

Prospects for Peace in Sudan

Briefing: April 2008

Overview

1. We are witnessing the aftermath of the SPLM's withdrawal from the GoNU six months ago and its implicit threat that restarting the war was an option. Confidence between the NCP and SPLM has not recovered. The NCP is keeping its options open but its preferred strategy is to build an alliance of Northern parties on a platform of Northern unity to marginalize the SPLM. The SPLM remains reflexively organized as a military front.
2. The NCP strategy for the elections is to organize politically in the central regions of the North, expecting to use its money and organization to win on the basis of pre-election agreements with other Northern parties, and to utilize security methods to control elections in the peripheral areas including Darfur and the South, where necessary postponing the elections altogether. The Northern parties are distrustful of the NCP but are more fearful of the potential separatism or bellicosity of the SPLM. The SPLM has yet to organize its own electoral strategy.
3. The economic crisis of the last nine months is a major headache for the NCP. Economic hardship undermines the NCP's popularity among its constituents and creates difficulties for its patronage-based mechanism for controlling the country. The NCP has moved to consolidate central control of state finances.
4. The SPLM Convention scheduled for May will be a pivotal event for the future of the movement. The organizing committee is run by the pro-unity bloc and it is possible that they will use the occasion to push for the SPLM to reject the option of separation, which would involve sidelining those leaders who support separation.
5. The Darfur conflict is currently intractable with the parties pursuing military options. The GoS sees Chad and JEM as its major military adversary and is mounting continuing offensives in Darfur and supporting the Chadian rebels for another offensive against N'djamena. Idriss Deby is fighting for his political life and has no interest in negotiations except as a tactical measure to buy regional and international support.
6. International policies on Darfur have created a peace support operation in the form of UNAMID that cannot succeed, which is moreover leaving international interests hostage. Progress in tackling Sudan's crises cannot take place while energy remains misdirected in this manner and western capitals continue to send mixed signals as to whether they support constructive engagement with Khartoum or are committed to regime change.

NCP-SPLM Relations

7. Following the September 2007 withdrawal of the SPLM from the GoNU, relations between the NCP and SPLM descended to an all-time low. The SPLM overplayed its hand to the point of intimating that a new war was a possibility in the near future. It is now facing the fallout from that miscalculation, as the NCP is seeking to marginalize it in Northern politics while keeping its options open for cooperation or competition in the South.

8. Abyei was the flashpoint for the breakdown of the relationship. Both sides are playing for the maximum outcome in Abyei: the NCP wants the oil and the support of the Misiriya (the latter is not a foregone conclusion); while the SPLM wants the whole territory and was actively recruiting Arabs to its ranks, notably into the Debab forces. The confrontation brought the sides to reciprocal military mobilization which could have led to war. A year ago, the NCP offered a joint interim administration for Abyei which the SPLM rejected as a betrayal.

9. Salva Kiir has insisted that dialogue is the only way ahead and the SPLM was tacitly offering a similar joint interim administration as was on the table last year. But SPLM hardliners have been making the running. Edward Lino has taken the position as chief executive (governor) of Abyei. This is in violation of the CPA. He has appointed SPLM ministers and has invited the NCP to appoint ministers. The NCP has rejected this. It sees Lino as a divisive and provocative figure. Lino's stand appears to be another attempt to blackmail or intimidate the NCP into giving way. It didn't work in September 2007 and it is unlikely to succeed now.

10. Trust has not been restored to the NCP-SPLM relationship. The two parties are planning in parallel for an election in which they do not expect to present a common platform. They continue to rearm in parallel. The NCP maintains its security presence in key areas of the South such as the oilfields and uses its relatively small political presence as an effective base for political organization. The SPLM has not only imported major new weapons systems (such as 300 T72 tanks, which it will be a challenge to use effectively) but is seeking military alliances with armed groups in Kordofan and Darfur.

The Electoral Calculus: The Centre

11. The NCP enjoys only minority support and would be reduced to one party among many in a free and fair election. But its preference is to contest and win elections and gain the legitimacy that will follow. It is using its money, organizational capacity and control of the state to position itself at the centre of an exercise in limited democracy.

