

# PROSPECTS FOR PEACE IN SUDAN

## BRIEFING

AUGUST 2001

### Overview

1. As so often in the Sudanese peace process, there is no shortage of activity, but no clear progress. The Sudan Government is engaged in three parallel peace tracks: IGAD with the SPLA, the JLEI with the NDA (which it is trying to divide) and direct talks with the Umma Party. The best chance for a comprehensive settlement remains with a merger of IGAD and the JLEI.

### The Joint Libyan-Egyptian Initiative

2. The JLEI continues with conflicting signals. The core agenda of Khartoum and Cairo has become ever-more-evident: it is to take self-determination off the agenda and achieve a limited North-North reconciliation in the quickest possible time. This in turn has generated its own reaction from the SPLA and Southerners in all political parties.

3. The Libyans planned a summit for Tripoli on 1 September of the 'Golden Four': President Bashir, Dr John Garang, NDA Chairman Mohamed Osman al Mirghani and Sadiq el Mahdi. This was to coincide with the celebrations of the Libyan revolution, and to serve as a warm-up for the preliminary meeting of the JLEI scheduled for 15 September.

4. In response to Southern dismay about the direction of the JLEI, John Garang emphasised that the SPLA would not agree to any plan that did not include four conditions: separation of state and religion, guarantees of self-determination for the South, an interim constitution and government, and unification of IGAD and the JLEI. Dr John Garang will not attend in Libya. The Libyans reportedly insisted that the SPLA delegation be headed by Garang himself. Garang, fearing that he might be forced into an unwelcome and premature meeting with Bashir, preferred to send a more junior delegation.

5. NDA Chairman al Mirghani also pulled out of the Tripoli meeting. The main reason for this was a fear that the NDA is not yet prepared for substantive negotiations, and he did not want to become trapped in a negotiating process unless he was able to present substantive positions. At its Massawa conference last September, the NDA authorised committees to examine its peace position, draft constitution, decentralisation laws, and other documents. No progress has been made in the intervening eleven months. When the JLEI was reinvigorated in June, the NDA presented its reservations/recommendations. But there have been no elaborations on these points in the last two months.

6. The Umma Party has proceeded by setting up a committee to examine how the existing GoS constitution should be revised. This amounts to an Umma acceptance of this constitution in principle. It will be important to see what articles the Umma would like to amend before passing judgment on whether this amounts to a withdrawal from the commitments it entered into in Asmara in 1995. (When the Umma withdrew from the NDA, it stated it remained committed to the Asmara Declaration.) The NDA does not want to pursue this path.

7. The 15 September preliminary meeting of the JLEI will almost certainly proceed in Cairo, though not necessarily on time. Its purpose is to set the agenda, venue and participants for the major meeting of the initiative, which will be direct talks between the parties. It will decide on the status of the original nine points of the JLEI plus the NDA's three points, and whether these will become a DoP. The Egyptians are putting tremendous pressure on the NDA to proceed as rapidly as possible.

## **The South**

8. The Southern response to the JLEI has been vigorous. Garang was publicly criticised for consenting to the initiative without having guaranteed self-determination beforehand. In Khartoum, Southern members of the government and independent Southerners called a rally in which they demanded the inclusion of the right to self-determination in the JLEI, with the implicit threat that they would leave the government if this was not provided. This was the first occasion in which these Southern parties had publicly flexed their muscles.

9. Southern fears are helping to consolidate solidarity. This is being crystallised in a Southern initiative for developing a common position. President Obasanjo of Nigeria has offered to host a Southern Political Forces meeting in Abuja that will bring together Southern political leaders, to discuss the question, what do the Southerners want? This is commanding widespread support from all sections of the Southern community. The SPLA leadership is understandably suspicious that this process may deprive it of its claim to be the sole political representative of the South. Garang has despatched representatives to Nigeria to argue that the plan is a conspiracy between the GoS and Bona Malwal. Given the wide range of Southerners involved in organising the meeting this is unlikely to convince. Meanwhile the SPLA leadership is under pressure from its own rank and file not to make the mistake of boycotting the meeting, as it did with the NSCC's Kisumu conference. Snubbing the personal invitation of President Obasanjo is not an act that can be undertaken lightly.

10. A conference of the Sudanese Catholic bishops meeting in Nairobi made a strong call for peace. Bishops from both North and South Sudan endorsed a call for separation between religion and the state and the right of self-determination. . The conference was addressed by Dr John Garang. The statement has caused much consternation in Khartoum and speculation as to who is 'behind' it. The fact that the Roman Catholic Church has sufficient independence to make a considered statement on its own behalf does not seem to be easily absorbed by the GoS.

