

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

OCTOBER 2001

Overview

1. America's counter-terrorist alliance remains a dominant factor in current developments in Sudan. To date, Khartoum's counter-terrorist cooperation is to the U.S.'s satisfaction, but it seems very unlikely that the U.S. will abandon its broader agenda on Sudan and solely confine itself to intelligence cooperation.
2. There is potential for some traction on the peace process, particularly with the forthcoming Nigerian facilitation of the Southern Sudan Political Forces conference in Abuja. But there are no results yet. If the remaining issues of participation can be resolved, Abuja promises to be a major step forward.

U.S. Policy

3. Khartoum has continued to cooperate with U.S. counter-terrorist efforts. It has made rapid strides in its relations with Washington. Its cause has been helped by the publication of evidence for offers of cooperation that date back as far as 1996, when Sudan offered to hand over Osama bin Laden to the U.S. These offers were spurned in what is now recognized as a major failure of U.S. counter-terrorist strategy.
4. Senator John ('Jack') Danforth has actively taken up his position. His mandate is for six months from September, to prepare a report on whether and how the U.S. should become more engaged. He has a considerable degree of autonomy. His senior aide and advisor is Robert Oakley. He will travel to Sudan and the region between 10-19 November in the first phase of his activities and will meet leaders from all sides. Danforth is likely to be concerned with a wide range of issues including promoting the peace process, human rights concerns (including slavery), and finding ways to ensure that oil is not used to intensify the war. It is unlikely that there will be a new, independent U.S. initiative for peace in Sudan; rather the U.S. will put its leverage behind an existing initiative.
5. The U.S. abstained on the UN Security Council vote to lift sanctions, on 29 September. This allowed the sanctions lift to proceed. This was a largely symbolic act, but is interpreted (correctly) as a recognition of ending GoS international isolation. However, U.S. bilateral sanctions remain in place. These can be lifted in short order if the reasons are there.
6. The religious right is still powerful in Washington. Congress was prepared to suspend the Sudan Peace Act at the request of the White House, because of the exceptional context following September 11. But the Sudan Peace Act still retains overwhelming bipartisan

Congressional support and could be resurrected if the Administration's position shifts (although capital market sanctions would probably be dropped, because of Treasury opposition to the precedent). Meanwhile, senior figures in USAID are still enamoured with the SPLA and advocate assistance of all kinds to the SPLA.

Khartoum's Strategy

7. Khartoum is confident, perhaps over-confident. It now feels that it has broken out of its international isolation, it has oil, and can afford to pursue its agenda. It appears to think that the new improved relationship with the U.S. means that it can return to Cold War days, when security cooperation with Washington allowed it a free hand to pursue the war and repression without censure. It is also confident that its close alliance with Egypt will help protect it in Washington. Recent events have strengthened the hand of the 'moderates' in government (e.g. Foreign Minister Mustafa Ismail, who has been boosted by the sanctions lift, and Mahdi Ibrahim, long an advocate of improved relations with the U.S.). They argue that cooperation with the U.S. and steps towards peace and reconciliation should be pursued while Khartoum is in a relatively strong position. But there are also many who argue that the government is now invulnerable, and does not need to pursue peace or reconciliation at all—in a few years it may be able to dictate the terms of a settlement.

8. Khartoum has hosted the French Minister of international cooperation, followed by visits from the head of the Middle East and North Africa department at Britain's Foreign Office, and senior State Department officers plus Robert Oakley. These are strong signs of normalization of Sudan's international standing.

9. The state strategy of alignment with Washington goes alongside a second 'popular strategy' of anti-American statements. Khartoum is speaking with two voices. Ali Osman and other senior government figures have condemned the U.S. bombing of Afghanistan, and have denied that their cooperation with the U.S. has included handing over terrorist suspects. The government has allowed anti-American demonstrations to proceed. Khartoum has even underlined the fact that it continues to host Hamas, labelling them freedom fighters. Khartoum also led the way in calling for Arab League meeting on the crisis, representing the last step in Sudan's rehabilitation within the LAS.

10. Bombing in the South continued after September 11, in blatant violation of GoS promises of a moratorium. On three occasions, the site of a WFP food delivery was attacked. These attacks preceded the recapture of Raja in Bahr el Ghazal by GoS ground forces. The bombing sparked strong condemnation across the diplomatic community including the U.S., with a clear message that cooperation on counter-terrorism does not entail a carte blanche for acts such as this. The U.S. message was that there can be no excuse for such attacks: whether they were the actions of rogue elements in the armed forces, or undertaken on the direct order of the high command, they are equally unacceptable.

