

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

MAY-JUNE 2001

Overview

1. This briefing covers events during May and early June. There is still little sign of any substantive progress towards peace. Most of the actors in Sudan and in the region remain extremely weak internally and unable to take any decisive steps. Both military and political events have seen the SPLM emerge stronger than before in Sudan, while the Government continues to consolidate its position in the region. However, the key factor remains the outcome of the policy review in Washington DC, and whether the new U.S. Administration will take a lead in seeking peace.

The IGAD Summit

2. The long-awaited IGAD Summit was held in Nairobi at the beginning of June. Hopes were not high for any substantive progress, and many felt that the summit was being convened largely in order to satisfy the IGAD Partners' Forum, that had insisted on such a meeting. In addition, there was a fear that Khartoum had managed to secure closer ties with all its neighbouring countries including Kenya, and that the SPLA would therefore be put under undue pressure. In the event, the Summit was not the complete failure that had been widely expected.

3. President Moi played a critical role at the Summit. He opened with a clear identification of outstanding issues, asking the two sides to present clear positions on the issue of religion and the state. This came as an unpleasant surprise to the Sudan Government delegation. The SPLM presented a constructive position: the two sides should agree to disagree on the separation of religion and the state, and move the agenda on to the question of interim arrangements. This was too much for Khartoum, which said it was not ready to agree to disagree, and said instead that dialogue should continue.

4. The SPLA position on religion and the state is a significant advance. It is important that efforts should be made to sustain its commitment to this position.

5. The Sudan Government proposed an unconditional ceasefire. This suited its purposes as it was losing ground in Bahr el Ghazal and had just failed to achieve victories in the Nuba Mountains and Southern Blue Nile (see below). It also suits the oil companies and serves for improved humanitarian operations. The SPLA rejected the ceasefire, saying that there should also be a 'cease-oil' agreement to go with it. Both sides are in error on this position. The SPLA cannot be expected to abandon its principal weapon, the war, without being locked into

a peace process that can be expected to deliver real progress. The conditionality for a ceasefire should not be a cessation of oil exploration or exploitation, but a clear timetable for a peace process that addresses the substantive issues.

6. The Summit agreed to a next meeting to be held after 60 days, and for negotiating teams from the two parties to meet in continuous session. But no mechanism for the continuous negotiations was specified, and it is likely that technical assistance from the IPF will be needed to ensure that this proceeds.

7. A number of issues remained unaddressed at the Summit. These include:

- (a) The question of the status of the Nuba Mountains and Southern Blue Nile. Major government offensives just before the Summit failed to crush the SPLA in these two areas, which would have enabled the government to write them off the agenda. These areas still need to receive adequate political and diplomatic attention.
- (b) The Northern element in the ceasefire. The SPLA is not the sole anti-government belligerent. There are other NDA forces in Eastern Sudan.
- (c) The Northern element in political negotiations. The SPLA pushed the 'one country, two systems' solution. If this is to be viable, the question of democratisation in the North needs to be addressed. It has not been. Dr Garang did not mention the detention of his NDA colleagues in Khartoum in his press conference.
- (d) Self-determination. This key issue was not addressed. The Government did not want to raise it. There is a fear among many Southerners that if the 'one country, two systems' approach is pushed, then the principle of self-determination will be dropped by the mediators and the parties.

8. The Government was disappointed with the outcome of the Summit. It appears to have expected that President Moi and the other heads of state would pressure the SPLA into making concessions. It is currently reviewing its position. It has spoken of a process of consultation with a wider circle of political and civil institutions. While widening participation in the peace process is generally to be welcomed, this could readily be used by the government to convene a staged meeting in which selected political and civil groups call for a withdrawal from IGAD.

The Warfront

9. The Sudan Government has gained some diplomatic credit by its ceasefire proposal and the earlier (25 May) declaration of a cessation of aerial bombardment in the South and the Nuba Mountains. (This is the first time it has ever mentioned bombardment in the Nuba Mountains.) The facts on the ground tell a somewhat different story. There were eleven confirmed air attacks before the government announced its readiness to 'resume' bombardment in June.

10. On 16 May, Government forces launched their largest military offensive in the Nuba Mountains for nine years. Approximately 8,000 troops and PDF attacked SPLA positions and villages on seven fronts. The aims of the offensive were:

- (a) To capture the main SPLA-held centre of Kauda before the IGAD Summit, so as to proclaim victory. The capture of Kauda was announced on the radio, but somewhat prematurely as it did not actually fall.
- (b) To capture the burial site of Cdr Yousif Kuwa Mekki, as a symbolic act to show that they had overrun the SPLA's most secure spot. This was not achieved.
- (c) To close the airstrips in the region to external access. Briefly, all the airstrips were indeed closed. Several have since re-opened.
- (d) To burn villages and create displacement and famine. Nine villages were burned and 13,000 people displaced.