## **Khartoum**

11. There has been much speculation about the latent rift between President Bashir and his deputy, Ali Osman Mohamed Taha. The most common reading is that Ali Osman is

determined not to compromise in either the JLEI or IGAD, believing that the (reduced) Islamist group in power can still maintain its dominance, while Bashir is more ready for compromise with the opposition. On 6 August Ali Osman declared that the GoS would, under no circumstances, abandon its Islamist project. This was the signal for more public statements by both Bashir and other leading members of the government to the same effect. (This strategy for uniting the Islamists in power has, of course, the effect of alienating the Southerners in Khartoum.) Ali Osman has also described the JLEI plan for a transitional government as a 'death warrant' for the government.

12. The general convention of the National Congress Party, originally scheduled for August, has been postponed until October. The official reason for the delay is the flood crisis. The real reason is more likely to be internal divisions within the party over the JLEI, specifically the fear of some members that accepting the formation of a transitional government will cost them their positions, and the demand from Southern members that there should be no backtracking on government commitments to self-determination.

13. The GoS peace strategy is based on pursuing three parallel tracks, and keeping its adversaries divided. Negotiations with the Umma Party are proceeding. It hopes to split the NDA, by wooing the DUP away from the other parties especially the SPLA. For that reason it may try to delay the JLEI preliminary meeting, to avoid finalising the documents for the JLEI and thereby giving it greater leeway to split the NDA.

14. Recent economic figures indicate the importance of oil to the Sudanese economy. In the first six months of 2001, GoS estimates for export earnings are \$712m, with \$487m (68%) of this from oil.

## **The NDA**

15. The NDA has been based on an alliance between the DUP and SPLA. In the last six months this alliance has looked increasingly shaky and now the level of distrust between the two parties has reached a critical level. There is growing criticism between the two over issues such as the control of American funds provided to the NDA and the failure of cooperation in developing common positions. The major disagreement is of course the apparent readiness of the DUP to abandon the principle of self-determination for Southern Sudan.

16. The DUP-SPLA coalition has to be seen in historical perspective. In late 1988, Mirghani met with Garang in Addis Ababa in a major peace initiative, that gained sufficient momentum to bring Sudan to the very threshold of peace by June 1989. The peace formula at that time consisted of a constitutional conference which would set the fundamental principles for a new constitutional dispensation. Self-determination only arose as an SPLA demand at the Abuja peace talks in 1992, as a common platform acceptable to the two SPLA factions represented. Al Mirghani appears reluctant to acknowledge that the 1988 formula has been superseded. He is encouraged in this belief by Garang's own readiness to sign declarations that either omit self-determination (e.g. the 1999 Cairo Declaration) or strongly emphasise unity (the Asmara Declaration).

17. The NDA's unreadiness to present detailed negotiating positions reflects poorly on long-standing U.S. goals of supporting the capacity of the NDA. The sad reality is that despite

repeated statements from Washington about supporting the NDA, including specific reference to its capacity to draw up negotiating positions, no financial assistance has been received by the NDA legal secretariat or other key NDA institutions. They continue to rely on the goodwill of individuals who provide voluntary assistance and cooperation from one or two small NGOs.

## **IGAD**

18. The IGAD Technical Committee met in Nairobi between 13-16 August, preparatory to a senior delegations meeting due to start on 5 September. This meeting is an expression of the decision at the June IGAD Summit to establish a permanent negotiating team. It is likely that the outcome will be further pressure by the Kenyans for another heads of state meeting. However, the prospects for any progress at IGAD appear to be poor. There is no new strategic thinking, and the substantive agenda has not moved on. The IGAD Sudan Peace Secretariat and the Kenyan government are keen to keep the process alive and to remain relevant.

19. The President of Djibouti has made a statement calling for the merger of IGAD and the JLEI. However, major obstacles remain to the merger, including the Kenyan unwillingness to provide a role for Egypt, and the likelihood that an Egyptian precondition for merger would be for IGAD to accept the JLEI nine points as equal to the IGAD DoP.

