

Sudan: Analysis and Prospects (with special attention to Darfur and Chad)

January 2006

Overview

1. The Republic of Sudan is 50 years old on January 1. Forty of those 50 years have been spent in the wilderness. There is a good chance that President Bashir will serve as President of the African Union, and it is certain that he will be Chairman of the League of Arab States during the year. Sudanese politics including the CPA is overshadowed by Darfur and seems likely to remain that way.
2. The substance of a peace deal for Darfur is coming into focus, framed by the CPA. The GoS has conceded the principle of a Darfur region. The process for getting to a deal is fraught with difficulties. The Abuja talks are now in permanent session, grinding out minor progress. Without dramatic unilateral action by the GoS, a deal is 6-9 months away.
3. The Chadian civil war is definitively underway. The basic reason for this is that Chadians have no means of removing Pres. Idriss Deby from office except by armed uprising. But Deby has good enough reason to accuse the GoS of aggression. This war threatens a humanitarian and human rights disaster in its own right, with dire consequences for Darfur. It alters the military balance significantly in favor of the GoS and against the Movements, which have been foolish enough to impede consideration of an enhanced ceasefire in Darfur.

On the Ground in Darfur

4. Significant conflict has erupted in Western Darfur close to the Chad border. The primary reason for this is the Chadian civil war, which is fuelled by the GoS (see below). Darfurian civilians are caught in the crossfire. As the war moves into Chad, Darfurian refugees will also be targets, for both political reasons and because the camps have stores of food and other supplies that the armed groups will want to seize.
5. Minni Minawi continues to lose ground, unable to sustain the transitory dominance he acquired in August-October as a result of being able to distribute Libyan-provided largesse to field commanders. Two meetings of commanders and tribal leaders at Bir Maza, until recently Minawi's HQ, called for an end to abuses by Minawi's forces, cancellation of the outcomes of the Haskanita conference, and support for a unified movement provisionally under Abdel Wahid's leadership. Minawi's forces are now reportedly reduced to just two camps in Northern Darfur and one mobile unit in the South. Having disappointed the Libyans by taking financial and logistical support, but not delivering, Minawi is losing his main source of external patronage. In December he traveled to N'Djamena seeking an alliance with Deby. Minawi's standing was further undermined by the fact that his own men, guarding the imprisoned commander Suleiman Marajan (of the Meidob tribe), allowed their prisoner to escape. Marajan has graphically testified

to the abuses he suffered in captivity. Minawi's response to allegations of human rights violations is that his men, not he himself, are responsible. Marajan's assisted escape means that a tribal war between the Zaghawa and Meidob has been averted. There is a potential for serious clashes in the Muhajiria-Sharia area of Southern Darfur, taking on an ethnic dimension of Zaghawa fighting against others.

6. The 'Zaghawa factor' has long been an important element in Darfur politics. The Zaghawa are no more than 10% of the Darfurian population but have settled widely across the region and beyond and dominate large parts of the commercial sector. Many Darfurians hold a fearful stereotype of the Zaghawa as ruthless, ambitious and clever (they are called 'the Jews of Sudan', in an uncomplimentary sense), who aspire to re-establish the medieval Zaghawa empire, which ranged from the Libyan desert to include Darfur and Chad. Following the droughts of the 1970s and '80s, Zaghawa migrants settled throughout southern parts of Darfur, establishing farms and businesses. Examples include the Muhajiria-Sharia area and Legediba-el Amud el Akhdar, further to the south. The Khartoum elites also subscribe to the exaggerated Zaghawa stereotype, in part because Zaghawa traders have been the only serious challenge to their own commercial dominance in western Sudan. Members of the GoS also discreetly allege that the Zaghawa have a foreign agenda (Chadian or Libyan), and that allowing Zaghawa to take high-ranking national security positions therefore crosses a red line. The SLM (Abdel Wahid) has tried to resist a split into Zaghawa and non-Zaghawa factions, but the GoS has ably played on wider Darfurian fears of Zaghawa domination. Many Darfurians fear that the JEM and the SLM (Minawi) are driven by an ethnic Zaghawa agenda.

