

## **Sudan: Analysis and Prospects**

### **September 2006**

#### **Overview**

1. With the decision to refuse UN troops, terminate AMIS at the end of September (since modified), and deploy the army to Darfur, GoS brinkmanship has reached a point from which a return to dialogue and compromise will be extremely difficult. Providing protection to civilians in Darfur will be harder still.
2. Bashir's decision was taken in an unconstitutional manner and reflects both his personal sense of anger and intransigence and the ascendancy of hardliners within the NCP-security nexus. It is generating a lot of opposition in Sudan, especially from the SPLM, which fears that this represents a step on the road to dismantling the CPA.
3. Bashir's decision, if implemented, makes the DPA a dead letter. It mocks Minawi, it dismantles the Ceasefire Commission and other institutions central to the DPA. It creates a protection vacuum in Darfur. Minawi is in an impossible situation. He is unable to exercise his political powers under the DPA, while his forces are acting as proxies in the GoS military offensive against the non-signatories.
4. Bashir's decision supercedes many of the other events of August. But some key developments need to be acknowledged, including:
  - a. The AU decision to expel the non-signatory parties from the CFC and JC was a serious error of judgement that helped make the AU be seen as a non-neutral party in Darfur, sucking it into the conflict.
  - b. Plans for the Darfur-Darfur Dialogue and Consultation were proceeding but with some confusion in the AU.
  - c. The reform of the SLA-Abdel Shafi group and their dialogue with the G19/SLA-Unity was proceeding in fits and starts. The leaders have shown uneven capacity for organization. But political engagement with them is a necessity.
  - d. The SPLM can play an important intermediary role in GoS-SLA talks but is hampered by its own weak organization.
  - e. Popular opposition to the GoS in Darfur grows stronger all the time, marked by demonstrations in al Fashir.
5. There are few good options on the table at the moment. Further rhetorical confrontation will achieve nothing. There is some leverage to be had from divisions within the GoS. This is the moment for the SPLM to take a clear statesmanlike stand. Attempts to engage with the non-signatory SLAs should continue.

## **GoS Decisions on the UN, AMIS and Army Deployment**

6. At a meeting of the Council of Ministers on September 3, President Bashir announced three decisions: (a) to reject UNSC Resolution 1706, (b) to terminate AMIS at the end of September and (c) to deploy the army in Darfur. He did not permit any discussion of the decision. First VP Salva Kiir, Senior Assistant Minawi and Foreign Minister Lam Akol were all absent from the meeting (Salva was in Juba, Minawi in Khartoum but did not attend, and Lam was returning from a trip to Ghana).

7. Bashir seems to have made the decision personally. At any rate, his personal demeanor reportedly shows a worrying level of anger and intransigence. The decision certainly reflects the recent ascendancy of hardline Islamists within the central NCP-security caucus and the input of a small number of people.

8. The decision does not command assent from the SPLM and many others in the GoNU. The decision-making procedure was unconstitutional, bypassing both Salva Kiir and Minawi. It has been publicly condemned by Deng Alor, Minister for Cabinet Affairs (SPLM). Senior people within the SPLM and Southern Caucus are up in arms, also fearful that this represents the first step towards dismantling the CPA. In particular they fear that Bashir is planning to prevent the 2011 referendum in the South, and this is the opening shot in his strategy.

9. If the SPLM is to play the leading role in challenging this decision, it will need to be more organized and decisive. There are voices calling for this but there is also a certain level of disarray and confusion. The centralization of Darfur-related policy-making and decision-making with Yasir Arman means that the SPLA has yet to build an effective political machine to work on Darfur issues.

10. On September 4, the GoS backtracked on the AMIS expulsion and said that AMIS could stay provided it was not transiting to a UN force and funding was available. This may reflect internal dissension or it may be a clever strategy to focus international attention on AMIS and provide a distraction to the more important issue of protecting civilians in Darfur. The AU is unlikely to cave in on this. The PSC is sending a delegation to Khartoum to investigate, and it is likely that the next ministerial meeting of the PSC will reiterate the decision to transition to the UN.

