terms of interventions relating to natural resources – land in particular, must respond to the realities of the...
different livelihoods groups at the grassroots levels; failure to do so will perpetuate historic grievances linked to resource rights and sharing.

This article describes the situation as regards land and natural resources in the Darfur region, the approach that FAO is taking, and preliminary results of the fieldwork undertaken by the project Strengthening Community-Based Institutions for Participatory Peace Building, Conflict Resolution and Recovery Planning in Darfur, funded by the Darfur Community Peace and Stability Fund. The aim of the project is to bring together different ethnic groups that were in conflict, to address the region’s problems. In particular, the aim has been to find solutions to problems related to competition over and restricted access to common natural resources, using non-violence means such as dialogue and other peaceful conflict resolution mechanisms.

les spécificités des différentes populations. Tout échec à cet égard ne ferait que perpétuer les griefs historiques liés aux droits aux ressources.

Cet article décrit la situation des terres et des ressources naturelles dans la région du Darfour, l’approche adoptée par la FAO ainsi que les premiers résultats du travail de terrain entrepris par le projet: «Renforcer les institutions communautaires pour une consolidation participative de la paix, la résolution des conflits et la planification de la reconstruction du Darfour», initiative financée par le Fonds pour la paix et la stabilité du Darfour. Ce projet vise à réunir les différents groupes ethniques en conflit pour traiter les problèmes de la région. Plus spécifiquement il s’est agi de trouver des solutions aux problèmes de concurrence pour un accès partagé à des ressources naturelles limitées, ceci en suscitant le dialogue et en ayant recours à divers mécanismes de résolution pacifique des conflits.

a la tierra en particular, respondan a las realidades de las diferentes poblaciones a nivel de las bases. La falta de una respuesta solo podrá perpetuar los agravios históricos vinculados a los derechos sobre los recursos.

En este artículo se describe la situación de la tierra y los recursos naturales en la región de Darfur; el enfoque que está siendo adoptado por la FAO sobre esta materia, y los resultados preliminares de los trabajos de campo llevados a cabo en el ámbito del proyecto «Refuerzo de las instituciones de base comunitaria para la construcción de la paz participativa, la resolución de conflictos y la planificación de la recuperación en Darfur», financiado por el Fondo de paz y estabilidad de la comunidad de Darfur. El objetivo del proyecto es reunir a diferentes grupos étnicos que han estado en conflicto con la finalidad de hacer frente a los problemas de la región. En particular, se ha buscado encontrar soluciones, a través del diálogo y otros mecanismos de resolución pacífica de conflictos, a los problemas que derivan de la competencia por los recursos naturales comunes y de las limitaciones con las que tropieza el acceso a dichos recursos.
INTRODUCTION

The conflict in Darfur is the product of a complex set of factors. It has been described both as an ethnic cleansing campaign carried out by the Sudanese government and its allied militia groups, and as a local struggle over natural resources between non-Arab farmers and Arab herders (Olsson and Siba, 2010). The roots of the conflict are complex with several elements attributed as contributing to it: inequitable distribution of economic and political powers; absence of strong and just governance structures; ethnic divisions; economic influences; climatic and environmental factors; deficiencies in land tenure rights; historical feuds; and more recently, militarization and proliferation of small arms.

The conflict has been characterized by UNEP as being caused by an erosion of natural resources leading to climate change, which in turn has lead to social strife and ethnic conflict. The long-standing and primarily local conflict over land and grazing rights between non-Arab farmers and Arab pastoralists has been made worse by climate change. Sudan in general has suffered several long and devastating droughts in the past few decades causing widespread displacement and localized famine. The scale of historical climate change, as recorded in Northern and Central Darfur for instance, indicated prolonged drought that speeded up desertification processes and a reduction in rainfall that has turned millions of hectares of already marginal semi-desert grazing land into desert.1

The need to address the issues of access to and control over natural resources in Sudan in general, and Darfur in particular, was first recognized by the Darfur Peace Agreement signed in 2006 and, more recently, in the New Strategy for Darfur, 2010 and very recently in the Doha Darfur Peace Document signed on 14 July 2011. The Darfur Peace Agreement (DPA) was lauded as a model that could offer both a framework for power- and wealth-sharing, as well as a significant model for peace in Darfur, because it heavily borrowed from the now independent South Sudan and North Sudan Comprehensive Peace Agreement (CPA) signed in 2005.

In reality, the Darfur Peace Agreement made the situation worse: because the parties to the conflict were divided by deep mutual distrust, even hatred, and

1 http://postconflict.unep.ch/publications/UNEP_Sudan.pdf
little confidence was built between them. At the same time, the New Strategy for Darfur, often referred to as 'peace within', highlights addressing issues of security, reconciliation, development and resettlement of internally-displaced persons (IDPs) and refugees, as well as how to ensure delivery of humanitarian assistance to the needy. However, interventions linked to natural resources – land in particular have not been factored in, which in essence must respond to the realities of the different livelihoods at the grassroots. Failure to do so will automatically perpetuate historic grievances linked to resource rights.