7. Abdel Wahid is, for once, playing his political cards well. He has resisted the temptation to assert his leadership in public and denounce Minawi. He is gaining statements of support from a wide range of Darfurian figures including the leaders of some Arab tribes. His current plan is to translate this support into a mandate to negotiate a peace deal, rather than a license to set up new political hierarchies in the SLM.

8. Significant armed clashes have occurred between two Arab groups in central/western Darfur. One group is camel herders (aligned with the Janjawiid) and the other cattle-herders (less aligned with the GoS). The details of this still need examination.

9. SLA soldiers on the ground are running short of food, contributing to problems of ill-discipline and command failure. When security arrangements including assembly in zones of control are implemented, means for provisioning them will need to be considered.

The Darfur Peace Process

10. The 7th round of the Abuja talks tested the Movements' readiness and capacity to negotiate. The SLM (Minawi) has both limited capacity and willingness to negotiate. The SLM (Abdel Wahid) is willing but is not capable (in part because it allowed Minawi to nominate the SLM's chief negotiator, Abdel Jabbar Dosa). The JEM is capable but not willing. The Movements' approach is to assume they have the moral high ground, and to make their case over and over again to the international community in order to provoke an intervention. As a consequence, they try to dictate their terms as if they have won a military victory. After concerted criticism by the

international partners, the Movements began to show some more flexibility in the fourth week of the talks. This pressure needs to be sustained.

11. JEM remains distrusted by both the SLM and GoS. It is clearly hedging its bets and keeping open different lines of communication with Khartoum. Khalil Ibrahim has not yet understood that his best means for gaining the confidence of the U.S. is to engage constructively in the Abuja negotiations.

12. The GoS delegation was not seriously tested, but consultations with its lead negotiator, Majzub al Khalifa, indicate that he will defend every position tenaciously, tactically and in depth. His negotiating style is like a car salesman who sells a car one spare part at a time. His own senior colleagues in government frankly admit that he will not reach a deal within 6 months, even if he is faced by a skilled counterpart. The Darfur peace process is not well-suited to one-on-one negotiations between the principals (in the way that Garang and Ali Osman met in Naivasha), so that a different formula would be needed for any high-level negotiation. It will not be possible to bypass Khalifa, but it should be possible to engage him alongside his seniors in the Presidency on the basic components of a deal.

13. The SPLM has been playing a constructive role at the negotiations, seeking ways to circumvent the blockages on both sides. This has not arisen from a political decision by the leadership but from the individual initiative of SPLM delegation members. Lual Deng, Minister of State for Finance and Economics, has been very constructive in the wealth-sharing talks. Yasir Arman has assisted the mediation in private consultations with the GNU leadership.

14. The AU mediation has made progress. The two parties are now conducting three commissions in parallel (Power-Sharing, Wealth-Sharing and Security Arrangements), and past problems over the composition of delegations and the roles of Chad and Eritrea have been overcome. The Movements are negotiating within the framework of the CPA, trying to amend it rather than destroy it (which should be seen as a major advance). But the mediation remains unadventurous and formal, slowly grinding out progress in a restrictive format. The 7th round of the Abuja talks will now remain in session, with short breaks, until there is either a peace agreement or a definitive breakdown.

15. Best estimates are that the power-sharing talks will take a minimum of 6 months to conclude under the current format unless there is a bold move from the GoS. The AU has drawn up a timetable that continues through the New Year and the AU Summit without any 'artificial' deadlines. The chief mediator, Salim Salim, is ready to respond to a unilateral GoS move, but only if he is confident that it is substantive. He is ready to send an advance team to Khartoum.

Security Arrangements

16. Serious negotiation on security arrangements has yet to begin, with the parties taking one month to adopt a simplified agenda on December 23. In addition to the very real political differences between the parties, the Movements still lack the technical capacity to appreciate the issues and enter into serious negotiation. The November seminar in Nairobi was a good start but sustained work including workshops for commanders in Darfur is needed before the Movements

can negotiate on this issue. The security technical experts concur that 2-3 months' work is needed to conclude an enhanced humanitarian ceasefire a further 4-6 months for a comprehensive security agreement. Even if there is rapid progress towards a power-sharing agreement, the essential technical preconditions for a workable security agreement will take this long to be put in place.