## **Khartoum's Calculations**

11. Bashir's major calculation is that he can call the bluff of the UN and U.S. and get away with it. He does not believe that the UN can carry out its threat of a non-consensual intervention.

12. What were the NCP calculations in the run-up to the September 3 decision? We can identify different elements: (a) an NCP evaluation of strategic relations with the U.S., (b) a calculus over international isolation and sanctions, (c) a strategy for tolerating chaos in the periphery, and (d) an approach to the ICC.

## Relations with the U.S.

13. During the second quarter of 2006, the NCP conducted an internal review of its relations with the U.S. The formal outcomes of that review are not available but some of the views expressed have become known. A strong argument made in the review was that the GoS can never assuage the demands of the U.S. government. It is well aware of how policy is made in Washington (in earlier years, the GoS was adept at playing Treasury off against State, and it worked with the Israeli lobby over the Ethiopian Jews, etc.). Its conclusions are, reportedly, that (a) the Democrats are more hawkish on Sudan than the Republicans, (b) the domestic U.S. interest groups are sufficiently bipartisan and deeply-rooted that they will not change their positions, and (c) if the GoS meets one set of demands, the U.S. will come with another, stronger set. Many in the NCP believe that the U.S. wants regime change and some also believe that the U.S. favors an independent Southern Sudan. This review represents a setback for Ali Osman Taha, who argued that it was possible to normalize relations with the U.S.

14. The implication of this review is that the NCP and security leadership is holding out against UN troops in Darfur in part because they see a UN force as a Trojan Horse, a means of smuggling in a set of secret (or not-so-secret) agendas for the future.

## International Isolation and Sanctions

15. The GoS also calculates that it can survive international isolation and sanctions. The GoS financial system emerged, by evolution and design, to take account of three pervasive realities. First, since about 1984, Sudan has been unable to pay its debts. Its international financial strategy was described as early as 1985 as “managing the unmanageable.” It has developed expertise in this. Second, the largest source of hard currency was (until oil revenues came on stream) remittances from the Sudanese diaspora in the Arab states, channelled through informal transfer systems. State-based financial mechanisms for capturing these funds have never been established, but various private Islamic financial houses and charities have become powerful intermediaries. These operate in the hard-to-monitor world of Gulf states financial transfers. Third, after 1989-90, Sudan was under a tough regime of international financial sanctions, which has left its rulers extremely adept at not only evading the direct impact of those sanctions, but actually profiting from them. Two additional considerations have made the GoS more confident: it has oil and Chinese influence is growing year by year.

16. In principle, targeted sanctions aimed at individuals are a fine idea. In practice, this will be exceptionally difficult to implement.

17. One of the myths dearly-held by the Darfur lobbies in the U.S. is that international (especially American) pressure and sanctions made the difference in reforming Sudanese policy in the late 1990s. In fact, by far the greater pressure on Khartoum came from the military alliance of Eritrea, Ethiopia and Uganda, which with a tacit green light from Egypt, positioned very substantial military forces on Sudanese territory and captured

important towns. These governments (especially the most influential one, Ethiopia) were discreet about their military involvement in Sudan, so their role has not been given full credit in the public record. The U.S. role in the years 1995-98 was very largely to give diplomatic cover to this regional strategy. A raft of sanctions from the UN and U.S. had modest impact. Note that this occurred before oil exports began. This historical fact is important because it strongly influences security strategy in Khartoum. The generals calculate that as long as they do not face hostile neighbors, they can withstand U.S. and UN pressure. Hence their priority is securing their borders and getting friendly neighbors.

18. The GoS is investing heavily in the friendly neighbors strategy. In recent weeks its relationships with Uganda, Eritrea and Chad have improved markedly. Should he defy the AU, Bashir will lose the chance to become President of the AU next January. While he covets this position, losing it is a small price to pay for staying in power. Bashir is investing more in solidarity relations with the Arab world, riding the tide of anti-Israel and anti-U.S. sentiment. He is of course Chairman of the Arab League this year.

