

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

DECEMBER 1999

Overview

The November meeting between Sadiq el Mahdi and President Omer al Bashir in Djibouti was a wake-up call to the NDA and IGAD. It laid down a challenge to the peace process: if there are no rapid steps towards a comprehensive peace process, then there will be a narrow reconciliation between the Sudan Government and the Umma and DUP, and that reconciliation could happen fast. The chorus of condemnation from Sudanese political parties that greeted the Sadiq-Bashir meeting should not be taken at face value: there is widespread support for such a process, probably under the auspices of the Libyan-Egyptian initiative (LEI).

The December meeting of the NDA in Kampala took important steps towards meeting that challenge. It was perhaps the most serious, sensitive and positive meeting of the NDA since Asmara in 1995. The SPLM in particular showed political maturity and readiness to work within the framework of the wider NDA, with the compromises that entails. By endorsing the plan to bring the NDA to IGAD, the meeting threw down a challenge to the Sudan Government to accept IGAD as a framework for a comprehensive peace, and a challenge to IGAD member states and the IPF to ensure that the IGAD process moves ahead rapidly. The NDA has shown renewed resolve, but it needs to follow up with rapid action as well.

The Djibouti Meeting

The Djibouti meeting displayed Sadiq al Mahdi's political skill. He moved faster than anyone else engaged in the peace process, outflanking both his political rivals in the NDA and IGAD's plans for revitalisation. Given the normally slow pace of action by both the NDA and IGAD, it seemed that Sadiq had made the LEI unstoppable.

Sadiq's meeting was a personal coup for the former prime minister. If we examine the substance of the declaration of principles signed by Foreign Minister Mustafa Ismail and Umma Party Foreign Relations Secretary Mubarak al Fadl al Mahdi (who is also NDA Secretary General), we see that Sadiq has not compromised at all. On the contrary the government has compromised all the way down. The declaration, named 'A Call to the Nation', is similar in many respects to the IGAD DoP—and there is no doubt that it was designed with this in mind, as a response to those who were (and still are) demanding that the Libyan-Egyptian initiative adopts its own DoP. It speaks of a commitment to multi-partyism and to universal conventions of human rights, which would require the Sudan Government to revisit its recent constitution. It includes an unconditional right to self-determination for the South.

The declaration is silent on religion and the state. For Sadiq this silence does not represent a compromise, because he does not believe in a secular state.

As the many critics of the Djibouti declaration quickly pointed out, it is vague on many points. It leaves much work to be done. Sadiq has said as much himself. He has been at pains to point out that it is not an agreement but a declaration of principles—and as such it is no more vague than the IGAD DoP.

Motivations and Expectations

What were the motivations and calculations that led Sadiq el Mahdi to take this step? The first point is that such a meeting had been on the cards for some time. Ever since the April meeting between Sadiq el Mahdi and Dr Hassan al Turabi in Geneva, it was inevitable that the next step would be some form of more formal rapprochement between the Umma Party and the Government. Some of the other considerations that may have influenced the agenda and substance of the meeting, and its timing, include:

1. For some time, Sadiq has calculated that the struggle for power will be won by political rather than military means. He has believed that the key factors in this struggle will be political mobilisation and tactical political skills within a parliamentary framework. Even if such a framework initially involves major compromises, Sadiq believes that he has the constituency and the political skill to make it work to his advantage in the longer run.
2. The Umma Party has claimed that there are secret negotiations between the DUP and the Sudan Government. Sadiq wanted to keep a step ahead of his rivals in the DUP leadership.
3. Sadiq is fearful of the US agenda, which he sees as unduly slanted in favour of the SPLA and the South. Congressional statements on slavery and the like have encouraged the belief that a settlement in which the US plays a major role will be to the disadvantage of northern Sudan. Sadiq has said publicly that he fears that the next dictatorship in Sudan will be an ‘ethnic dictatorship’, meaning rule by a Southerner. Along with many northern Sudanese he fears that the US is interested in a military solution—which would marginalise the Umma party. In this respect, the timing of the US Foreign Assistance Bill which authorises the US President to give food aid directly to the SPLA could not have been worse. (For most of US policy, the basic problem has been its presentation rather than its substance—all initiatives have been presented as pro-South, even if US policymakers are in fact pro-NDA and pro-unity. Thus Sadiq was able to present the US ‘non-paper’ on the IGAD process, which recommended bringing the NDA to IGAD, but with the SPLM leading the NDA delegation, as a demotion of the northern parties.)