17. The Movements, especially JEM, completely fail to see that an enhanced ceasefire is in their interests. They seem to think that disclosure of the number and areas of operation of their forces will place them at a disadvantage, oblivious to the realities that (a) the GoS knows their number and location already, and cannot be deceived, (b) there is no realistic prospect of them returning to the military offensive and thereby putting pressure on the GoS, and (c) the GoS is exploiting the weaknesses of the existing ceasefire arrangements to outflank them by attacking through Chad. JEM is in the absurd position of blocking any progress on security arrangements despite the fact that it has practically no forces on the ground. It would be reasonable for the AU Mediation, supported by the U.S. and international partners, to make this point forcefully to JEM and ask them to withdraw from the Security Arrangements Commission in Abuja.

18. A repeated problem of the Abuja talks is that each round has been treated as the 'final' round so that the necessary steps for a realistic security agreement have not been started. Mediators and partners have said that it would take too long, and agreement is urgent. No progress can be made while this mindset prevails.

Disarming the Janjawiid

19. A key problem that will arise is the disarmament of the Janjawiid. UNSC Resolution 1556 demanded that the GoS disarm the Janjawiid. This was adopted without (a) a definition of Janjawiid, and (b) a mechanism for verification. This clause was also an error because it demanded the impossible: the Janjawiid cannot be disarmed by force and the SAF can only exist in Darfur because of the support of the Janjawiid. The case for GoS disarming the Janjawiid is morally sound but impracticable and politically impossible. The Movements insist that the disarmament of the Janjawiid is a precondition for their own disarmament and/or cantonment and cite UNSCR 1556 in justification as well as the Darfurian people's fear of the Janjawiid. This is perfectly reasonable.

20. There is little prospect of the GoS and Armed Movements agreeing on a definition of the Janjawiid or a certification of their disarmament. The GoS will likely round up some bandits and hapless armed nomads and declare they are the Janjawiid. The Movements will argue that the Sudan Armed Forces in Darfur are mostly Janjawiid and demand their withdrawal or disarmament. There is no obvious solution to this debate and in due course it will block progress on implementing any security agreement. The security technical experts are currently wrestling with formulae and it is just possible that serious consultations with the parties over the next 6 months might identify a solution. But it is more likely that the parties will remain polarized on this key question.

21. The U.S. can bring pressure to bear on the GoS to seriously attend to the Janjawiid issue. The threat would be to indicate that it will refer the matter to the UNSC. Having stipulated that the

Janjawiid be disarmed, the UNSC can assume the responsibility of defining the Janjawiid, identify a realistic program for their disarmament, and set up a verification mechanism. (The simplest way for this to be established is for the UNSC to add this to the assignment of the Panel of Experts set up by UNSCR 1591, which will come up for renewal in June.) This has the advantage of providing a neutral arbiter on these questions that will be acceptable to the Movements. It has the potential disadvantage of compounding the original mistake if the words of 1556 are interpreted in a simplistic manner. The success of such an exercise will hinge on identifying a realistic program ‘disarmament,’ setting the bar sufficiently high as to genuinely challenge the GoS/SAF yet not so high as to be unachievable. Any such UNSC mechanism would be difficult to implement, might complicate the AU-led peace process, and should be used initially as a threat to push the GoS towards compliance. (Note that the Panel has already complained that the GoS is circumventing the ban on weapons supplies to the Janjawiid by incorporating them into SAF; see Dec. 9 report, para. 77.)

Chad

22. The Chadian civil war is now definitively underway, and the next stage of the Darfur war is being played out on Chadian soil, with the major parties—GoS/Janjawiid and SLM—engaged on opposing sides. The risk of massacre and mass displacement on a large scale, redolent of Darfur in 2003, cannot be ruled out. The GoS ultimate objective is to remove the regime of Idriss Deby. It is supporting Mohamed al Nour, an ethnic Tama. The Tama are a small tribe whose homeland is on the Chadian side of the Sudan-Chad border, north of el Geneina. In Darfur, the Tama have become Arabized and now consider themselves Arabs, and have aligned with the GoS. In Chad the ‘Arab’ label is less politically useful, and they are seen as an insignificant Muslim tribe. The GoS is also backing Ahmat Subian, an Abbala Rizeigat Arab, whose forces include the Western Darfur Janjawiid. His Arab identity may be more politically problematic in Chad. His forces are more formidable than Nour’s.