#### Disorder as Political Instrument

19. Khartoum can survive with protracted disorder in its peripheries. No provincial insurrection in Sudan, including that of the SPLA, has ever threatened central government unless there has been significant military involvement by a neighboring state—and Sudan's strategic depth means that only a coalition of neighbors that includes Egypt, Ethiopia and Eritrea can pose a real threat to the center. I.e., without the backing of Chad and/or Libya, no conflict in Darfur can pose a threat to Khartoum.

20. The simplest response to any emergent threat in the provinces is to create internecine strife and chaos, which is normally not difficult to do because of the fragmentary nature of any rebellions. The implication of this is that what we can expect in Darfur is protracted disorder and chaos, with Khartoum pursuing a divide-and-rule strategy, rather akin to the South a decade ago.

21. There is a calculation concerning the South at work here also. The NCP realises that, 18 months after signing the CPA, little has happened to make unity attractive to the Southerners. It wants to keep its options open in the run-up to the 2011 referendum. Having a Chapter 7 UN force in Sudan when the NCP is considering military action against the South would not be desirable.

#### Heading off the ICC

22. The one measure that really frightens the rulers in Khartoum is the prospect of being dragged off to the Hague to face prosecution, or the kind of pressure that was put on Serbia to make the Serbian Government hand over former President Milosevic to the ICC. This is one reason for opposing the UN. The GoSS efforts to find a political settlement to the war in Uganda are partly aimed at setting a precedent for lifting ICC arrest warrants.

## **War in Darfur**

23. The GoS plan is a military solution to the ongoing conflict in Darfur, by any means necessary. In violation of the DPA, it is reinforcing its troops in Darfur and mounting offensives against non-signatory groups. Its recent assault on SLA-Unity and JEM positions included two Minawi commanders and a sizeable SLA-Minawi force. The presence of these former rebels makes the SAF offensive more effective because the Minawi commanders know the terrain well and also know their adversaries well.

24. Minawi is in an impossible situation. He cannot withdraw from the GoNU because his forces would be immediately destroyed by SAF, and he cannot rejoin the armed opposition. He is being treated contemptuously by the GoS and is facing continuing dissension within his own ranks.

25. The GoS has been mobilizing PDF and other paramilitaries. Its rhetoric is bellicose. Security surveillance has been stepped up. We can expect a tough line on the arrested journalists and actions against NGOs accused of passing information to the ICC and human rights organizations. (International Rescue Committee is reported to be at the head of the target list.)

26. The GoS Janjaweed disarmament plan has vanished. Nothing has been seen of it since July.

## **AU Disarray**

27. The AU has allowed itself to be sucked into the Darfur crisis, becoming a problem rather than a solution. The main reason for this has simply been lack of competence and capability. The AU's vulnerabilities have been skilfully exploited by the GoS, which has seized on every opportunity to press its agenda. The GoS also knows the personal pressure points on the senior AU personnel.

28. Under GoS pressure, the AU Special Representative expelled the non-signatory parties from the CFC and the JC. This was a violation of the N'Djamena Humanitarian Ceasefire Agreement and also a highly contentious interpretation of the DPA. It was also very foolish as it made JEM and the non-signatory SLAs into outlaws. Along with other errors by the AU (for example failing to condemn the GoS use of AMIS-marked helicopters) this contributed to making AMIS seem biased.

29. The AU is moving forward on two parallel and contradictory tracks with regard to the Darfur-Darfur Dialogue and Consultation. One track is the SR's discussions in Khartoum which had led him to decide to nominate Former President Abdel Rahman Suwar al Dahab as chairman. Suwar al Dahab is the GoS candidate and is totally unacceptable to the Darfur Movements. Kingibe claims he has consulted all but this is not in fact correct, and the independents he talked to have all insisted that Suwar al Dahab is not the right man. Kingibe appears to have supported the GoS proposal for a

quick, high-profile conference. The Minawi group is in favor of a quick conference that involves only the major political parties, because of its poor relations with community leaders. But it does not support Suwar al Dahab. Meanwhile, the AU has also asked Abdul Mohammed to chair the DDDC preparatory committee, and is sympathetically listening to his proposals for an inclusive, step-by-step process of working up from local consultations to a Darfur-wide process.