11. The path towards political liberalization is also not being followed smoothly. Although the detained NDA leadership has been released, there have been other arrests. Sudan Studies Centre director, Dr Haider Ibrahim, was interrogated and released. The Khartoum Monitor newspaper was closed for several days by the Press and Publishing Council after publishing articles in which prominent Southerners in the government called for self-determination.

Editors of Khartoum Monitor and the BBC correspondent were detained for interrogation and then released, but have to report regularly to security.

12. GoS cooperation with Washington has its risks: there is potential blowback if the U.S. begins to ask for Sudanese citizens implicated in supporting terrorism who are serving in GoS positions to be removed, handed over or prosecuted. Another problem may arise if the U.S. asks for more active Sudanese security cooperation in tracking down Sudanese nationals serving in organizations linked to al Qaida (notably several philanthropic organizations suspected of links). The most likely immediate problems for Khartoum will arise when the U.S. insists that cooperation is part of a large package that involves action on peace, human rights (e.g. slavery), and humanitarian access (e.g. to the Nuba Mountains). Some Sudanese banks have been implicated as being channels for laundering money for al Qaida, among them al Shamal Bank, most of whose shareholders are NIF members. The bank's assets in France have been frozen.

The SPLA Strategy

13. Does the SPLA leadership realize how much things have changed? It's not clear that the SPLA has a strategy for responding to the post September 11 scenario. In Washington, the SPLA seems to be banking on Khartoum slipping up and antagonizing the Bush Administration to the point at which it reverts to a policy of supporting the SPLA for a military victory.

14. The recapture of Raja at a time when GoS forces are usually militarily constrained due to the recent ending of the rains, indicates that the war is pursued in earnest, and is unfortunate for the SPLA. There has also been very fierce fighting around the oilfields at Bentiu, with high levels of casualties being sustained. The open terrain in this area means that guerrilla tactics are difficult and any combat is a high risk enterprise. While oil production is only marginally disrupted, the GoS can only defend the oilfields at high human cost.

National Congress Party

15. The National Congress Party concluded its convention on 23 October with the election of a new leadership council of twenty members including, fifteen are serving ministers. They also confirmed the secretary general of the party, Prof Ibrahim Ahmed Omer. The Shura Council was elected, and confirmed the chairman of the Shura, Prof Ali Abdel Rahim. Moses Machar has replaced George Kongor. These signify no significant change in orientation. Concerning policy matters, there were also no significant changes. Bashir has consolidated his hold on the party.

16. However, differences continue on whether the State Governors should be appointed or elected. This issue was shelved, again, reflecting continuing splits between the Northern-dominated core (pro-appointment by the president) and the regions (pro-election). The leadership fears that in the case of a multi-party system, the states could elect governors from parties different to that of the president. Until the debate over the extent of pluralism is concluded, this matter will probably remain unresolved.

The Nigerian Facilitation

17. Nigerian facilitation is proceeding. President Obasanjo has kept his hand steady. The plan is for a Southern Political Forces Conference to be held in Abuja, Nigeria, on 12-17 November. Participants will include the SPLM, all armed factions, Southerners in government, civilian political parties, plus a geographical representation, women and national figures. Participation is currently being finalized by the Nigerians. The chairman will be former President Ibrahim Babangida. The choice of Babangida sends a message to Khartoum, that the GoS should be comfortable with the process, and the outcome will not be an endorsement of secession.

18. The Abuja conference is facilitated by Nigeria and does not (yet) represent a separate, independent initiative. The Sudanese organizing committee in London has worked hard to ensure that it remains focussed on bringing added value to existing peace initiatives, such as IGAD, rather than trying to reinvent the wheel. Likely outcomes include a common Southern position on preconditions for peace and the establishment of a common Southern forum.

19. The Abuja process is prevailing despite deep discomfort from the SPLA leadership and hesitation from Khartoum. Reasons for this include the determination of President Obasanjo and clear signals of support from Washington, including a personal message of support from President George W. Bush. Obasanjo is playing a key role in the U.S. counter-terrorist alliance, and is making a State Visit to Washington beginning on 1 November.

20. Will Garang attend Abuja? He is a reluctant participant in Abuja, and two other commitments may keep him away—the NDA meeting in Asmara scheduled for 12 November and the visit of Senator Danforth to the region (10-19 November). But Garang will also be nervous of allowing such a significant meeting to proceed, with high-level SPLA participation, but in his absence.

21. The Nigerian government entertained the idea of a North-North reconciliation conference but dropped the idea after Northern parties indicated that it was unnecessary. However, President Obasanjo is reportedly planning a pan-Sudanese conference at some undetermined date following the November Southern Sudanese Political Forces Conference. Obasanjo is one of the few African leaders with sufficient continental prestige to be able to bring all the regional actors along with him in such an initiative.