12. The elections bill is mostly agreed but still awaits decisions on remaining issues, notably the proportion of seats in the National Assembly to be chosen on a constituency basis and the number on proportional representation. It has been referred to the Presidency for a final decision. The civilian opposition prefers a slant towards proportional representation and away from geographic constituencies on the basis that PR

is less amenable to manipulation by an incumbent with resources. The SPLM agreed with the opposition parties on a 50:50 division but then surprised those parties by agreeing with the NCP on a 55:45 split.

13. In the central areas of the north we can expect an election contested relatively fairly. In the historic triangle between Port Sudan, el Obeid and Sennar, including the main cities of the north and east, the Gezira and Gedaref, and the Nile from Kosti to Wadi Halfa, the NCP will spend money on infrastructure and services, seek support from local powerbrokers, and allow a fair election to proceed. (A memo two years ago written by the former finance minister Abdel Rahim Hamdi revealed that the NCP considered these the essential parts of Sudan.) All Sudanese know the broad outlines of electoral outcomes in these areas and would not accept blatant rigging. Hence the NCP strategy is to deal with this area through civil politics.

14. The NCP is talking to each of its main rivals in the North. The aims are to diversify its political options in advance of the 2009 elections and to position itself as the champion of national unity. Even if a formal coalition is impossible then the NCP will seek common positions on key issues. Northern Sudanese politics is reverting to form. In the past it has always been coalition politics and it is becoming so again. No party can realistically expect to win a plurality of the votes. The opportunities for political bargaining are multiplied by the complexity of the election: voters will be selecting the President, the National Assembly, State governors, and members of state assemblies. (There are also locality elections due and in the South there are further levels: the President of South Sudan and the Southern Assembly.)

15. The Umma Party leader Sadiq al Mahdi has taken the principled position that he will not accept a position in any government that is not elected. He is strongly disavowing any deal-making with the NCP and has nothing to gain from joining the GoNU at this point. But he has stated that he and Bashir have agreed on eighty percent of the issues that divide them. He is calling for a national convention that will not roll back any of the gains made by the South in the CPA—that is, a form of intra-Northern dialogue.

16. The DUP and NCP share much of the same core constituency in the riverain areas of central north Sudan. The DUP has the potential to offer itself as a secular alternative to the NCP and a unifying force across northern Sudan. However it suffers from internal splits. The unifying factor is loyalty to the exiled leadership led by Mawlana Mohamed Osman al Mirghani. However, al Mirghani's leadership has lacked energy and he remains preoccupied with the question of compensation for his family property which was seized by the government after the 1989 coup. The DUP is unable to capitalize on the unpopularity of the NCP. Prominent DUP members who have maintained their opposition credentials throughout the last 19 years are beginning to waver and declare that they would consider dealing with the NCP.

17. The NCP is also talking to the PCP. The elections pose a sharp dilemma for the PCP leadership: should it boycott and face the prospect of being marginalized, or contest and then face the need to cut electoral deals? The PCP has suffered from defections to the

NCP and the option of an alliance with the Umma Party is ruled out as Sadiq is committed to the elections. Hassan al Turabi may find himself isolated if he continues to pursue his existing and increasingly mercurial line. It is notable that Turabi and Khalil Ibrahim of JEM have been speaking in very similar terms about self-determination for the regions of the North.

18. The SPLM possesses a wide reservoir of popular support across Northern Sudan, chiefly on account of its credentials as the voice of opposition to successive governments. The extraordinary turnout for John Garang's return to Khartoum in July 2005 is testament to this. SPLM leaders in the North are confident that Sudanese will vote with their hearts, that it will gain the support of many in the Nuba Mountains, Blue Nile and Darfur and that many northern Arabs will vote for the SPLM confident that it is the best chance for unity. Some SPLM leaders argue that the movement should put forward a Muslim Northerner as a presidential candidate. However the level of SPLM organization in the North is low. The SPLM has disappointed civilian politicians in the North through its unreliability and failure to pose a consistent challenge to the NCP. The NCP calculation is that after the elections the SPLM will be one coalition partner among many in the North.