## **The War**

20. The major military event of the last month was a commando attack on the Heglig oil fields by an SPLA group under the command of Cdr Peter Gadet on 4 August. The forces succeeded in penetrating the defensive barrier and striking at the oil installations, halting production for several days. This well-publicised attack was part of a wider escalation of fighting around the oil fields, that also included attacks by Gadet's forces on Wankai and Ruup, and on the road between Wankai and Bentiu. These raids have meant that movement along these previously 'secure' roads is by armed convoy only.

21. Aerial bombardment has continued with five confirmed raids. The GoS of short-range ballistic missiles has also been confirmed. Eight were fired at SPLA positions in Southern Blue Nile. The missiles appear to be Iranian Nazeat 10 model, which have a range of 150 km and a 250 kg high explosive charge. The use of these weapons represents a significant escalation in the GoS's armament technology. It reflects the increased defence budget made possible by oil money. Khartoum's acquisition of this weaponry should be of serious concern to the SPLA and the international community.

## **The Humanitarian Situation**

22. Sudan has been at the brink of a major famine for some months. The floods pose an immediate crisis not only in Blue Nile and Khartoum, but also along the White Nile as far south as Juba. However, the good rains mean that an end is in sight in the North. The prospect of a good harvest at the end of the year means that merchants will begin releasing

their stocks onto the market before the price falls. In the war-affected areas, by contrast, the situation remains grim. The SPLA-held areas of the Nuba Mountains remain off-limits to the UN, despite repeated promises by the GoS to allow humanitarian access. In the South, the general destitution of the populace, the ongoing fighting and insecurity, and the prospect of widespread flooding in Upper Nile, raise the prospect of acute hunger until the end of the year and beyond.

## **The Region**

23. There have been changes of personnel in both the Kenyan and Ugandan governments. There is a new Kenyan foreign minister, who automatically becomes the chairman of the IGAD Sudan peace process. As the Sudan policy is handled by the President's office, however, this change will make no substantive difference.

24. In Uganda, the new Foreign Minister is James Wapa Kabulu. He is an NRM veteran of Museveni's generation and a senior politician. The former Minister of State for Regional Affairs, Amama Mbabazi, who held the Sudan brief, has moved to defence. His replacement is Col. Kahinda Otafiri, also a veteran NRM politician and fighter and one of the few high-ranking Movement figures who has independent stature from President Museveni. Otafiri has been brought in from a period in the cold for this post. His main task is to handle relations with Rwanda and Congo, but Sudan will also fall under his brief. As a Pan Africanist and a Movement ideologue he may maintain sympathies with SPLA. But he will also have the scope for broadening Ugandan policy (also true with respect to Congo).

25. Ethiopia's relations with Sudan are close. The two countries have concluded a wide-ranging agreement on their border, which contains many areas that have not been demarcated and which have held the potential for becoming flashpoints. Ethiopia is using Port Sudan as one of its major outlets to the sea (it has been embroiled with a dispute with Djibouti), and a road from Gedaref to Gondar is being upgraded. Sudan has not objected to Ethiopia's military intervention inside Somalia.

## **The U.S.**

26. The UN Security Council debate on Sudan's sanctions was scheduled for August but postponed by agreement. It appears that Sudan has done just about enough to satisfy the U.S. counter-terrorism specialists, but that the final American decision rests on political calculations rather than solely on assessment by the counter-terrorist specialists. It is likely that the postponement increases the chance of the U.S. not objecting to sanctions lift when the question finally arises at the Security Council.

27. Republican Congressman John Cooksey visited Khartoum, the most senior congressional visitor for many years. He was welcomed by the GoS which is tying hopes of improved relations with the U.S. on his visit.

28. The likely U.S. Special Envoy to Sudan has been announced. He is Jack Danforth, former Missouri Senator. He is considered a moderate Republican and is respected as a Christian, but he is not beholden to the religious Right. Danforth has no significant prior experience of

Africa or the Middle East. His appointment seems likely to reflect a political compromise in Washington. It is probable that he will take a lead from the State Department.

## **Conclusion**

29. The continuing weakness and slow pace of IGAD is allowing the GoS to proceed with its preferred option of separate negotiations with the main Northern parties. But despite the difficulties, a merger of IGAD and JLEI remains possible. If Egypt convenes the preliminary meeting of the JLEI during September, and the NDA's recommendations are accepted, this provides the foundations for a merger, both procedurally (the NDA has requested a merger) and substantively (the JLEI's nine points will become much closer to the IGAD DoP). This would create a scenario whereby all parties would need to seriously consider a merger in October. Meanwhile, if IGAD maintains close diplomatic contacts with the JLEI it can prepare the way for any possible future merger.