Joint LEI

22. The Libyan government has, for the first time, invited non-SPLM Southerners to Tripoli to discuss how to proceed with the joint initiative. There are indications that, for the first time, Libya is considering how it may find a means to incorporate the principle of self-determination into the JLEI. There are options for a formula for achieving this, which may include facilitating a meeting at which the Sudanese parties produce their own Declaration of Principles, which are then accepted by the mediators.

23. The NDA and the Umma Party agreed to coordinate their approach to the JLEI, the U.S. Special Envoy, the Nigerian-sponsored pan-Sudanese conference and preparations for the interim period. This was agreed at a meeting in Cairo, attended by all, with the SPLM

represented by Mansour Khalid. Preparing for the JLEI is now the principal function of the NDA. The Legal Secretariat of the NDA is preparing the draft constitution and negotiating positions for future meetings of peace forums. They are still awaiting the long-promised U.S. funding. There is growing frustration within the NDA leadership with these delays.

24. Sadiq el Mahdi has re-emphasized that he will not return to the NDA, despite his readiness to prepare joint positions. Mulana Mohamed Osman al Mirghani has appointed his brother Ahmed, who returned to Khartoum earlier this year, to be deputy chairman of the DUP. This signals that the DUP remains dominated by the Mirghani family, and confirms the fact that the party leadership has one foot in Khartoum already.

IGAD

25. Sudanese Presidential Envoy Ghazi Salah el Din travelled to Nairobi to present a memo to President Moi on the subject of 'revitalizing the IGAD process.' The memo was in fact a complaint against the SPLM for supposedly blocking, delaying and derailing IGAD over the years. It concluded that the GoS would give IGAD one more chance. Given the extreme improbability of one further meeting achieving anything, this is tantamount to a declaration of intent to withdraw from IGAD. The delivery of this memo, from a Presidential Adviser to a Head of State, indicates Khartoum's confidence at the moment.

26. This comes on the back of exhaustion among the IGAD Partners with the IGAD Sudan Peace Secretariat. In August, funding for the Secretariat was not renewed by the IPF. The IPF is merely keeping IGAD alive in the absence of a better alternative, for fear that the collapse of the process would lead to an abandonment of the DoP.

27. Northern opinion on IGAD, among both government and opposition, continues to believe that the IGAD initiative in its present form will lead nowhere. The DUP internal wing recently made this critique public, reflecting the longstanding marginalization of the NDA within IGAD.

28. The Kenyan Government has appointed a new IGAD Special Envoy, to replace Ambassador Daniel Mboya, who was removed shortly before a planned trip to Khartoum on 26 October. The new envoy is General Laz Sumbeiywo, who was in contention for the position in 1998 but instead spent a year at staff college in the UK and has since served at the Kenyan staff college. This is a weighty appointment, made in time for the preparatory visits of U.S. State Department officials to the region in advance of Senator Danforth's trip.

The Region

29. Kenyan politics has undergone significant changes in the last year, with the coalition between the ruling KANU and the National Development Party headed by Raila Odinga. The NDP has strong following among Kenya's Luos, who have ethnic ties to Southern Sudanese, and who may represent a more assertively pro-Southern constituency within the Kenyan establishment.

30. Uganda has re-established full diplomatic ties with Sudan, but is being rather slow in reopening its embassy in Khartoum. Sudan has been providing relatively good cooperation on

its commitment to shut off support to the LRA, short of actually mounting any military operations against the LRA. Khartoum is using this as a stick to chastise the Ugandan government for failing to cut off support to the SPLA.

31. Eritrea continues its slide from paralysis towards dictatorship and turmoil. Sudanese Foreign Minister Mustafa Ismail visited Asmara, ostensibly to seek to mediate between President Isseyas Afewerki and his former comrades, now in prison accused of treason, but not charged. Eritrea has provoked diplomatic confrontations with the EU (especially Italy, whose ambassador was expelled) and the UN (it suspended participation in the military coordination committee concerned with the settling the border dispute with Ethiopia), and has won no friends in Washington with its erratic decision-making.

Conclusions

32. The coming weeks will prove critical for the future direction of the Sudan peace process. The visit of Senator Danforth and the Abuja Conference could both prove to be turning points. There is a real opportunity for the U.S. and other IPF members to exert effective pressure on the parties to negotiate in good faith towards a settlement. A combination of U.S. leverage and Nigerian facilitation holds out the promise of making substantial progress, in a manner that provides added value to the existing peace initiatives. But if this chance is missed, and if Khartoum continues to play its cards well on the counter-terrorism issue, then a good opportunity for a settlement favourable to Southern Sudan and democracy across the country will have been missed, and the GoS preference for sitting tight and waiting for events to unfold in its favour will have paid off.