For the Sudan Government, the Djibouti meeting and declaration demonstrated several factors:

1. The political priority for the government is rapprochement with the sectarian leadership of the NDA. ‘Peace from Within’ with Southerners is a much lower priority. There is far less government concern about the apparently inexorable disintegration of the 1997 Khartoum Agreement with Riek Machar and other Southern leaders.

2. The government is prepared to compromise on almost all major issues save religion and the state in order to retain a major share in power.
3. The declaration opens the possibility for the Sudan Government to ignore IGAD and outwit the US. (The Government will presumably not formally abandon IGAD but would like to maintain it in its current moribund state.)
4. Both the ‘Turabi faction’ and the ‘Bashir faction’, whatever their political differences, are united on the above points.

Initial Response of the NDA

The NDA predictably condemned the Sadiq-Bashir meeting and its outcome. But it seems likely that for many of the northern parties, the condemnation was not based on a substantive reading of the declaration or an appreciation of the political constraints and opportunities associated with the initiative. Rather, there was political jealousy: they wished they had done the deal themselves. (In a similar way, the DUP objected to the 1986 Koka Dam agreement and the Umma objected to the 1988 SPLM-DUP ‘November Accords’.)

At a meeting in Cairo two days after Djibouti, NDA members voted to suspend the Umma Party and Mubarak al Fadl, the NDA Secretary General. None of the substantive points were addressed. But—as Mubarak was quick to point out—the meeting had no constitutional status. It was just a meeting of NDA members who happened to be there. Mulana Mohamed Osman al Mirghani was in the chair but did not sign. A week or so later, Mulana began to distance himself from the meeting and its statement—a move that did not surprise many.

The DUP opposition to the Djibouti statement is also based on one substantive disagreement—the DUP is not sympathetic to self-determination for the South. But this is not an objection that can be aired too assertively, given the DUP’s signature on the Asmara Declaration and its reliance on the SPLM as an ally to block any unilateral moves by Sadiq. The Egyptian government also shares the same unhappiness with Sadiq—it would have liked to have been part of the initiative, and it does not want to see the term ‘self-determination’ in any declaration of principles.

It is notable that the response of the NDA inside Khartoum was more measured than the response of the external NDA. There was criticism on the procedure, evident distrust of Sadiq, but a recognition that a peaceful solution is the priority. The Union of Sudan African Parties (USAP) also made it clear that it wanted the substantive issues to be addressed by the NDA, and came to Kampala with its homework prepared. (For some delegates from the northern parties it was their first time to read a full text of the IGAD DoP in Arabic, and to become aware that it dealt with a comprehensive solution to the Sudanese conflict and not just the South).

The NDA Kampala Meeting

The NDA meeting in Kampala, 6-11 December, at first looked as though it might witness the terminal disintegration of the Alliance. Item one on the draft agenda was ‘suspension or dismissal of the Umma Party and the NDA Secretary General’. Subsequent items were concerned with the negotiating positions for peace and the NDA position with respect to IGAD and the LEI.

Fortunately, wiser counsel prevailed. The main sessions of the meeting were postponed while substantive issues were discussed discreetly between the parties and important political compromises were hammered out. The key meetings were with the SPLM leadership and the NDA Chairman. USAP played a crucial role in mediating these discussions. The agenda was revised and the position of the Umma Party was discussed last. The meeting became the most substantive, sensitive and significant NDA meeting since Asmara in 1995. The meeting was also significant for the participation of a representative from the NDA inside Khartoum (Abdel Rahman Nugudalla) who was an influential voice for moderation and NDA unity.

The final communique included the following:

1. The NDA adopted a negotiating position for peace talks based on the Asmara Declaration, the IGAD DoP, the memorandum of the NDA inside and other NDA statements.
2. The NDA called on IGAD and its member states to accept the NDA as a full negotiating partner at IGAD. Though the SPLM may head the delegation, the NDA demanded to participate fully in all meetings.
3. The NDA called on IGAD to coopt Libya and Egypt as participants in the peace process. An NDA delegation is to go to both countries to explain the position.
4. The NDA stressed the importance of a single negotiating forum, thus rejecting the mediation offers from South Africa and Nigeria. But the meeting did not agree to freeze the LEI, which therefore remains alive.
5. The Djibouti 'Call of the Nation' was rejected as short of a comprehensive agreement, and procedurally wrong in that it was the initiative of one party only. The NDA Secretary General was reprimanded.