This article outlines the situation as regards land and other natural resources in Darfur, the PNTD approach that FAO has adopted, and highlights preliminary results of the fieldwork carried out during the implementation of the project *Strengthening Community-Based Institutions for Participatory Peace Building, Conflict Resolution and Recovery Planning in Darfur*. The project was funded by the Darfur Community Peace and Stability Fund and implemented through the FAO Emergency and Coordination Unit in Sudan.

**THE GEOGRAPHY, HISTORY AND DEMOGRAPHY OF LAND CHALLENGES**

Drought is a common feature of environmental change that has been associated with conflicts in many African countries. The western part of the Republic of Sudan was one of those deeply drought-affected areas which in 1984 suffered famine, as elsewhere in East Africa. Darfur region was the worst affected area in the country. Ecologically Darfur has diverse features, ranging from a typical desert environment in the north to rich savannah marshland in the south; the upland areas reach an altitude of over 3,000 metres in the central Marrah Mountains (*Jebel Marra*). In general, Darfur has low and variable annual rainfall, ranging from less than 100 mm in the northern desert to approximately 300 mm around El Fasher, 300–500 mm in Geneina and Nyala, and up to 800 mm or more in the south and in the Marra Mountains. Rain falls in three months of the year (July–September) in El Fasher, and a bit earlier in the south, resulting in large variations in the availability of water between the wet and dry seasons.

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2 Personal communication of Mr Beshir, Agricultural Officer, FAO Emergency Unit, El Fasher
The history of Darfur before the ascendancy of the Keira dynasty to the leadership of the Sultanate in the mid-16th century is largely unknown. However, like other communities in Africa living in a given territory, the people of this region effectively owned surrounding land communally in the pre-state period. A new tenure system of granting land titles, called *hakura* (Arabic, plural *hawakir*), was introduced by Sultan Musa Ibn Suleiman of the Keira dynasty around 1680–1700. The *hakura* (estate) granted by Keira sultans was of two types: an administrative *hakura*, which gave the title holder limited rights of taxation over people occupying a certain territory, and a more exclusive *hakura* of privilege that gave the title holder full rights over taxes and religious dues in the territory. The first type was usually granted to tribal leaders and later came to be known as *dars* (literally meaning ‘homeland’).

It is commonly considered that Keira sultans succeeded to a great extent to make land tenure a part of the administrative setup of the sultanate. Given that not all lands were granted as estates, it meant that the older system of communal tenure continued to exist side by side with the *hakura* system in various areas around Darfur, even after the Sultanate regime. What used to be communal land has now come to be considered as an administrative *hakura* or *dar*. Tribal homelands were named after the tribe, e.g. Dar Zaghawa and Dar Rizeigat (land of the Zaghawa and Rezeigat peoples respectively). This development introduced new function to the land other than its economic potential: it became a symbol of group identity. Since the region is open to hosting immigrants from neighbouring areas, it follows that newcomers may access land only through transactions with indigenous land-holding tribal groups. This is exactly what nomadic camel pastoralist groups have been doing for the last two hundred years.

When Darfur was finally annexed to Sudan in 1916 the colonial authorities introduced few changes to the existing system of administration. Under their policy of indirect rule, they confirmed tribal leaders as part of a native administration system and custodians of land belonging to their tribes. It was expedient for tribal homelands (*dars*) to be recognized by the government: this helped in controlling the rural population more efficiently. One can therefore classify Darfurian tribes into land-holding and non-land-holding groups.

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Map 1
Location of Darfur
Sedentary and pastoralist livelihood systems in Darfur have been severely affected by the significant growth in population over recent decades, from just over one million people in the mid-1950s to around 7.4 million people today. The increase in population density has intensified cropping and grazing, which means shorter fallow periods for fields and overgrazed rangeland. Larger areas are needed to support the same yields and herds, but demands for farmland and herds is increasing, leading to conflicts between herders and farmers as they compete for access to resources.

**INTERNALLY-DISPLACED PERSONS RETURN TO THEIR LAND**

The Sudanese government’s New Strategy for peace and stability in Darfur issued in August 2010 is emphatic as regards return, resettlement and integration of returnees (refugees and IDPs) in their “tribal lands”. The second key theme of the strategy places a tremendous amount of emphasis on safe, voluntary and sustainable return of the displaced to their places of origin, and calls for the international community to assist in the process.

The strategy has been widely criticized for its lack of transparency and realistic vision for the people of Darfur. First and foremost, it does not build on the reality on the ground, in terms of involving conflicting parties (non Arabs and Arabs) in participating fully in a common platform of negotiation and dialogue. For instance, doubts are cast as to its intentions; the issue of land occupied by new settlers while original owners are living in camps as IDPs has not been addressed, in West Darfur particularly. According to the Government of Sudan resolving the settlement crisis in Darfur entails closing down the camps for the displaced and forcing their return to the villages.

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4 http://www.humansecuritygateway.com/showRecord.php?RecordId=34156

5 West Darfur experienced the highest number of displacements, both internally and across internationally recognized borders, during the conflict period.
This amounts to forced relocation, land forfeiture and indentured servitude for the displaced persons, given that there is no clear and dignified means of addressing land rights through dialogue between non Arab farmers and Arab pastoralists that were in conflict.