The Electoral Calculus: The South

19. The NCP's strategy for the peripheries is based on security management. Those running the election for the NCP do not believe in democracy. In the South, Darfur, many parts of Kordofan and some parts of the east, it neither expects nor is likely to permit free and fair elections. Its expectation is that the census and voters roll will be inaccurate, both for technical and political reasons, and that voting will follow local patterns of coercion and bribery. It would be content with no elections in many peripheral constituencies and could readily engineer the pretext for elections to be postponed. (Though it would much prefer for the SPLM to be the one that asks for a postponement.) All previous Sudanese national elections have been incomplete. In the past, Southern constituencies affected by war have simply not returned members to parliament. In 2009 it is more likely that representatives would be appointed by the NCP and SPLM on the basis of CPA-based calculations.

20. The SPLM has tended to take its electoral support for granted. It is counting on established loyalties. It is possible that conditions will not be conducive for free and fair elections in the South. Salva Kiir has convened a forum for Southern leadership that includes non-SPLM figures which is an important step.

21. The technical demands for conducting an election in the South and the three areas are immense and as the timetable for the census has slipped, the realistic prospects of compiling the electoral roll and defining constituencies in time for elections before the rainy season of 2009 are dimming. (In the central areas of the North, the existing civil register can be used as the basis for voting and constituencies.) The NCP is stirring controversy by printing census forms that don't include some of the questions demanded

by the SPLM, such as religious affiliation. However, the SPLM participated in the census committee and should have been alert to this well in advance.

22. Southerners displaced to the North are entitled to vote if they return to the South. It is inconceivable that the economic conditions necessary for several million Southerners to return South will be in place before the census. The likely outcome is that these people will be disenfranchised. For the NCP, this means that the largest potential bloc of SPLM voters in the North, especially the cities, will be removed from the voters' roll, reducing the size of the opposition vote. For the South, it means that a large constituency of Southerners who are not residing in the South, and thus may be susceptible to interference from the NCP, will not be able to vote in the referendum, reducing the size of the unionist vote.

23. The true size of the Southern population could become a contentious issue. The CPA arbitrarily defined one third of Sudan as the South. The SPLM argued that Southerners were under-counted in the previous censuses of 1983 and 1993. This is probably correct. But twenty years of war took a huge demographic toll. One 1998 calculation (by Millard Burr and Robert Collins for the US Committee for Refugees) estimated that there were 1.9 million people missing, attributable to excess mortality. If an accurate census were to reduce the figure for Southerners, this would automatically reduce their representation in a post-2009 National Assembly and central government. The NCP is unworried by this and sees it as a change for political armtwisting. However, this could rebound. The Southerners may accept a reduced presence in the National Assembly, trading allegations that the count was rigged, and use this as an additional rationale for separatism. Also, the referendum law is due to be passed by the current National Assembly, so that the Southerners' priority issue will already have been dealt with before the election.

24. The SPLM is neglecting the civilian Southern parties such as the Union of Sudan African Parties. This may be a miscalculation as the civilian Southern leaders command much support in their localities and are practiced at electoral politics.

The Electoral Calculus: Darfur

25. There is an incipient consensus among the major parties to remove Darfur from Sudan's electoral calculus, in the sense that the parties will be prepared to proceed with national elections irrespective of Darfurian participation. There is no agreement not to make Darfur a partisan political issue. But if Darfur remains intractable and if the NCP sees a flawed election in Darfur as a potential handicap in international acceptance of the national elections as free and fair, then there is a chance for a cross-party common position on Darfur. Darfur may then gain the same status in Sudanese political life that Northern Ireland possessed in British politics—an irritant that never determined the outcome of an election, which de facto disenfranchised the Northern Irish.

