

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

APRIL 2000

Overview

April is proving a cruel month for hopes for a comprehensive peace in Sudan. While the hopes for an all-inclusive peace process, either under IGAD auspices or closely related to it, are faltering, the Libyan-Egyptian initiative (LEI) is gaining momentum and the outlines of a process are becoming clearer. The infighting and contradictions within the major parties remain as significant as the differences between them. One of the outcomes of the ongoing power dispute in Khartoum is that President Bashir is proceeding with limited internal reforms, such as planned elections, that could seriously impede the prospects of national reconciliation and a comprehensive peace settlement. The inability of any facilitator to provide clear leadership continues to hamper the prospects of progress.

Fighting

March and early April have witnessed the fiercest combat for a year. The main fronts have been Eastern Sudan (Kassala-Hamush Koreb, Garora, and several parts of Southern Blue Nile), the Nuba Mountains, and parts of Upper Nile, especially around Bentiu where the principal oilfields are located. An upsurge in military activity is the norm at this time of year because the dry season makes it possible for armoured vehicles to move relatively easily. Nonetheless, various aspects of this year's fighting are serious causes for concern.

1. The Sudan Government is rearmed with new weaponry, and has shown greater capacity for taking the offensive than for several years. In Eastern Sudan, the NDA attack on Kassala and Hamush Koreb was repulsed after heavy fighting, and, more significantly, government forces were able to mount a surprise assault on Garora and retake almost all of this stronghold of NDA military strength on the Eritrean border. In Blue Nile and the Nuba Mountains, the Government has also made significant advances.
2. The NDA appears unable to put together a coherent military strategy. While the SPLA remains publicly committed to a ceasefire in the South, it does not support a ceasefire in the North. This is causing further strains between the SPLA and northern parties in the NDA.
3. The Sudan Government's public statements on the fighting in Eastern Sudan have, for the first time, specified the enemy as 'SPLA', rather than NDA or putting the blame on Eritrea. There is a strong hint here that the racial element in the war may be played

up in the near future. The Government is exploiting the current SPLA-Umma hostility.

4. In the South, the Government's military actions have been focussed on Upper Nile, with the aims of (a) punishing Riek Machar for his return to armed opposition and (b) securing the oil fields. It is clear that the Government has now lost trust in any Southern forces and instead is using northern troops, especially PDF and mujahidiin, in the oil fields areas. A very high level of brutality and human rights abuses is reported from these battlegrounds.

Khartoum: Belligerence and Confusion

The Government's relative successes on the battlefield may encourage it to be more intransigent with those elements in the opposition that remain committed to a forceful overthrow rather than a political solution. Meanwhile, the political vacuum at the heart of state power has encouraged the security forces to step in and exercise their muscle.

In Khartoum, the Government is still in deep trouble. President Bashir's various stratagems of the last six months have not borne fruit, and the NIF remains divided. Bashir proved unable to have his way at the recent meeting of the NIF leadership council. He pressed for early elections for both the Presidency and the national assembly (with Bashir himself as the sole candidate of the ruling National Congress party). Hassan al Turabi succeeded in blocking this proposal, at least for a while. Turabi's implicit strategy is that by delaying the elections until such time that there has been further liberalisation and rapprochement with selected elements in the opposition—specifically the Umma Party—there will be further opportunities to weaken Bashir's faction, and create a coalition in the National Assembly that will leave Bashir isolated.

Subsequently, President Bashir has announced that Presidential and parliamentary elections will be held together, during October. It is unclear whether Turabi and his large following within the National Congress will cooperate with this. This decision certainly complicates the prospect of accommodation with the northern parties in the NDA, as even the most conciliatory of them—the Umma Party—has decisively signalled its rejection of any elections before a comprehensive national conference. Bashir and Ali Osman Mohamed Taha clearly see the elections as an opportunity to present a *fait accompli* to any externally-mediated national conference, which they would enter with a renewed mandate from the electorate.

The most important implications of the dispute on the electoral issue are:

1. It indicates the continuing political paralysis within the government.
2. It demonstrates the fact that Bashir and Turabi see each other as the primary opponent, with the NDA and SPLM as secondary factors. Bashir's priority is marginalising Turabi; rapprochement with the NDA is merely a possible contributory factor to this.

This is a dangerous moment for human rights. A frightened, weak government facing a disorganised opposition is a recipe for security forces acting in a brutal and unconstrained way. And this is what is happening, with new rounds of arrests and detentions. A prominent detainee is Sid Ahmed el Hussein, former foreign minister in the 1980s and a leading member of the DUP, who is charged with high treason. The fact that the government could take such extreme action against Sid Ahmed indicates the weakness of the reconciliation agenda.