Land and natural resource issues continue to remain sensitive and the notion of the return of IDPs to their original territories is heavily politicized. In some areas the IDPs’ land is already occupied by others, particularly the nomadic and pastoralist groups who took part in the counterinsurgency.

The FAO office in West Darfur has been involved as part of the efforts by government, civil society organizations and agency assessment missions to facilitate IDP returns, and seek ways of supporting IDPs and hosting communities. FAO investigations have revealed that spontaneous and voluntary returns have been recorded in the Hashab and Zalinge areas from Kalma Camp in Nyala, although the issue of land rights remains politicized and very sensitive. There are unconfirmed allegations that the government allowed pro-government supporters and militia groups from elsewhere, including Chad, to occupy the IDPs’ land. However, on account of unresolved land disputes continuing between different groups, returning IDPs will still be exposed to renewed resource-related conflicts. In some areas those who occupied the IDPs’ land have also taken control of available water sources, controlling and restricting access to others, creating another recipe for further conflict between IDPs and the new occupants.

The return of IDPs to their homelands in North Darfur is crucial in promoting durable and sustainable development. However, the biggest challenge is land and tenure security in the areas to which IDPs return. Most IDPs and refugees have been in camps for 7–8 years, during which time their land has been occupied by nomadic pastoralists. These nomads are currently practising ‘opportunistic cultivation’ in the land formerly owned by IDPs.

As a result of the current politics of Darfur, it is likely that some land will be retained by current users and occupiers rather than reverting to the IDPs, in spite of their customary ownership rights (the hakura system), which are recognized by statutory laws. There are some recorded cases of IDPs tenure security being retained through continuous usage, which means the IDPs engaged on ‘seasonal movement’ to and from the camps. In these cases the
relative proximity of their lands has allowed them to more regularly cultivate their plots than if they were displaced much further away. Of course, this has only been possible for farmers displaced in nearby camps such as Tawila, Korma and Shangil Tubai in North Darfur. Most of these farmers were sharecroppers and were partly able to supplement the relief food offered in camps with their own production.

The integration of IDPs into urban centres has been suggested both by the government and by humanitarian workers as an alternative approach that may bring peace. This approach would also boost urban and rural economies and would naturally provide the basic services (food, water) and infrastructures (health care, education) that IDPs would need for survival. According to some analysts, urban integration of IDPs would also reduce land disputes. However, counterarguments suggest that it would worsen environmental challenges and increase resource scarcity and conflicting land use, given the current changing climatic conditions. Moreover, it may increase urban poverty and legitimize forced land occupancy. Solving land disputes between the different groups requires multi-faceted approaches. In addition to the government which is already seen partly in a negative light, as party to the conflict multiple stakeholders and actors would need to negotiate new agreements on land tenure rights and land use, including grazing corridors and migratory routes.

In western parts of North Darfur (Kutum and Kebkabiya), where massive internal displacement occurred, previous social networks and dependencies between farmers and pastoralists have been badly damaged. Surmountable efforts are required to support and initiate dialogue and negotiations forums to boost access and use of natural resources, beyond emergency response and early recovery. Policy-makers should also embrace dialogue and involvement of different stakeholders and actors, to develop a consultative approach aimed at finding 'localized' solutions on land tenure security issues in Darfur.

"Bottom-up" or participatory approaches are the best way to address the issue of land rights in Darfur at the community level; otherwise resolving land disputes among the returning IDPs and those already occupying their land could relapse into a new conflict.
PREVIOUS EXPERIENCE OF FAO

FAO’s engagement in specific land issues in the Sudan dates back to 2001, when the organization was invited as a partner of the Intergovernmental Authority on Development (IGAD) Partners’ Forum (IPF), with the sole objective of carrying out a quick assessment on access to land, water and grazing land. FAO also found itself increasingly involved with the New Partnership for Africa’s Development (NEPAD); this provided the framework for African nations collectively to take forward programmes for the development of capacity building, improved governance and poverty reduction, in partnership with G8 nations and other donors. Within NEPAD, the Comprehensive Africa Agriculture Development Programme (CAADP) offered a framework for agricultural development by tackling poverty and food insecurity. The core objective of the framework was within FAO’s mandate and a sustained 6 percent annual growth rate was expected. Since agriculture depends on land resources, addressing the impact on existing land use and land rights was inevitable.

Through its presence in the Sudan – albeit limited in terms of human resources and somewhat restricted in the context of emergency relief – FAO began to build a stronger platform for dialogue on land issues with different partners, including the Government of Sudan, the Sudan People’s Liberation Movement (SPLM), different UN organizations, NGOs, the academic institutions (e.g. the Universities of Ahfad, Bahr El Gazal, El Fasher, Khartoum) and donors⁶. This platform initially resulted in the inclusion of a number of sporadic land-related activities in emergency projects implemented by FAO and its partners.

