

## **Sudan: Analysis and Prospects**

(focusing on Darfur)

**May 2006**

### **Overview**

1. The signature of Minni Minawi on the Darfur Peace Agreement was the first precondition for a process that can bring stability to Darfur. The accession of at least one other group—Abdel Rahman Musa and his colleagues—was important to give the DPA a sense of momentum and inclusiveness. But the mood remains somber. Everyone knows that the real hard work remains to be done in every field. Expectations for rapid progress are not high, given the constraints on making peace work. There is a danger of an implementation vacuum.
2. The DPA will come into force on May 16, one day after the AU Peace and Security Council receives the document, which gives Abdel Wahid another week to consider his position. He is not out of the game yet.
3. A robust peace support operation is essential. As important as strength and mandate is a clear mission plan. This applies equally to an enhanced AMIS and a UN force.
4. There are significant threats to the DPA, arising from weaknesses in the document, from the challenges of implementation, from the efforts of spoilers, and from the complexities on the ground. Local resistance comes from ignorance of the content of the DPA but also reflects deep-rooted fear and suspicion.
5. The political configuration of the deal on May 5 presents special challenges. Much is unclear including the status of Abdel Rahman Musa and his group and how to implement the power-sharing provisions, in the absence of SLM-AW and JEM. There is a real prospect that the Movements will fragment when they leave Abuja and become prey to the manipulations of the NCP. Technical assistance will be needed to keep them from falling apart.
6. Some next steps for the United States include:
  - a. Technical support for the first steps of the security arrangements plan including verification, mapping the stages of the ceasefire, and expert assessment for the plan for disarming the Janjaweed.
  - b. Analysis of the constraints of implementing the political aspects of the DPA in the context of rejection by SLM-AW and acceptance by the Abdel Rahman Musa group.
  - c. Continued engagement with the Movements to enable them to retain at least modest coherence.
  - d. Swift and robust actions against those impeding the DPA including those who are agitating the people of Darfur against it.
  - e. Technical and financial support to the Compensation Fund, for the simple political reason that it will legitimize the DPA.
  - f. Support to a planned AU publicity campaign and other efforts to inform people about the DPA.

## **The DPA**

7. The current AU plan is that the DPA will come into force on May 16, the day after the AU Peace and Security Council receives the document and the Chairperson's report. This is ten days after the signature in Abuja which is the length of time given for the remaining Parties to sign. Thereafter the DPA originals will be given to the signatory Parties and deposited with the AU and UNSC, and the GoS can begin the necessary steps to incorporate it into the Interim National Constitution. May 16 is also D-Day when the comprehensive ceasefire comes into force.

8. The disappointment of Abdel Wahid Nour, most members of SLM, and most of their supporters inside Darfur is no surprise. The accusations made by the SLM against the AU Mediation proposals on power-sharing contain elements of truth. It would have been impossible for the Mediation to meet what the Movements describe as their "minimum" demands, because the Movements did not win the war and could not dictate their terms. Nonetheless the Mediation is open to fair criticism because both the process of producing the power-sharing text and the final proposals were far from perfect.

9. There is an urgent need to educate people—including Darfurian IDPs and American activists—about the content of the DPA.

10. The May 7 endorsement of the DPA by 23 tribal leaders of Darfur adds to its legitimacy. Many tribal chiefs had expressed discomfort with the Abuja process but found the reassurance they needed when they actually arrived and discussed the document with the Parties. They are an important asset and can play a leading role in promoting the Agreement.

11. Understanding of the DPA is deeply asymmetrical. After studying the signed copy of the Agreement, the GoS delegation noted several proofreading errors in the implementation matrices and one unauthorized change in a paragraph cross-reference. Not a single person on the Movements' delegations appeared to have studied the document fully and many of them still labored under the most basic misconceptions. This augurs ill for implementation in good faith.

## **Power Sharing**

12. Minawi has not yet made his own political ambitions clear. It appears that he never seriously considered the possibility that he would be the sole signatory on the Movements' side, and it seems that he had always assumed that Abdel Wahid would take the top job. Minawi unexpectedly finds himself the kingmaker and is unclear what exactly to do. He continues to disavow ambition for high political office for himself. There would be much unease about the domination of the senior offices by his close associates, in part because most of them are Zaghawa.