The most important outcomes are therefore:

1. The NDA is intact. The Umma Party still retains its position in the NDA and Mubarak al Fadl al Mahdi remains Secretary General. (Though it is possible that the Umma leadership may decide to quit because its freedom of manoeuvre is much limited.)
2. The NDA has reaffirmed the IGAD DoP including self-determination and the separation of religion and the state.
3. The NDA has stalled on its engagement with the LEI, but not withdrawn from it. (It did not name the members of its delegation to Libya.) Should the LEI proceed at some future date, the NDA negotiating position will be presented there and should form the basis for a DoP for the LEI.
4. The SPLM has tied itself to a common negotiating platform with the NDA. Its first-choice scenario, of blocking the LEI while also keeping IGAD for itself, has been abandoned. In making these compromises, the SPLM has shown more political maturity and strategic thinking than ever before. Implicitly, the SPLM has also abandoned its confederal proposal and 1997 new map.

The NDA also sent a coded warning to the US. Some members of the NDA are deeply distrustful of the US agenda, while those that are more sympathetic to the US's stated positions are frustrated by the US's inability to deliver on its promises, and the tendency for US policy initiatives to backfire in favour of Khartoum. The NDA accepted the invitation of US Assistant

Secretary of State Susan Rice to a meeting in February 2000, but did not agree that the meeting should be held in Washington DC.

Challenges for the IGAD Peace Process

In the immediate aftermath of Djibouti, it appeared that the ‘NDA to IGAD’ option was dead and the LEI was unstoppable. This outcome is still a distinct possibility. But the Kampala meeting of the NDA has given IGAD some breathing space. It is now important for rapid progress to be made on several issues.

1. The northern parties in the NDA and SPLM have made substantial progress towards a common negotiating position for peace talks (based on the Asmara Declaration and IGAD DoP). But much hard work remains to be done. The NDA including the SPLM need to prepare and agree detailed positions on the Nuba Mountains and Southern Blue Nile, on interim arrangements, on the referendum protocol, etc. The NDA will be unable to nominate its delegation to IGAD before the next Leadership Council meeting (scheduled for 4 March). If there are IGAD meetings before then, it will fall on the SPLM to represent the NDA position fully and fairly. The northern parties in the NDA must begin a credible engagement with the IGAD process, at least in the form of extensive discussions on its issues.
2. Agreement is needed from the Sudan Government to persist with IGAD and agree to NDA representation. The Sudan Government may decide to stall on IGAD or object to the NDA being represented there, hoping that it can entice the Umma and/or DUP to abandon the NDA and do a separate deal under the LEI. IGAD member states have the crucial role to play here. The IPF including the US can continue to exert pressure.
3. A big challenge is finding the right role for Sudan’s north African neighbours. There needs to be:
 - (i) A means whereby Egypt can accept the IGAD DoP and the primacy of the IGAD countries in the Sudan peace process. Egypt has always been loath to take second place to any other external power concerning Sudan. The NDA delegation visit to Cairo will be a key event. Generosity from the IGAD member states will also be important.
 - (ii) A means of involvement of Libya in IGAD. Libya has energy, money and interest in Sudan, and cannot be excluded. US opposition to any role for Libya would be a mistake. A European member of the IPF should take the lead in formally engaging with Libya.
4. The IGAD process must regain some credibility. It needs to have a high-level meeting with substantial progress, and detailed attention to the specific issues of the committees’ work.
5. The proposed meeting between the NDA and the US Government needs to be handled carefully. The success of the NDA meeting in Kampala puts the ball in the US court: the

Americans have to become serious too. The US-NDA meeting will be an opportunity for the US to stress its commitment to a peaceful resolution and lay to rest suspicions that it is seeking a military solution. It will also be an opportunity for the US to make specific and timetabled commitments to supporting a post-agreement transitional government.

While the Kampala meeting has reunited the NDA, this unity will last only as long as progress is made in the IGAD process. In many quarters, the fear remains that IGAD is a cover for an agenda for continued war. Should IGAD stall, the incentives for major players to jump out will be great.

Conclusion

Sadiq el Mahdi has thrown down a challenge to the NDA, IGAD and the IPF including the US. His message was: match my seriousness about peace. The NDA has—to the surprise of many—risen to the challenge, and drawn up a united position for negotiating the substance of peace. But setting the timetable for that negotiation is not within the NDA's power. Now, the responsibility falls upon the IGAD member states, the IGAD secretariat, and the IGAD partners.