⁶ This started with the initial scoping paper prepared by Paul de Wit (Legality and Legitimacy: A Study on Access to Land, Pasture and Water) in 2001 for the IGAD Partner Forum Working Group. This was followed by two reports on (i) scoping the issues and questions to be addressed and (ii) Land and Property Study in Sudan (OSRO/SUD/409/HCR). Following these, activities were financed through OSRO/SUD/415/NET (Technical assistance to secure and reconstitute land rights, address land and property dispute resolution and negotiate consensual land management), then OSRO/SUD/507/CAN and OSRO/SUD/514/ITA (Capacity building for land management and community driven recovery in post-conflict Southern Sudan) and the more recent GCP/SUD/057/DEN (Technical support to the establishment and functioning of the National Land Commission – formulated but not implemented).
FAO was also requested by a number of partners to extend its mandate and start addressing issues of access to land and natural resources in the Darfur area. This interest resulted initially in a number of activities being undertaken: mainly research, information dissemination and awareness creation on the land question in Darfur. However, land tenure reforms in Sudan were still confronting considerable challenges – including the weak implementation capacity of land sector institutions and the reluctance of vested interests to implement change – requiring gradual institution building within broader public sector reforms.

Emphasis was placed on the need to recognize and legalize – in an inclusive fashion – land rights acquired by local populations through historic occupation, as well as rights-of-way, acquired through customary norms and practices since time immemorial. In practice, however, the existing legal framework is not conducive to the legal registration of community land rights. Some elements of the need to recognize existing customary land rights in Darfur as part of the conflict mitigation strategy were then included in the Abuja Declaration of Principles (DOP) signed by the main contesting parties on 5 July 2005 and subsequently agreed upon in DPA also signed in Abuja later in 5 May 2006. Most recently the DDPD signed in Doha on 14 July 2011 also recognized the same principles.

Initiatives to reflect on land policy development in Darfur were organized in April–May 2006, when a series of local workshops were held. Three state level seminars on land tenure and management were organized by the Centers for Peace and Development of the Universities of El Fashir, Nyala and Zalinge–Geneina. The major objective of the seminars was to establish a platform to share information on the issue of land in the Darfur region and to discuss ideas, basic principles, and approaches to the peace-building process. How land and natural resources are used and managed was the starting point for the seminars. These events were followed by a 3-day workshop 'Towards a

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7 Through project OSRO/SUD/507/CAN

8 These workshops were partially organized through the OSRO/SUD/507/CAN project (Aweil and Bahr el Gazal) and partially as a joint effort with the UNDP Rule of Law programme (El Fasher, Nyala, El Genina).
Sustainable Land Policy for Darfur’, 11–12 September 2006, organized by the Darfur Joint Assessment Mission (DJAM). FAO’s Sudan Land Programme was invited to provide the technical support for the development of the main land policy materials for the workshop.

At the beginning of 2010 a new FAO project, specifically addressing these issues in the context of Darfur, was approved and was implemented in 2010–2011.

THE PROJECT ‘STRENGTHENING COMMUNITY-BASED INSTITUTIONS FOR PARTICIPATORY PEACE BUILDING, CONFLICT RESOLUTION AND RECOVERY PLANNING’ IN DARFUR

Context of the project
Before the wider Darfur conflict unfolded, different ethnic groupings (Arab pastoralists and non-Arab farmers) had a long history of guarded cooperation and lived peacefully with each other, albeit occasional frictions arising from animal intrusions into farms. The Arabs and non-Arabs were never strongly ethnic in their criteria of mutual identification while dealing with each other. The low ethnic barriers that existed between them fostered a certain amount of friendliness; ethnicity actually functioned as a matrix of cooperation and not of confrontation. From a historical analysis carried out, there were reported isolated cases of disputes over access to natural resources in times of scarcity; but never were the Darfurians so divided as witnessed after the onset of the war from 2003 onwards.10

9 It was first envisaged that the workshop would be held in Nyala, but on account of UN restrictions placed on convening workshops in Darfur because of the conflict, the location was moved to Khartoum. A diverse group of participants was invited to participate, including representatives from customary leaders, UN agencies, civil society organizations, and universities. The workshop was conducted in Arabic to ensure that all participants could participate fully.

10 Focus group discussions carried out in Mellit Locality, North Darfur. August 7th, 2010
At the beginning of the project, in March 2010, it was clear that the different ethnic groupings were fissured, had become conspicuously polarized, and developed antagonistic and ethnically-based attitudes towards each other. These antagonistic attitudes were manifested mistrust, bitterness, rivalry and suspicion, besides practical sufferings involved in the large-scale physical displacement of many people, loss of property and life. Minor disputes that were previously settled at community levels escalated into ethnic differences in which hatred and deep mistrust reigned supreme, as ethnic groups were branded either pro- or anti-government loyalists. The different communities in conflict had all lost trust and confidence in the government as an ‘honest broker’ and its abilities as a mediator for peaceful co-existence and community reconciliation. From the community levels the government had become party to the emerging ethnic conflicts and was not at all a neutral arbitrator.