26. Among Darfurians, the majority view appears to be that participation in either the census or the election would be a mistake. IDPs fear that they will be either disenfranchised or lose the right to return home. Some Darfurian leaders in the NCP have

expressed opposition to the election. The opportunity of presenting the elections as an opportunity for liberation through democracy has been missed. It is now too late to alter Darfurian popular opinion on this issue, which means that any elections in Darfur will be severely compromised.

The Economy

27. Sudan's economic performance is the GoS's Achilles' heel. The diversified management of national finances was merely a management problem when the economy was growing, because the central financiers could satisfy the major claimants within the government, NCP and security simply by delaying paying the non-priority demands until sufficient funds were available—which was usually quite soon. Since the economy hit a downturn in the middle of 2007, economic and financial management has turned into political crisis. Claims on the central funds include security's requirements for its operations in Darfur, Chad and the wider region, and the NCP's demands for its election campaign. The government put a freeze on recruitment and promotion and stopped salary increases. (Inflation is officially 15%.) The Minister of Finance, Zubeir Ahmed Hassan, was a technocrat who did not have the power to rein in the spending of the various claimants on his funds. He offended the NCP bosses by asking for them to account for the money he provided to them. His ability to increase revenue from income tax and corporation tax was very limited (most of those who should pay these taxes find ways not to do so) and he had no control over oil funds. Zubeir tried to raise VAT from 12% to 16% but was faced with a revolt by the National Assembly. The budget was eventually passed. Nonetheless a substantial budget deficit is forecast for this year and the government has been forced to borrow. Deficit financing is likely to fuel inflation.

28. In response, President Bashir switched Awad al Jaz from the Ministry of Energy to the Ministry of Finance (while Zubeir Ahmed Hassan moved in the opposite direction). Some SPLM members' immediate reaction was joy that a man they feared had been removed from control over oil. However, the petroleum finances moved with Awad al Jaz. For the first time, a true political heavyweight is now Minister of Finance. Not only is there a new minister, but many of the senior staff at the ministry such as the permanent secretary have changed. Instead of the technocratic administration that existed until now the ministry more resembles a security office. Al Jaz made a quick move to court popularity by reducing the price of wheat bread, the urban staple. (No similar move was made for sorghum, the staple of rural areas and the poor.)

29. The immediate outcome of al Jaz's move is that the GoS can prioritise its spending more effectively than before, ensuring that the NCP's campaign chest and the security services have the resources they need. This also gives President Bashir the opportunity to centralize government finances to an unprecedented degree and inject some discipline into what has been a financial free-for-all. Two questions arise. The first is, will al Jaz have authority over the companies controlled by the security agencies, which control a large part of the market in consumer commodities (some estimates are 40% of the market). If Bashir and al Jaz are able to centralize this financial control, a second question arises: to what end will this discipline be utilized? It seems very likely that the

immediate outcome will be using funds to swing the election. After the election, will the possibilities for coherent financial and economic policymaking be utilized for national benefit?

30. Sanctions and divestment are biting, with the attempted shift from trading in US dollars to Euros less than successful. The oil industry is sorely in need of technical upgrading that will allow it to refine the low quality oil that is being pumped. The government's recent solvency has also meant that creditors who would otherwise have written off Sudan's debts are showing greater interest.

The SPLM

31. Two months away from its landmark National Convention, the SPLM remains well short of a political strategy. Its official position and default position is holding fast to the strict implementation of the CPA as its manifesto. This is a safe approach that wins it international support and allows it to remain a partner in the GoNU while criticizing the NCP. It has not decided on the fundamental national issues and has no clear plan for what to do should it win an election.

32. The fundamental question of national unity or secession is unresolved. Salva Kiir is still not decided on this, and neither has he decided on the balance between Southern and national politics. The organizing committee for the National Convention is in the hands of the unionists within the SPLM, and their handling of the preparation for the meeting has lacked transparency, giving rise to fears among some that it will be the occasion for the unionist bloc to take control of the movement and sideline the separatists. This outcome could create serious tensions within the SPLM that could handicap the movement politically.