11. The offensive was halted by the SPLA after very fierce fighting. The new SPLA governor, Abdel Aziz al Hilu, proved his reputation as one of the movement's ablest field commanders. He held off the offensive, and then counter-attacked and overran a government garrison at Um Sirdiba. Meanwhile, aerial bombardment has continued including attacks on Limon (26 May) and Um Sirdiba (27 May). The latter assault included the use of helicopter gunships.

12. The Sudan Government has continued to deny any humanitarian access to the Nuba Mountains, despite repeated assurances to the UN that it is ready to do so. It is now more than three years since the Sudan Government promised UN SG Kofi Annan that access would be granted. Protracted negotiations between the UN office in Khartoum and the government have so far yielded nothing.

13. A simultaneous government offensive in Southern Blue Nile aimed at capturing Kurmuk also failed in its objective.

14. The SPLA in Bahr el Ghazal has gone on the offensive, capturing the towns of Deim Zubeir and Raja in the west of the province. This does not appear to reflect a grand strategy by the SPLA. Rather, the SPLA forces in Bahr el Ghazal—which are the bulk of the movement's fighting strength—have arrived at a general consensus that they should overrun the province first before they take the war elsewhere (the oilfields, Juba, etc). Because they are fighting on home territory, their morale and motivation is high and they have continued to prove effective. The government has responded with aerial bombardment and has recently called for mass mobilisation of 85,000 PDF for a counter-offensive. General Bashir has called for defence of the unity of Sudan, claiming that the SPLA is aiming to set up an independent Christian state in the South. While this statement may rally some Northerners, its impact on the government's Southern allies—upon whom it relies for much of the actual fighting—remains to be seen.

15. The next target of the SPLA in Bahr el Ghazal appears to be Aweil. Some shelling began on 5 June. If Aweil is captured, the forces will turn their attention to the largest and sole remaining garrison in the province, Wau. Should Wau be captured, the repercussions will be immense. In the meantime, we can expect a humanitarian crisis in Wau as it is besieged by the SPLA, and serious risk of major human rights abuses in Wau. The city has already been the site of some of the worst mass killings in the war, and a curfew has just been declared.

16. While there has been intense fighting in the areas contested by the SPLA, the NDA military forces in Eastern Sudan have been inactive. This inactivity is contributing to feelings among Southerners that the NDA should no longer be regarded as a credible ally.

Khartoum

17. The Sudan Government remains weak and unable to take any decisive steps. Hassan al Turabi was released from detention in bad grace. At the time of writing he remains under house arrest but this is being challenged through the courts and it is probable that he will be fully released before long. Turabi's position continues to cause problems for the government. As he continues to promote the Memorandum of Understanding with the SPLA, he will continue to be a thorn in the side of President Bashir.

18. Just two weeks after their release, the internal leadership of the NDA was re-arrested. As before, there was no significant protest from the NDA or SPLM leadership. While the leaders were in detention, the internal NDA had largely ceased to function. The re-arrest signifies intolerance by the Sudan Government and the enduring weakness of the opposition. It also signifies its enduring fear of the NDA, heightened by indications from Washington that it is stepping up its assistance to the NDA. (The internal NDA leaders were first arrested during a meeting with a U.S. government official, at the time of former Assistant Secretary of State Susan Rice's visit to Southern Sudan.)

19. The Government gained some diplomatic credit with its announcement of a cessation of bombing. But, as indicated above, this was not actually carried out. The question arises, was the government acting in bad faith? Or does General Bashir have little control over his senior military officers? The fact remains that bombing is a relatively cheap and effective way of clearing the civilian population from key areas of the South, and also for attacking the morale of Southern civilians in SPLA-held areas.

20. Similar issues will arise with regard to Sudan meeting the UN conditions for the lifting of sanctions in August. The U.S. position on this issue is key, and the outcome of protracted U.S. counter-terrorism investigations remain to be seen.

21. Although the government is weak, it remain skillful at turning its weakness to best advantage. Those in the government who present themselves as 'doves' are effective in soliciting sympathy from certain quarters of the international community. Meanwhile, as oil revenues continue to roll in, and ties with key neighbours continue to strengthen, President Bashir is content with the status quo.

The Opposition

22. Until recently, the role of the NDA was demonstrated by the fact that it succeeded in bringing the wide range of Sudanese opposition parties together in a common process. That process of discussion was more significant than any military alliance that they might have been able to maintain. Since the Memorandum of Understanding signed by the SPLA and the PNC, this function for the NDA has ceased. Should the NDA meet, at any level, the SPLA will propose the PNC as a member, causing a crisis for the Northern parties, particularly the DUP. Hence, the NDA is only able to maintain a semblance of unity by not meeting. The NDA Chairman, Mohamed Osman al Mirghani, has therefore been avoiding any meetings—and the NDA stands in imminent danger of evaporating. There have not even been meetings to conclude the unfinished business of the Massawa Congress, such as finalizing the NDA constitution, putting the final touches to the NDA position on peace, etc.