The NDA Still in Disarray

The rift in the external NDA that opened up in Asmara in March was widened by inflammatory statements on both sides. Some in the NDA went so far as to publicly welcome the Umma decision to suspend their activities, on the extraordinary grounds that this would ‘strengthen’ the NDA.

The most damaging statements were SPLA claims that the Umma Liberation Army—still in the field at the time—had passed intelligence information to the Sudan Government. If this allegation was designed to push the Umma towards making a deal with Khartoum it partly succeeded, as the Umma immediately declared a ceasefire and withdrew its forces from the NDA command.

Sadiq el Mahdi and the Umma Party leadership are proceeding with what amounts to a unilateral initiative to reconcile with the Sudan Government, on the basis of concessions made by Khartoum in the direction of free multi-party elections. But it is clear that Sadiq has not done a deal with Khartoum, and neither does he intend to enter into a power-sharing agreement without extracting important moves towards democratic pluralism. He has made it clear that he will not participate in any elections before a national conference is held, thereby almost certainly ruling out his participation in the planned October elections.

The venom of the mutual attacks between Sadiq al Mahdi and Dr John Garang suggest that each is more hostile to the other than to their supposed common adversary in Khartoum. In fact, Sadiq has made strong public criticisms of the NDA and especially the SPLM, and in his public statements appears more hostile to them than to the Sudan Government. Former NDA Secretary General Mubarak al Mahdi has also accused the SPLM of planning a racial domination of Sudan. (However the Umma is still a member of the NDA and is expected to participate in the NDA Congress planned for June.)

As expected, several senior Umma Party leaders returned to Khartoum in March to resume political activities. However, also as expected, Sadiq el Mahdi was not among them. Instead he remains engaged in his political shuttle, concentrated on Egypt and Libya. His actions remain wholly consistent with his aim of seeking a return to power through electoral politics. Umma leaders inside Sudan have been taking a tough, no-compromise line on any accommodation with the government. However, the return of Omer Nur al Daim and Abdel Rasoul el Nur may spell a reorientation of Umma politics. In particular, Abdel Rasoul el Nur—the former governor of Kordofan and a hardline adversary of the SPLM in the region—may be able to mobilise important elements of the Umma constituency in western Sudan. If this occurs then the conflict in western Sudan may become intensified, possibly taking on a heightened racial element. (On all sides, the revival of the language of racism is a disturbing development of the last few months).

This factor should not obscure the fact that the Umma Party also has its allies among some Southern elements, both in Khartoum and abroad. The ability of Sadiq el Mahdi to mobilise some support among prominent Southern figures should not be underestimated.

The active involvement of the Umma Party in Khartoum politics introduces an element of unpredictability. In some respects, the natural partner of the Umma is the NIF, and it is possible that Hassan al Turabi will find his hand strengthened by the presence of Umma leaders. However, the Umma and Turabi wing of NIF may find themselves competing for the same constituency, and hence Bashir may find a tactical alliance with the Umma to be an effective way of outflanking Turabi.

The SPLA leadership has also displayed predictability and consistency. Its support for protracted armed struggle, if necessary conducted alone without the support of the wider NDA, has not diminished. The implicit message from recent SPLA actions is that the SPLA fought alone in the 1980s and early 90s and will return to that struggle if need be, and keep it up for as long as is necessary.

There are some indications that members of the DUP are advocating an early return to Khartoum. Certainly, the history of the DUP indicates that it requires proximity to the state apparatus in order to function, and it is not a strong force in external opposition. At least one leading DUP figure has conspicuously failed to deny rumours that he is ready to return to Khartoum. However, it will be difficult for the DUP to return while a leading member of the party, Sid Ahmed el Hussein, is in detention and charged with high treason.

For the other parties in the NDA, there is a mixture of dismay at the current political infighting, deep distrust of the government, but recognition that a political settlement is the only course.

Overall, the NDA remains handicapped by lack of leadership and personality clashes between leading figures. The NDA moves painfully slowly. It tends to move when the NDA meetings are in session and there is a wide participation of the second rank of the leadership in decision making. The planned NDA Congress in June may be an opportunity for further political movement.

The Libyan-Egyptian Initiative

The outlines of the Libyan-Egyptian peace initiative are becoming firmer. There is still no declaration of principles, no secretariat and no formal schedule, but the intent of the major players is clear.

- The Sudan Government, the Egyptian and Libyan Governments, and Sadiq el Mahdi are pressing strongly against the ‘internationalisation’ of the Sudanese peace process. By this they mean, not the involvement of neighbouring Arab governments, but the engagement of the UN. They lobbied hard, and successfully, to ensure that Canada did not bring up a resolution on Sudan at the UN Security Council during Canada’s chairmanship of the Council in April.
- The LEI focusses on a summit of the four ‘key’ players, namely Pres. Bashir, NDA Chairman Mulana Mohamed Osman al Mirghani, Sadiq el Mahdi and John Garang. Egypt has taken responsibility for handling Bashir and Mulana al Mirghani. Sadiq is fully committed to the initiative (it was his work in early 1999 that launched the process). Col. Gaddafi is entrusted with delivering the involvement of Dr Garang.
- After the four-man summit, the LEI will move towards a National Constitutional Conference to settle all outstanding issues. Current indications are that August is the preferred date for this.