33. The SPLM leadership lacks the capacity to handle its many challenges. Salva Kiir has been neglecting his role as First Vice President in favour of a focus on Juba. The GoSS faces many problems of corruption and failure to deliver services.

Darfur

34. The NCP's overall framework for Darfur is the following. It holds that it would have won the war militarily and imposed a political solution, had it not been for international interference and the role of Chad in supporting the rebels, in concert with Libya and Eritrea. It sees Chad as a direct sovereign threat and also as the staging post for European aggression. It is unworried by the SLA but concerned by JEM because of its political links in Khartoum.

35. With regard to the international community's role in Darfur, the NCP strategy is to wait it out. Regarding the neighbours, the strategy is to remove the government in N'djamena and neutralize or contain the threats posed by Libya and Eritrea. For the SPLM, it wants to neutralize what it sees as an attempt to bring Darfurian armed movements into a grant military alliance of the Sudanese peripheries against the centre.

For the SLA, the NCP approach is to buy the splinters off one by one, as cheaply as possible. Concerning JEM, the calculation is that Khalil Ibrahim can only survive with the support of two of his three current patrons, namely the Islamists, Chad and Libya. If the NCP succeeds in neutralizing the Khartoum Islamists through its talks with the PCP and overthrowing Idriss Deby, then JEM will not be a threat.

36. The last few months have seen a sharp uptick in violence in the northern part of West Darfur, as the GoS has waged a counteroffensive with combined air support and militia against JEM. This has clear military objectives and significant civilian casualties. Even if it were at full strength, UNAMID would be unable to do more than watch.

37. The militia headed by Mohamed Hamdan Hemeti, which mutinied in October last year, is back in the GoS fold. Hemeti double-crossed the GoS after receiving a vast shipment of armaments and took his militia to Jebel Marra where he signed a Memorandum of Understanding with the SLA-Abdel Wahid. He fought against the GoS and his brother was killed in the fighting. But having jumped out of the GoS orbit, he found nowhere to land—Abdel Wahid was unreliable and there was no opening from the international community. Hemeti continued to talk to the GoS and at the end of February signed an agreement with Khartoum, in which the GoS gave him (on paper) most of what he wanted—positions in the army, payments for his men, posts in local government. However, the relationship is now very different as neither side trusts the other. Hemeti says he expects the GoS to deliver on less than half of its promises. The GoS no longer expects Hemeti to act as its loyal proxy.

38. Anwar Khatir, a Mahamid Arab leader who had never served as a GoS proxy, is another who recently signed a deal with Khartoum. He also found the rebels so disorganized that they were unable to provide a sensible alliance partner. Within the government orbit he is seeking to chart an independent line.

Chad

39. The GoS intent to remove the government in Chad has been clear for several years. The timing of the February assault was determined in part by the imminent deployment of EUFOR. The rebels' failure to capture the city was due in part to their lack of internal coordination and trust, and in part to the failure of the GoS to provide them with anti-tank and anti-helicopter weapons. One may assume that the reason for Khartoum's apparent oversight is the tendency of weaponry to change hands and end up being used against its original supplier. France and Chad have revived the allegation that Khartoum has an agenda of Arabizing Chad. This is not convincing.

40. Deby's defence of N'djamena was conducted by an unlikely assortment of forces, including Sara and Hadjerai militia, JEM and SLA-Unity fighters, and French special forces, who played a greater role than Paris officially admits. Nonetheless, France's position is well short of unconditional support for Deby. France offered to evacuate Deby, who refused, saying he would prefer to die fighting in N'djamena. France and

Deby played a game of brinkmanship which Deby won. Once Deby had called France's bluff, France had no other policy than to support him.

41. Deby has succeeded in tactically outmanoeuvring his allies and adversaries. By politically eliminating the civilian opposition he has left the international community (i.e. France) the choice between him and the Khartoum-backed rebels. But once EUFOR is fully operational, calculations may change.