23. Currently, Mirghani is in Asmara and John Garang is expected to fly there shortly to meet with him.

24. John Garang and Sadiq el Mahdi met in Nigeria, as part of an attempt by President Obasanjo to bring them together. However, Sadiq refused to rejoin the NDA, arguing that the NDA no longer existed.

25. Sadiq el Mahdi and Mulana Mohamed Osman al Mirghani have continued to meet. Pressure of events has pushed these two leaders closer together.

26. News has recently broken of a \$3m grant to the NDA from the U.S. government. This is said to be with the aim of strengthening the NDA negotiating capacity. There is much speculation, especially within Sudan, that this assistance is the beginning of a covert supply operation to the NDA. The secretive nature of the grant has done little to dampen this speculation. Like most U.S. assistance, it is promised rather than delivered, though a contract has actually been signed with a U.S. company. This grant raises several questions.

- (a) The NDA is so far not part of any U.S.-supported peace negotiations. (IGAD is the only forum currently supported by the U.S.) Does this prefigure a change in U.S. position?
- (b) Why do Sudanese politicians need to be trained in negotiating skills?
- (c) If the NDA is to be revitalized by U.S. assistance, it will need to attend to a major institutional agenda of making its institutions function. Is this envisaged?

Southern Unity

27. The last six weeks witnessed progress towards unity between the SPLA and the SPDF of Dr Riek Machar, and then disappointment. A Memorandum was drawn up, intended for signature by the negotiating committees of the two sides. Riek apparently agreed to everything in the Memorandum, except the proposal that the forces be united under the name SPLA—he wanted them to be united under the name SPDF. Most of Riek's committee disagreed with their commander, and asked him to meet with Garang in order to complete the agreement in a summit meeting. Riek replied that he wanted a further three months to consider his position. At this point the contents of the Memorandum were made public, without Riek's approval.

28. Riek's obstruction of the final stages of unification has produced a split within his own ranks. The dissident group, led by Cdr Taban Deng, is unwilling to wait for three months while Riek decides—or fails to decide. Their immediate choices are whether to rejoin the SPLA themselves, or succumb to the Sudan Government. Riek is trying to deny Cdr Taban and his allies the opportunity to mobilise and communicate. On their part, they are likely to create a de facto situation on the ground, of general support for their position, leaving Riek isolated.

29. In the meantime, Michael Wal, leader of the SSLM, is disappointing the Nuer groups that hoped he could provide alternative leadership. He appears to have made a strategic error by making an alliance with Tok Wath, a former governor of (Ethiopian) Gambella under Mengistu, who remains opposed to the present government of Ethiopia. The SSLM base is in

Akobo. It is expected that there will be a tactical alliance between the Ethiopian government and the SPLA to capture Akobo. Reportedly, Ethiopian helicopter gunships are already stationed in the area. Nuer political unity and stability depends upon a good relationship with Ethiopia, so it is unlikely that Michael Wal will remain politically viable.

30. As a result of the above, political divisions among the Nuer remain as deep as ever. This is complicating the efforts of the New Sudan Council of Churches to promote the 'people to people' peace process.

31. The NSCC is holding a conference in Kisumu, Kenya, on 16-22 June, bringing together a broad spectrum of Southern political leaders, chiefs, intellectuals and leaders of all kinds. This should be an opportunity to promote Nuer reconciliation in the context of wider Southern concerns. However it is uncertain whether the NSCC will be able to achieve its goals in a single conference. The process of reconciliation requires a sustained process with wider support. There is widespread popular support for Southern reconciliation and unification, but the NSCC must rise to the challenge of broadening the institutional base of support for its initiative, and demonstrating that it is a truly neutral and independent venue for such a gathering. Some Southerners fear that the NSCC has tried too hard to accommodate SPLM concerns.

Regional Factors

32. Egyptian policy moves slowly but decisively. There is reported to be a written document laying out the principles and plan of action for the Libyan-Egyptian peace plan. This has not been published. Meanwhile, the Egyptian Government continues to strengthen its ties with President Bashir, manifest in a number of mutual visits, agreements and closer security cooperation. Egyptian security has become less tolerant of Sudanese opposition and civil society activities in Egypt.

33. Close ties between Ethiopia and Sudan are increasing. The border commission is functioning with the aim of demarcating the two countries' common border—very probably with a particular brief to examine areas in which there are known or suspected to be oil deposits.