13. Abdel Wahid is down but not out. His weaknesses are evident to all who have seen him at first hand. But few Darfurians are aware of this. His strengths are:

- a. He is the only SLM leader that has name recognition: for most Darfurians he still represents their cause. He has an ability to speak to, and influence, ordinary people in a way that no other Movement leader can match.

- b. He still has a core of Fur loyalists with him. The various dissenting and breakaway groups in the SLM (Group of 19, Abdel Rahman Musa) have not yet made inroads into his Fur constituency.
- c. Most people in Darfur know nothing about the DPA except what they hear from agitators, and know equally little about Abdel Wahid's idiosyncratic leadership style.

14. For these reasons GoS still hopes for a deal that includes Abdel Wahid. Abdel Wahid's reduced camp in Abuja is currently split between a hard core (Abdel Wahid himself, Ahmed Abdel Shafi and Ahmed Mohamadein Abdalla) and a moderate group who want him to sign (led by Abdalla Adam Khatir, Abdel Latif Ismail, Babiker Abdalla, and Ibrahim Madibbu). But the rabble is still with Abdel Wahid. Negotiations between Majzoub al Khalifa and Abdel Wahid continued until the early hours of May 8, just before Khalifa left for Khartoum, and made progress on a supplementary agreement between the NCP and the SLM-AW. It is possible that the GoS will make off-the-table concessions on the amount of money for the Compensation Fund that will allow Abdel Wahid to return to Darfur with his head held high, saying that by hanging on he managed to squeeze an important concession out of the GoS. But even if he pulls this off, his prospects of taking the top job are (fortunately) much reduced. And Abdel Wahid still insists on making impossible demands such as renaming the TDRA as the "Transitional Darfur Government." The odds are against him coming on board. This may lead to a split in the Fur bloc, but that cannot be guaranteed. The decision of Babiker Abdalla is probably the key factor in this regard.

15. The last-minute arrival of Abdel Rahman Musa and his associates (who are now an ever-growing band) at the 5 May signing ceremony genuinely broadened the political base of the Agreement. The physical embrace of Abdel Rahman by President Obasanjo counts for nearly as much as a signature on the document itself: Abdel Rahman is now part of the political scene. Abdel Rahman, who had no personal political ambitions (he wanted to return to his professorship in Grenoble, France) now finds himself the spokesman for the interests of a very large constituency of Darfurians. He is considering founding a political party. He is looking for guidance from the U.S.

16. The non-signature of Abdel Wahid creates a significant ambiguity in the text about division of positions among the Movements. The text of the DPA refers consistently to "the Movements" and positions have been provided in multiples of three. The spirit of the Agreement is that the positions are to be shared, more-or-less equally, between the three signatory Movements. It would be logical for Minawi to now want to take the lion's share, perhaps leaving some posts for the Abdel Rahman Musa group. The GoS interpretation is likely to be different: it will argue that Minawi should take one third (albeit the best third in the executive), and that the remainder should either remain empty until the other Movements sign, or be allocated to other Darfurians. We can expect a masterful game of divide-and-rule by the operatives of the National Congress Party as they see a fine chance to influence the internal politics of the Movements.

### **Security Arrangements**

17. The postponement of "D-Day" to May 16 has given AMIS a slightly longer window to finalize its preparations for the implementation of the ceasefire and security arrangements. However it is still under-prepared and under-resourced. The Force Commander will request an additional 8-10,000 troops and civilian police. Still lacking, however, is a clear conception

of the goals and strategies of the mission and how those could be accomplished. The same considerations will apply if a UN force is dispatched.

18. The immediate challenge is verification of the Parties' military deployments. Both the GoS and SLM-Minawi are keen on quick verification, each for their own reasons. For the GoS, the hope is that the exercise will show a low number of SLA combatants. For Minawi the hope is that it will show he is the largest of the Movements—though if SLM-AW and JEM do not sign they may not agree to the verification exercise at all.