Many people were forced into displacement from their own farms as a result of fear of attack from their neighbours, irrespective of whether they supported the government or rebel groups. The proliferation of arms and the rampant insecurity caused by tribal militia groups, government fighters and armed gangs of criminals, significantly contributed to internal displacements. Insecurity in most areas of the three Darfur States in the North, South and West also heightened crime-related violence and threats to people's basic physical security, e.g. sexual gender-based violence (SGBV) such as rape. These seemingly ever-present and widespread dangers resulted in restricted movements both for humans and animals. The situation not only lead to environmental degradation, but also to intense conflicts over water resources in areas perceived relatively safe.

There were disputes between farmers and pastoralists over the destruction of crops by animals, particularly in the months of October to December. There were also incidences of recurring conflicts caused by agro-pastoralists encroaching or expanding farming activities into traditional animals' migratory routes and grazing corridors. The pastoralists were also creating new animal routes on former farming lands / plots.

In Darfur the soils of crop farms were previously sandy (qoz). On account of population increases, household land holding has been reduced and farmers have started moving to clay (wadi) soils. In some areas both agro-pastoralists and pastoralists have adopted strategies aimed at increasing their productivity
by converting their own former pastureland to farmland. The conversion of farming land has also been carried out on former animal migration routes without allowing corridors for the animals to graze.

Customary leaders (Malik, Nazir, Shartai, Furshas, Amirs, Omdas and Sheiks) were in the forefront of handling ethnic disputes related to natural resources and community reconciliation. The native administration (Idara Haliya) continued to remain a very important source of legitimate jurisdiction, recognized and trusted by communities. They still commanded a lot of respect at the village / community levels, more than the government.

It's in this context that the project ‘Strengthening community-based institutions for participatory peace building, conflict resolution and recovery planning’ in Darfur was formulated, with the aim of bringing together different ethnic groups that were in conflict to address the above mentioned problems, in particular, problems related to competition or restricted access to common natural resources. The project was funded by the Darfur Community Peace and Stability Fund (DCPSF) and implemented under the Emergency and Rehabilitation Coordination Unit of FAO using a Participatory and Negotiated Territorial Development approach (PNTD).

**Participatory and Negotiated Territorial Development approach**

The purpose of this approach is to define a process in which the analysis of local territorial issues, based on the viewpoints of the different actors / ethnic groups and historical analysis, could contribute to a coherent understanding of the territorial system. The framework for the approach centres on 'locality' and 'community'.

The PNTD approach stresses that all territorial issues that are identified and relate to community reconciliation and natural resources should be placed on the negotiation table. The negotiation table or a joint platform / arena will then gather together all stakeholders in order to discuss localized problems at the village level, with the aim of possibly collaborating in the formulation of a Social Territorial Agreement.

11 http://www.fao.org/sd/dim_pe2/pe2_050402a1_en.htm
The first two phases of the PNTD approach were implemented, namely:

1. The ‘views’ phase – with the objective of carrying out participatory, conflict-sensitive territorial diagnosis processes regarding community reconciliation and access to natural resources, taking into account different stakeholders / actors and their territory as a whole.

2. The ‘horizon’ phase – with the objective of carrying out open discussion among stakeholders / actors on the promotion of communal reconciliation and access to natural resources.

The participatory processes supported all stakeholders / actors in drawing up coherent and feasible perspectives on their territory, promoted awareness and set up a negotiation table. The views of different stakeholders / actors concerning community reconciliation and access to natural resources were taken on board; concrete proposals / community action plans (CAPs) were elaborated through consensus building at the local and community levels, offering alternative outcome scenarios that may resolve the fundamental disputes.

The approach requires the definition of a new role for the experts who act as mediators and facilitators in peace building and community reconciliation processes. Crucial to an effective process is how the experts legitimize their position through an equitable and impartial attitude (that of the ‘honest broker’) in search of a wide consensus. Also crucial was how experts measured their interventions according to the stakeholders' margins of flexibility, in order to stimulate moves towards agreement among the different viewpoints. PNTD fully appreciated that stakeholders had bargaining powers: allowing them to participate in the negotiation processes or else precluding them from such participation, is the most delicate aspect of the approach. This is why it is important from the very beginning to involve and promote widespread partnerships in order to encourage especially the capacity of weak and marginalized actors to negotiate.

It is also important to mention that PNTD is based on the concept of an open process of diagnosis as a means to support the definition of a collective territorial project. Social Territorial Agreement (SAT) provided a
new perspective on the management and prevention of problems arising from local competition over the use of and access to natural resources. The problems were quite distinct depending on the context and the issues at stake in a particular geographic area.

**Baseline information**

An initial baseline assessment carried out highlighted several interesting features of the problem:

1. Non-existence of communal dialogue forums to deal with community reconciliation and access to natural resources at the local and community levels. The community-based institutions / structures had been weakened, compromised politically and unable to address emerging resource conflicts.

2. Most of the communal disputes identified resulted from access to natural resources; different communities in conflict expressed deep frustrations about accessing the resources they needed to sustain their livelihoods.