30. Should the AU Mission continue, it will face a number of key decisions this month, including:

- a. Sticking to its position that AMIS should transition to a UN force.
- b. Finding a replacement for Amb. Kingibe. (Three candidates have been suggested, at least one of them not strong or capable enough.)
- c. Standing up to the GoS on the DDDC.
- d. Redeploying and reconfiguring AMIS so as to carry out the necessary activities under the DPA.
- e. Reversing the expulsions of JEM and SLA-AW from the CFC and JC.
- f. Staffing its HQ, Khartoum and Darfur offices.

### **Reform of the Non-Signatory SLA Groups**

31. The SLA-Abdel Wahid is much better off without Abdel Wahid. Yet not all of its failures can be pinned at its former leader's door. Ahmed Abdel Shafi and his colleagues are plagued by division and indecisiveness, with each commander and leader acting as a power base unto himself. They continue to put forward multiple contradictory proposals for their next steps, and could easily spend weeks or months arguing over minor procedural issues.

32. The SLA-Abdel Shafi and the SLA-Unity (a.k.a. G19) are keen on a conference to (a) choose a new leadership and (b) make progress towards political dialogue with the GoS and Minawi. Holding such a conference soon is a matter of survival for the SLA-Unity, which will otherwise succumb entirely to the entreaties of the NRF. We can expect a more cohesive leadership and a constructive engagement out of this process. But we should not expect them to immediately support the DPA. Even before the recent GoS offensive and other displays of GoS bad faith, hard work was needed to get them to consider accepting the halfway house of an "implementation protocol" for the DPA or a similar document to enable them to sign. With the current collapse of confidence in the GoS, even this is uncertain.

33. Abdel Shafi might consider some form of reunification with Minawi. The SLA-Unity leaders (Jar el Nabi, Marajan) are unlikely to agree to this.

34. Darfurian intermediaries have prepared a possible "implementation protocol" that might be acceptable to the reformed SLA, as well as GoS and Minawi. This includes an increase in compensation funds and clarification on the DPA provisions for disarming the Janjaweed and return of refugees and IDPs.

## **Role of the SPLM**

35. The SPLM has so far failed to realize its potential, both in Darfur and in Northern Sudanese politics as a whole. It lacks both clear strategy and organization. It has been slow to challenge the NCP on a raft of issues such as the NGO bill and the right of citizens to demonstrate. The files for Darfur and Northern Sudan are held by Yasir Arman, who is capable but overworked.

36. Bashir's decision to expel AMIS and reject the UN is a wake-up call for the SPLM, which must now begin to play its national role, or face the prospect of being outmanoevered by the NCP and faced with a fait accompli. Outright confrontation will not work: rather it should focus on the bigger picture: what will it take to keep Sudan as one nation? As Bashir abandons statesmanship, Kiir can take it on.

## **Popular Sentiment in Darfur**

37. Popular feelings in Darfur are running strongly against the GoS. When the GoS tried to organize demonstrations against the UN in al Fashir, the demonstrators turned against the government. The security forces have taken harsh actions against demonstrating students leading to some deaths and injuries. The GoS is likely to find Darfur's cities and IDP camps becoming more restive and less easy to control. The GoS will soon become more concerned about the security threats emanating from the cities and camps than from the rural rebels.

## **Options**

38. There are few good options. The prospects of a UN force fighting its way into Darfur are remote. Rhetorical confrontation at the national and international levels serves no purpose. Substantive engagement on issues such as lifting sanctions and cooperation over democratization has been put back. Bashir has called the bluff of the UNSC and, if he sticks to his guns, can get away with it.

39. Much needs to be done to make the AU mission workable. Should the UN come in, it will want to take over a going concern, not a failed operation. Funds, personnel and political leadership are needed. More than any of these, a political strategy is needed to replace the current short-termism.

40. The decisive action to resolve the crisis must come from inside Sudan. The SPLM can take the lead but will need encouragement to do so. Now is the time to re-focus on the big picture: what will it take to sustain Sudan as a single nation?

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