23. In addition there are Chadian rebel forces in the far north and the south. At present there is no military-political alliance capable of taking and holding power in a quick offensive. The rebels are tactically coordinating but have no common political program. In response, Deby is hiring mercenaries and trying to enlist the SLM (both factions) into his alliance. France is supporting Deby. The most likely prospect is that most of rural Chad will return to the fragmented warlordism of the 1975-88 period. A civil war in Chad is likely to bring in Central African Republic, creating a subregional zone of instability.

24. One GoS intermediate objective is to cut off the rear bases of the SLM and JEM and attack them from Chadian territory. The GoS will portray such attacks as Chadian rebel activities and deny any responsibility. This will significantly weaken the SLM and JEM.

25. Another GoS intermediate objective is to relocate the Western Darfur Janjawiid into Chad. This serves (a) to remove a formidable group that is a security headache without turning them into enemies and (b) to allow the GoS to retain a reserve strike force across the border in the event that it is required to disarm the Janjawiid. Note that any UNSC-mandated investigation into the Janjawiid would necessarily include the Chadian dimension in both the definition of the Janjawiid and certification of its disarmament.

26. SAF deployments on the Chad border are technically in violation of the ceasefire. The GoS will claim that it is responding to incursions by Chadian forces, and Idriss Deby has accused Sudan of aggression. Pres. Bashir has called for a mini-summit in Libya on January 4 to discuss Chad, presumably in order to forestall it arising at the Khartoum Summit later in the month and imperiling his ambition to become President of the AU. This might also forestall any moves at the UNSC.

27. France has reinforced its military base at Abeche and is providing logistical and intelligence support to the Chadian Government forces. Paris has shown no indication of changing its political strategy of unconditional support for Idriss Deby. Presumably, the assumption is that the disparate rebel threats pose no real danger to N'Djamena, and that if there is a military takeover, France will simply step aside, allow the new strongman to take power, and then recognize him. (This is precisely what Paris did in 1990 when Deby overthrew Habré.)

28. The organizing principles of Chadian politics are simple: kinship, power and money. This makes for a bewildering complexity of factions organized around tribe, clan and lineage, crossed with intrigue and crude forms of patronage. Unlike Sudan, political murder is common. Political ideologies including socialism, Arabism and Africanism, are chiefly for external consumption in order to win sympathy and support from foreign backers. General elections including a vote for the Presidency are due in May. It is inconceivable that anything resembling free and fair elections are possible in current circumstances.

The East and the North

29. Experience with Sudanese peace processes is in line with the rest of Africa: an internal conflict needs at least two years to be resolved. The Eastern Front peace process is still in the first stage of this, searching for a forum and format that are technically capable and acceptable to the parties. Early discreet British mediation looked hopeful. Higher profile UN mediation made no progress, destabilizing the parties. The Libyans have taken over, organizing a 2-day session in mid-January. This seems unlikely to succeed.

30. An incipient revolt in the North, related to opposition to the Merowe dam, warrants careful attention. The U.S. should pay attention to the warning signs of potential conflict, while not rushing to recognize a tiny armed group that has so far only made non-specific threats.

The National Congress Party

31. In the wake of its internal reorganization, the identity of the NCP can be better assessed. The NCP is reverting to becoming a national security establishment, with Nafie Ali Nafie and Majzub al Khalifa assuming key positions. Ali Osman has lost the dominance he achieved during the period from 2001 until the death of John Garang. The implication of this is that the Party is currently in the hands of men who think tactically, who are adept at maintaining power through intrigue, threat and money, but whose commitment to building democracy is only rhetorical. Former finance minister Abdel Rahim Hamdi has advocated concentrating development projects and social services on areas loyal to the NCP and ignoring other areas. They are incapable of

articulating a program of national unity except by slogan, and the majority of voters will see them as exemplars of the worst aspects of Northern Sudanese political culture.