3. There were no existing community level action plans and no ongoing joint / communal initiatives to address the natural scarcity of resources in the 'flashpoint areas'.

4. There were no existing joint / communal initiatives in place for peace building, rehabilitation and restoration of natural resources. The communities looked at each other more as enemies and could not work together. Communities' differences were manifested in severed relationships, each community focusing on its own interests, and each not believing that it was getting fair treatment from the other parties involved.

The baseline also highlighted the very complex dynamics of the conflict that started as a resource conflict (its root cause) but quickly transformed into an ethnic identity war. The age-old intricate and heterogeneous nature of ethnic relationships and customary conflict resolution mechanisms had been slowly compromised and ruptured by ethnic tensions, political interests and the 'gun culture'. Further assessments and focus group discussions highlighted
the fact that community-based institutions and structures – such as the native administration (Idara Ahaliya) and customary mediation institutions (Ajawiid, El Faki, Dimlig) – lacked the capacity to address contemporary ethnic tensions in Darfur, given the dynamics of the conflict itself and increasingly disparate socio-political interests.

At the technical level, qualitative methods of gathering information, interviews with key informants (KI), and participatory rural appraisal (PRA) tools were adopted right from the beginning of the project. Several focus groups were brought together at the local and community levels to identify the stakeholders, undertake a historical analysis of the situation, and develop community resource maps and seasonal calendars.

**Ethnic grassroots peace-building and community reconciliation dialogue in the Mellit locality of North Darfur**

The Berti, Medoub and the Zayadia\(^{12}\) are the three major ethnic groups that have co-existed in the northeastern part of north Darfur since time immemorial. Zaghawa, Fellata, Fur, and other smaller groups also reside and intermingle with them over the whole of the north Darfur state.

The Berti, Zayadia and Medoub ethnic groups each have their own native administration structures (Nazir, Omdas and Sheikhs) that govern affairs of their respective groups, as well as interplay with other ethnic groups in the area in terms of resource sharing and conflict management.

Conflicts over access to and uses of key natural resources were part and parcel of daily life for the ethnic groups in the area, even before the wider Darfur conflict. Nevertheless the native administration structures, customary and moral codes helped in managing such conflicts in the past. However, the widespread and protracted conflict of Darfur has significantly changed the dynamics and management of pre-existing conflicts in the area. The groups are currently grappling with a myriad of conflicts, as ascertained from conflict assessment in the area and nomadic workshop findings.

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\(^{12}\) Predominantly pastoralist and agro pastoralists
The movement of different ethnic groups to access natural resources is very limited and most of the ethnic groups are now confined within their homelands (Dar).

Reciprocal resource-sharing arrangements at local level were hampered on account of the absence of overall political settlement of conflict and compensation of victims.

The expansion of agricultural areas because of low productivity and recurrent droughts contributed to the annexation of grazing land for agricultural activities. The dependency on environmental resources to generate income to compensate low agricultural productivity is also putting additional burdens on limited resources.

Lack of water resources in some rich pasture areas contributed to concentrated use of and pressure on areas with limited water resources, yet left some of the pasture resources in other areas unexploited. Animal looting in the triangle of Malha, Mellit and Kuma is another problem communities are trying to deal with.

The traditional authorities (though weakened by the antagonisms) were still operating within their domains to address some of these resource-based conflicts, but were being presented with greater challenges in adapting to new obstacles in their way, caused by the changing dynamics of the conflict. They had limited resources and capability to deal with widespread and intractable problems compared with pre-conflict times. The rebel groups and the proliferation of arms in the areas are some of the threats that have undermined the effectiveness of the customary institutions.

The three main native administrations of the Berti, Zayadia and Medoub had already begun their own initiative to work towards unity and ethnic reconciliation. They formed their own tripartite committee, composed of 12 members (five from the Berti, four from the Zayadia and three from the Medoub Native Administrations, respectively), and they agreed that the representative of the Berti Native Administration would chair the committee. The aim was to build mutual trust and restore confidence and communication channels between different ethnic groups residing in the area. Dialogue was aimed at facilitating the peaceful co-existence of ethnic groups and free movement beyond their geographical areas. It was also intended to address banditry, animal looting and general criminal activities, and to foster cooperation with

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**Box 1**

Some of the key resources-based conflicts in the project area
other native administrations. Ajawid (a local NGO) also complemented the native administration initiative by facilitating social and cultural activities and a festival to break the cycle of hatred and suspicion between the groups.

FAO’s project stressed the importance of dialogue and supported the High Level Committee (HLC – the umbrella body of the three native administrations) in expanding and building on their previous initiative in the area. The aim was to make it a platform for all-inclusive, broad-based dialogue and subsequently to address the conflict at grassroots level. At the community/village level, the various ethnic groups in their discussions emphasized the importance of promoting social peace, which would support resource sharing and conflict prevention. The HLC drafted a proposal for broad-based dialogue in Es Sayah and submitted this to FAO for support. The content of the proposal was discussed and agreed with the committee, with FAO acting as a ‘neutral and honest broker’, while facilitating the different ethnic groups in addressing their differences and reaching a peaceful consensus. The three native administrations set the date of the conference for 15 January 2011. Several preparatory meetings were held with the HLC, the native administration leaders, civil societies, women’s groups and youth groups, religious leaders and other mixed groups in Mellit on 26 December 2010.