Several major issues remain unresolved in this outline.

- The first is whether there should be a declaration of principles, and if so, what it should contain. Although all Sudanese parties have signed up to the principle of self-determination for Southern Sudan, none of the four ‘key’ players are unambiguously committed to the principle.

- The NDA Committee for the Comprehensive Political Solution has been meeting with the plan of developing its declaration of principles (otherwise known as opening negotiating position). This was a prelude to the Committee travelling to Cairo and Tripoli. (It is due to meet in Cairo with representatives of the Libyan and Egyptian governments on 25 or 26 April.) But the NDA commitment to this process is uncertain. The SPLM was opposed to the development of any DOP on the curious grounds that this was a task for the mediators, not the parties themselves. Hitherto the SPLM has merely done the minimum in order not to be seen to block the LEI, because this would have split the NDA. The SPLM is now facing the real prospect that the LEI will proceed at full speed, leaving IGAD behind.
- A second major area of uncertainty is the status of the Sudan Government's ongoing constitutional reform process, including the validity of the planned elections for the presidency and the national assembly. As explained, this is an important area of disagreement between the Umma Party and the Sudan Government: the Umma is demanding that a comprehensive settlement and national conference occur before any elections; the Sudan Government does not want to postpone its timetable for elections, believing that the elections will give it a renewed mandate and legitimacy. There is certainly a danger that, should the elections proceed, President Bashir and Ali Osman will then perceive that they have all the legitimacy they need, and refuse to make the necessary compromises with the opposition, leaving the basic issues unresolved.

Still No Progress at IGAD

The IGAD talks resumed in Nairobi at the committee level. Unsurprisingly there was no progress, with the Sudan Government insisting that it would discuss only the South and that the Nuba Mountains and Southern Blue Nile were not on the agenda, and that it would not compromise on religion and the state.

More significant at IGAD was what did not happen. At the Asmara meeting of the NDA, the NDA resolved to request to join IGAD as a full negotiating partner, and the Committee of the Comprehensive Political Solution was set up to effect this. The Committee's chairman, Gen Abdel Rahman Saeed, was expected to travel to Nairobi to be there for the IGAD talks. However, his trip was postponed. As a result, the SPLA negotiated solely on its own behalf at IGAD, with its delegation leader, Nhial Deng Nhial, wearing his hat as SPLM Foreign Minister and not acting in his capacity as Interim Coordinator of the NDA.

Meanwhile, the Sudan Government had given various signals to the IGAD Special Envoy that it was considering making constructive concessions at the peace talks, on issues such as state and religion and the status of the Nuba Mountains and Southern Blue Nile. In the event these concessions did not materialise.

The Sudan Government strategy is evidently to conduct parallel talks: IGAD for the South and the SPLA, and the LEI for the North and the NDA. The SPLM is inadvertently cooperating in this strategy by endeavouring to keep the NDA out of IGAD. However, Nhial Deng is in Cairo for the late April meetings with the LEI in his capacity as interim coordinator of the NDA. It will be a challenge for him to handle the demands placed upon him in both Nairobi and Cairo.

The IGAD Sudan peace secretariat has recognised the gravity of the situation and the need for some dramatic action. The next IGAD meeting is scheduled for 15 May. It is unclear whether there is still an opportunity for redeeming IGAD.

A Way Forward?

The result, intended or otherwise, of the current situation is that the two peace initiatives cancel each other out. Meanwhile the Government continues with its diplomatic offensive and low-intensity internal liberalisation. It is possible that this will lead to a worst-possible outcome: Bashir and Ali Osman will gain just enough legitimacy from the internal electoral process to stay in power, but weakened to the point of paralysis by the unresolved power contest with Turabi, and unable or unwilling to move towards peace or reconciliation.

It is essential that the two peace initiatives should not be taken singly, by either the Sudan Government, the NDA including the SPLM, and the international community. It is therefore worthwhile exploring the possibility of a third option, primarily with the aim of uniting the two existing peace fora. The most workable scenario for this third option is that it could be initiated by the UN Security Council, perhaps in the few days remaining of the Canadian Presidency. The initiative should focus on supporting and linking the LEI and IGAD. Objections from the Sudan Government and other governments in the region should not deter this approach.

If this opportunity is passed over, then the chances of an effective coordination between the two initiatives become more slender.