42. The Dakar agreement was signed by the governments of Sudan and Chad in the full knowledge that it is wholly ineffective and both of them will violate it at the first opportunity. It was signed out of deference to Senegal and the Organisation of the Islamic Conference.

43. Deby is weaker than ever before. He has lost crucial kinsmen and allies, who were killed or defected (or executed when they rejoined his side). Popular sentiment is against Deby to the extent that any change is welcome. The role of the Darfur rebels in policing N'djamena on behalf of Idriss Deby is not winning them friends among the Chadian populace. The warning signs are flashing for another battle for Chad.

44. French and European policy in Africa has been badly damaged by the battle for N'djamena and the perception that France is reprising its neocolonial role and acting cynically. Chadian popular opinion is deeply anti-French. France and Deby have put EUFOR in an impossible situation in which it has no political mandate and no formal mechanism for liaising with the rebels. Given that the belligerents in Darfur and Chad consider it as one and the same war, this is a disabling handicap on UNAMID.

Prospects for the Darfur Mediation

45. The likelihood of the international mediation for the Darfur conflict making significant progress in the coming months is close to zero. The mediation possesses neither strategy nor leverage to bring the parties closer to an agreement, and has identified its overriding objective as restarting talks.

46. However, the NCP and JEM may be ready to discuss power-sharing on a bilateral basis without international involvement. To the extent that UN-AU mediated peace talks occur, they are likely to be a façade behind which the parties pursue other interests and options.

47. Khartoum will continue to attend peace talks because it wants to show a respectable face to the international community and because it is confident that the armed movements will either fail to turn up, or should they turn up, fail to put together a coherent negotiating strategy. In the meantime it will pursue its military options in Chad and Darfur. The GoS has nothing to lose from the Mediation because it expects nothing from it. The UN-AU mediators possess no leverage which might compel Khartoum to alter its strategy.

48. The rebels' main interest in the mediation is the legitimacy it confers and the possibility of obtaining resources independent of the GoS and Chad. Insofar as they see other regional or international sponsors with more capability, they have little interest in the mediation. And insofar as they are seeking recognition from the mediation, their interest may in fact be in sustaining the status quo rather than reaching a peace deal that would require them to deal with Khartoum directly.

49. The divisions among Darfur's elites should not be the occasion for dividing the communities of Darfur or leaving them hostage to these political gyrations. For this reason the Mediation should encourage parallel processes at community level and among civil society to achieve consensus on the core substantive issues facing Darfur. The Darfur-Darfur Dialogue and Consultation seeking common ground among Darfurians is a promising process that should be facilitated.

Next Steps

50. International options for making progress on Sudan are severely constrained. The Darfur policy is essentially at a dead end and there is little time to revive a useful policy on the CPA and elections, with opportunities lost and leverage wasted. Fortunately the priorities are now being rebalanced.

51. Khartoum is clearly worried by the prospects of a Democratic administration in Washington DC, fearing that it would take a bellicose stand against the Sudan government. For this reason, the GoS welcomed the new U.S. Special Envoy, Ambassador Richard Williamson, on his recent visit to Khartoum. The GoS wants to put its relations with the U.S. and other western nations on a new footing. The U.S., for its part, recognizes that it needs to do business with Khartoum and proposed a sequence of reciprocal steps that each could take. The main problem is that there is so much distrust on both sides that no leader in Khartoum, Washington DC or a European capital is ready to take a commitment in good faith. All will wait for clear evidence that the other side has delivered before responding. The GoS will not abandon its bellicose posture towards Chad without firm guarantees that its interests can be protected. It is inconceivable that the GoS could display sufficient good intentions within a six month period, for the U.S. administration to be satisfied and change policy before the Presidential elections.

52. The greatest opportunities for international support and leverage lie with the SPLM, which looks to the international community, especially the U.S., for endorsement of its policies. The reflexive solidarity that America has extended to the SPLM has not always served the best interests of movement or the people of Southern Sudan. Much work still needs to be done if the SPLM is to form a capable administration of Southern Sudan and be an effective democratic force in the North.