34. President Bashir attended the inauguration of President Museveni. This was a diplomatic triumph for President Muammar Ghaddafi of Libya, who is a patron of both governments. Bashir's attendance was in marked contrast to the previous inauguration ceremony for Museveni, five years ago, which was attended by Dr John Garang. In the short term at least, Ghaddafi is more interested in the symbolism of Bashir's presence than any practical outcomes. For the time being, Museveni remains committed to the SPLM, while also believing that the Sudan problem must be settled by negotiation. He has not put any time limits on his support for the SPLM. However, the possibility of substantive changes in Uganda's policy cannot be ruled out. Museveni is becoming isolated in the region and is in need of friends.

35. Eritrea has not played an active role vis-à-vis Sudan since the NDA-Asmara peace initiative fizzled out. Recently, a delegation from the Congress Party has visited Asmara and promised closer ties with Eritrea's sole existing party, the Popular Front for Democracy and Justice. A return visit to Khartoum by the PFDJ leadership has been promised.

36. Dr John Garang and Sadiq el Mahdi visited Abuja at the invitation of President Obasanjo of Nigeria. Obasanjo was trying, unsuccessfully, to bring the two together. This meeting elicited a protest from the Government, and Obasanjo despatched the former President, General Ibrahim Babangida, to Khartoum, to smooth things over. This incident reflected the lack of coordination in policy-making within the Nigerian government. Under the previous regime, the Sudan file was handled by security. Obasanjo has however developed a very large and powerful presidential office, which pursues high-level initiatives, including taking the step of inviting Garang and Sadiq. (Probably an initiative cleared with Washington, or calculated to be well-received in Washington.) However, the security officers who deal with Khartoum appear not to have been in the picture, so that Bashir was taken by surprise, and Obasanjo was required to take quick steps to mend fences.

Washington

37. The Sudan issue has continued to enjoy extraordinary profile in Washington DC. The new Administration's policy review has reportedly been concluded, though the outcome is not public. Clear hints have been dropped that the State Department position is in the ascendant—namely peace should be pursued through a more 'balanced' approach. Among these hints are the fact that Secretary of State Colin Powell did not meet with John Garang in Nairobi, and that the name of Prof. Chester Crocker has been publicly floated as a potential Special Envoy for Sudan. Crocker would be a heavyweight and professional Envoy, with the clout and skill required to move the parties towards a deal. It is likely that he would only accept the position if he were given assurances that he would not be ambushed by the religious right, which continues to advocate an interventionist and moralistic position of support to the SPLA. When Crocker's name was mentioned publicly, the religious right took aim at him.

38. The lowest common denominator for U.S. policy on Sudan is increased humanitarian assistance to the SPLA-held South. Most of this will be channelled outside OLS. Given the weakness of monitoring mechanisms, both within OLS and even more so outside OLS, it is probable that significant amounts of this assistance will accrue directly to the SPLA. Many hardliners in Washington welcome this and regard it as no more than helping to 'level the playing field' with Khartoum. But this policy has its risks: it may not necessarily deliver enhanced SPLA capacity; there may be exposes of diversion and abuse; it may complicate the relationship between the SPLA and other anti-government forces; and it may compromise the U.S.'s peacemaking role.

39. Hence, one of the challenges of the Special Envoy, whoever is appointed, will be to achieve coherence in U.S. policy. There is already a special humanitarian envoy—USAID Administrator Andrew Natsios—who has promised that Sudan will not suffer famine on his watch. Some humanitarian issues, such as access to the Nuba Mountains, have significant political ramifications. It may not be easy to ensure that assistance programmes actually deliver. The on-the-ground technical capacity of USAID programmes needs urgent attention. The new administrator of the Office for Foreign Disaster Assistance, Roger Winter, has long experience with Sudan and has enjoyed close ties with the SPLA over the years. In recent years he has both advocated a swift end to the war, and joined critics of the February 2001 CSIS report on Sudan on the grounds that it cedes too much to the Sudan Government.

40. A second challenge facing the U.S. Administration if it is serious in moving towards a peace agreement will be to achieve some measurable concessions from Khartoum in the next two months (i.e. before the UN Security Council debate on sanctions). In this regard, lack of U.S.-European coordination runs the risk of missing an opportunity. European governments are engaged in ongoing dialogue with Khartoum and may be well-placed to obtain the necessary concessions.

41. It is widely acknowledged that the U.S. will be central to any final peace settlement. The U.S. has important leverage with the SPLA. U.S. involvement will be important for ensuring that Sudan can fully normalise relations with the IMF and World Bank and thus unlock the necessary resources for debt relief and reconstruction (oil revenues are insufficient for this). But in the short term, Khartoum can ignore the U.S., and continue with business as usual.

Implications

42. Sudan continues to drift. None of the main parties are in a hurry to move towards peace. The paralysis of political process at a national level is disguised by fluidity at lower levels, with each of the main parties remaining internally unstable. This creates small but potentially significant opportunities to move the peace process forward. In the last month, Dr Garang's statement that he is ready to agree to disagree on the separation of state and religion is one such step.