The Es Sayah conference was attended by more than 1000 people, including native administration leaders, women’s groups, youth groups, government representatives (the State Governor of North Darfur and the locality commissioners of Malha, Kuma and Mellit), the African Union/United Nations Hybrid operation in Darfur (UNAMID), NGO representatives, local community-based organizations (CBOs), religious leaders, the private sector, individuals and some key figures from the community. The participants emphasized the importance of participation by people from the grass roots in the conference, and the dissemination of the conference's objectives around the villages. It was stressed that everybody in the community has to play a role towards realizing the goals and objectives of the conference. The Commissioner of Mellit locality expressed his willingness and commitment to support the Es Sayah Conference. He welcomed the newly appointed Commissioners of Kuma and Malha as part of the ongoing peace-building processes and a move towards non-violent means of conflict resolution, aimed at an ethnic reconciliation.
Objectives and outcomes of the Es Sayah peace dialogue
The main objective of the Es Sayah dialogue was to bring together the different customary leaders (native administrations) and their conflicting communities, so that they could openly reconcile with each other, negotiate a peaceful co-existence, and improve access to natural resources for all.

Specifically the conference was designed:
1. to increase social peace through interactions between rival groups, and promote socio-economic dependencies among the conflicting communities (the Berti, Medoub and Zayadia)
2. to stop interethnic hostilities and criminal activities such as animal looting, and to guarantee access to markets for all.
3. to reduce conflicts between farmers and pastoralists over crop destruction and farmers’ encroachment into grazing land.
4. to improve access to and use of natural resources, mainly water and pastureland and rangeland.

The conference was entirely devoted to ethnic negotiations and dialogue on promoting community reconciliation. The first meeting was between the Zayadia and the Medoub, chaired by the King of Berti. In-depth discussions between the two groups were held and took into consideration previous recommendations from meetings between the Sari and Um Dagor. These served as a reference point and precondition for negotiation and dialogue that did eventually led to a consensus. The main outstanding issue concerned animal lootings instigated by Zayadia ethnic groups against the Medoub; this hampered access to pasture and rangeland in places such as Madu and Saya within the Mellit locality.

The second meeting was between the Zayadia and the Berti, chaired by the King of Medoub. The meeting was marred by disagreements and hot exchanges because the Berti had demanded compensation for the deaths of some of their people, allegedly killed by the Zayadia. In the end a consensus was finally reached. The third meeting was between the Berti and the Medoub and was chaired by Zayadia Nazir. The fourth meeting was between all three tribes.
The outcomes of the conference:

→ Consensus and agreement among the Berti, Medoub and Zayadia. The leaders of the native administrations jointly signed a binding document for peaceful co-existence.

→ Mechanisms were developed by the three native administrations to observe and monitor the conference resolutions, especially as regards to non-violent alternative conflict resolution.

→ Enhanced social interaction, free movement and safe access to natural resources for all community members.

→ Consensus was reached on collaborative work fully involving all communities, initiated for sustainable peace and development: for instance, construction of fire breaks and water points (rehabilitation of hafirs).

→ Market centres have been opened and are accessible by all three ethnic groups; these have further contributed towards strengthening social relationships and mutual co-existence.

→ Incidences of insecurity and banditry, especially animal looting, have been reduced.

→ Increased access to natural resources, especially pastures and water points, have been recorded.

The conference, together with all preparatory meetings and ongoing project activities in the localities, has offered some initial lessons to the native administrations as well as the wider communities. It is better understood that peace-building is a gradual process that requires step-by-step approaches and patience. Hence, higher committees request that members should be fully aware of the processes and challenges ahead and ‘stay the course’, even when they encounter incidences that would be considered a ‘backlash’ to the process.

The High Level Committee (HLC) and the Locality Commissioners of Mellit, Kuma and Malha have agreed to put in place systems that will implement and monitor some of the points agreed upon through consensus, to maintain the momentum gained from their broad-based dialogues. FAO agreed to closely monitor the situation and provided the necessary support and backstopping needed to keep the process on track.
Negotiating territorial issues between the Fur and Turjem ethnic groups in South Darfur

The two major conflicting ethnic groups (the Fur and the Turjem) in El Salaam locality in South Darfur State resolved to live peacefully and harmoniously at the initial stages of the project. As the project embarked on implementation of community action plans (CAPs) aimed at resolving land disputes, the two tribes were to face each other at a negotiation forum, with the aim of reaching a consensus on issues related to land tenure.

The two groups provided a historical analysis that highlighted how they had lived peacefully in the past, demonstrating strong social and economic interdependencies that included interethnic marriages. The groups were able to discuss peacefully land issues such as ownership, occupation, inheritance, and land use (farming/grazing), and conflict-resolution mechanisms related to land disputes.