32. Apart from Ali Osman, the only creative political thinker, capable of articulating a new vision for Sudan, in the senior ranks of the NCP is Ghazi Salah el Din (presidential advisor). Ghazi is ambitious and capable. He is focusing on reuniting the Islamist movement, and keeps open lines of communication with Hassan al Turabi (PCP) and Khalil Ibrahim (JEM). Ghazi fell out with Ali Osman in 2002 and later challenged him for the leadership of the Party. Ghazi's analysis is that the Islamists' greatest strategic error was to allow their political program to be captured by security organizations, and he claims to be seeking to re-civilianize the party so that it can compete democratically. He believes that the CPA was an error that gave away too much to the South. At present, Ghazi is keeping his options open and has not emerged with a distinct national political platform. He is the most interesting figure in the NCP, and if he is able to mend his fences with Ali Osman, the two will represent the best hope for political reform at the center.

33. In the meantime, the NCP is plagued by infighting, with Pres. Bashir acting as referee between the different factions. Internal NCP political considerations play a leading role in determining what initiatives are possible on Darfur. The history of the current government indicates that it can exist for long periods in a state of semi-paralysis caused by internal political stalemate. In these circumstances, the security services enjoy free reign to pursue their own schemes. We may be seeing precisely such a scenario unfolding as Military Intelligence pursues a Chad policy that risks a Darfur-like conflagration in Chad.

34. Many in the NCP leadership have resigned themselves to the separation of Southern Sudan. The implications of this warrant careful examination.

The Region

35. Eritrea and Sudan are mending fences with a declaration of friendship and a promise of state visits. Eritrea continues to be vital to the success of peace negotiations over Darfur and the Eastern Front. There are few intermediaries with leverage over Eritrea.

36. Libya has become a significant obstacle to the smooth resolution of conflicts in Sudan. It has been actively undermining peace efforts in Darfur and the East. The UN Panel of Experts set up to investigate the arms embargo on Darfur (UNSCR 1591) reported on December 9. It identified Libya as a supplier of material to the SLA (Minawi). A Libyan envoy has been present in Abuja, promising the Movements financial support in return for relocating the peace talks to Tripoli. The inconsistencies in Libyan policy lead to suggestions that initiatives are being made independently of Gaddafi by well-resourced intelligence officers pursuing their own interests. Libyan designs on Chad remain speculative.

37. President Bashir is traveling the continent to seek support for his election to the Presidency of the AU. Unfortunately there are few alternative candidates on offer: the best option is for President Obasanjo to stay on for a further six months. Obasanjo's own decision on this is likely to sway the continent's vote. If the U.S. takes a public stand it is unlikely to sway African opinion and may be counterproductive: as the experience with Zimbabwe has shown, it could

drive African leaders to show solidarity with one of their own. Bashir has ably deployed his senior SPLM Ministers (Lam Akol and Deng Alor) in support of this campaign, showing his best face to the continent.

38. Bashir seems to have decided that he is not ready to make a major concession on Darfur in order to polish his image before the January 23 Summit. He is accustomed to international criticism (he has endured far worse) and has grown a thick skin. His greatest danger is that Chad proves its claims of GoS aggression. Deby is campaigning to block Bashir.

39. A Sudanese Presidency of the AU will complicate the Darfur peace talks. Although it is theoretically possible to build a firewall between the mediation (run from the AU Commission, which will remain in Nigeria) and the Presidency, at minimum the Movements will have a reason to raise objections and the political leverage that is currently exercised discreetly by Pres. Obasanjo will be replaced by numerous opportunities for Sudan to exercise behind-the-scenes leverage. Alternative venues for the talks come with their own problems. Ethiopia (site of the AU Commission HQ) is distrusted by the Movements which are subject to Eritrean influence. South Africa would be opposed by Nigeria. Continuous session in Abuja seems the best option.

Next Steps

40. The war in Chad needs to be stopped. This requires a common approach by the U.S., France and the AU. All can agree on the unacceptability of forcible regime change and the unacceptability of external backing for armed insurgents. But stability in Chad demands far-reaching democratic reform.

41. The U.S. role in the Darfur peace process at present would benefit from the following:

- a. The U.S. is seen by all as favoring Minni Minawi, who is regarded by all others as the least credible of the Darfurian leaders. Abdel Wahid should be given equal or greater political weight.
- b. Security Arrangements will be the slowest and most difficult track. Technical training of SLA commanders, in the field and in Abuja, is needed to augment the negotiations.
- c. At the sign of a breakthrough on power-sharing, it will be necessary for the U.S. to become more actively engaged in encouraging both sides to accept.

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December 28, 2005