The land of the Fur ethnic group was communally-owned under the hakura system, by which the Sultan/Shartai (the highest native administrator) was in charge of land allocation for all the people, all members of the Dar. The hakura continued and remained in place during the first conflict between the Fur and the Turjem, in which the Fur became internally-displaced persons (IDPs). There were some instances of seasonal movements from refugee camps back to farms after the conflict, but overall the majority of Fur lost their land to their Turjem neighbours; the Turjem in turn invited their relatives from elsewhere to occupy some of this land.

After the wider Darfur conflicts land disputes became even more prevalent: for example, boundary disputes escalated because of immigration from elsewhere (as mentioned earlier), and conflicts of interest between the communities, e.g. expanding farming activities. The Fur ethnic group believes that the government does not support them in getting back their land, given that they the Fur are mistrustful of the government. They have further suggested that government support for the Turjem has subjected them to banditry.

Immigration by other ethnic groups into the heartlands of the Fur was also highlighted as a major concern by Fur participants. They argued that their neighbours have invited their kinsmen from other parts of Darfur, putting a strain on the natural resources available in the area, which are scarce.
Specifically, decreasing availability of pastures and rangeland as a result of increasing population density – both human and animal – and increased desertification has exacerbated conflicts. Many of those impoverished by the conflicts lost their animals, land, farms and property, and had to turn to cutting trees for charcoal or selling firewood as a means of maintaining the most basic livelihood.

In their concluding remarks the Fur participants mentioned that as a result of all these events, they developed deep mistrust, hatred and suspicion of the Turjem, although now they have reconciled and are ‘as one’. The DCPSF has made them realize that negotiation and dialogue between these two groups is the only means by which they can restore and maintain peaceful co-existence.

The Turjem, meanwhile, described their problems. They agreed with the Fur that land disputes have increased in El Salam Locality because of increased population density. They also accepted that more Turjem people (relatives and kinsmen to those living in El Salaam) have been migrating from West Darfur. They said that decreasing availability of land for farming activities and grazing areas has certainly contributed to conflicts related to fundamental resources such as water. The Turjem argued that land disputes are very closely linked to the availability of water. Areas with good pastures but which lack water are usually avoided. This causes pastoralists to concentrate and settle in certain areas, leading to overcrowding, competition and conflict.

**Negotiation and results**

After many disagreements and at times shouting and bitter exchanges, the participants finally reached a consensus agreement: the Turjem agreed to voluntary vacate the ‘occupied’ Fur lands and property and surrender the farms they had been cultivating13. The project supported provision of agricultural inputs, the establishment of pasture enclosures to improve range resources, and income-generating activities for the youths aimed at reducing unemployment and the culture of violence.

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13 In Abujazo the Turjem were to leave Maraisy, Awain Rad east of Wadi Esledgi, Boron Brom and in Bulbul dalalal Angra Marhabieb, Al daga, Jabaroma, Missic, Tatries and Kabakata Locations
CHALLENGES AND PROSPECTS FOR THE FUTURE

PTND-based negotiation approach, although still in its early stages of execution, suggests that it may be possible to find common agreement and ways to move ahead on the complex issue of natural resources in Darfur. Contacts have been established with the Darfur Land Commission, an institutional body that has a core mandate in the areas of recognition and protection of tribal land ownership rights (*hawakeer*), historical rights to land, traditional or customary livestock routes, and access to water. This institution is relatively weak, but this may change as it establishes its presence in the area. Crucially it will need to promote sustainable usage of natural resources, regulation of land tenure, and the exercise of rights to land, as concurrent functions. Reinforcing institutional powers is of fundamental importance in order to make these organizations more visible and capable of dealing with access to and management of natural resources.

Another important lesson learnt is about the need to reinforce the link between the ‘distributive’ actions normally undertaken by FAO Emergency programmes and the PTND approach – a relatively new approach to such a sensitive issue. Building credibility between the different stakeholders requires a mix of skills: to facilitate dialogue and negotiation, and at the same time to provide concrete initial elements that will improve people’s livelihoods. This has proved to be the right balance when turning towards the field level access to and sustainable management of resources.

CONCLUSION

Access to land and other natural resources in Darfur is intricately linked to conflicts between different ethnic or tribal groups, leading to disastrous consequences. It is informative therefore to note that finding durable solutions that build on participatory dialogue as a foundation to post-conflict peace process will not only improve access to and sharing of natural resources, but will also help to repair damaged social fabrics through trust and confidence building.
Preliminary results from Darfur show that FAO’s Participatory Negotiated Territorial Development (PNTD) approach can be useful in addressing conflicts over natural resources in a post-conflict situation. Given FAO’s key aim of improving food security, we suggest that the PNTD approach allows for a historical analysis that takes into account the prior experiences and customary expectations of conflicting groups, which in turn leads to negotiation and dialogue in non-violent terms. The process can result in a comprehensive understanding of the psychological complexities surrounding land use and land ownership, including attitudes to resources such as water, animals, and freedom/restrictions on movement and settlement. We believe there is clear value in developing the PNTD approach further in FAO projects to build on strengths and successes learned in Darfur.
REFERENCES