19. A significant gap in the DPA is a mechanism for community disarmament and the control of community defence groups. (A section on this was removed from the draft contrary to the advice of this writer and the U.S. military resource person.) AMIS will need to develop a mechanism for ensuring the support of community leaders and the commanders of community defence groups if the ceasefire process and the disarmament of the Janjaweed is going to work. For example, the involvement of the chiefs of the Arab tribes is essential of the disarmament process is to succeed.

20. The legal status of SLM-AW and JEM is governed by three main considerations. One is their signature on the N'djamena Humanitarian Ceasefire of April 8, 2004. They are still signatory to this and are still represented in the CFC and Joint Commission. A second is the provisions of the DPA on "compliance with this ceasefire by other armed groups that are not signatories to this Agreement" (paragraphs 334-337). This provision was originally drafted with the NMRD and various unaffiliated Zaghawa factions in mind, and later was used to explain to the SLM's breakaway "Group of 19" how they would be placed. The basic principle is that non-military means, such as negotiation and the intervention of elders, should be used to keep these groups from violating the ceasefire. The third is any action the AU PSC and UNSC may wish to take including sanctions under UNSCR 1591. A legal opinion on how best to handle the various "other armed groups" would be very useful for AMIS and the signatory Parties as they plan for eventualities.

21. The Abuja peace process served as both glue for the Movements and a hothouse for political gossip and manoeuvring. Now the delegations are leaving the Chida Hotel, their cohesion will be tested. It is quite possible that they will fall apart completely and we will see a shifting set of coalitions, each headed by an ambitious individual, each of them linked to an interest group from the Sudanese core. We can expect the NCP to take maximum advantage of this.

### **Wealth Sharing**

22. The people of Darfur clearly care about compensation, even in relatively modest amounts, more than they care about development assistance, even in substantially greater quantities. Although international donors are averse to funding compensation mechanisms, the case of Darfur may be a compelling exception. Compensation has become symbolic of the Darfurian grievances, to the extent that the issue imperils the whole peace process.

23. The United States could consider support to the Compensation Fund, chiefly as a symbolic political gesture. If direct financial support is not possible then technical assistance to ensure it becomes operational quickly and efficiently may be equally good.

24. The speed and quality of the Joint Assessment Mission, scheduled for June-July, and the donors conference, scheduled for September in the Hague, will be important for the success of the wealth-sharing provisions.

### **The Darfur-Darfur Dialogue and Consultation**

25. As with most provisions of the DPA, the GoS is well-prepared with its plan for the DDDC and will do its best to present its own ideas as consistent with the DPA. Where possible it will push its own preferred alternative, backed with persuasive argument. The SLM-Minawi did not succeed in developing any concept paper on the DDDC and only presented its preliminary ideas on May 7. Abdel Wahid, who had thought more about the DDDC, is poorly-placed to take the leading role even if he signs up now. Most likely the DDDC will be dominated by those tribal leaders who lean towards the GoS.

26. The AU has thus far put no thought into the DDDC Preparatory Committee or the Chairperson. There is a danger of significant implementation vacuum, into which the GoS will step with its plan.

### **Threats to the DPA**

27. JEM's hardline stand in the last two months surprised many, given the organization's weakness. It represents a small minority and controls little territory. But it could be a force to be reckoned with in Darfurian politics. It remains well-organized. It has rearmed itself extensively from Chad. If JEM is given the chance to play a spoiler role it will do so and could be dangerous. Tough action to stop this is called for. Fortunately, both Eritrea and Libya are now playing a positive role with respect to peace in Darfur, so JEM's sources of external support are now limited to Chad.

28. Chad is also supporting the forces of Khamis Abbaker and Adam Shogar. In order to gain a greater political foothold among the Masalit, President Deby may also reopen an old, half-forgotten issue which is the status of Dar Masalit in Sudan. The Masalit Sultan Andoka voluntarily brought his territory into Sudan in 1923 under an agreement that, according to one interpretation, allows the Masalit to leave voluntarily as well. Although this argument is unlikely to stand up in the Hague, Deby can use it to appeal to the emotions of unsophisticated Masalit youth.

29. The long-awaited all-out war in Chad still has not occurred. But the Deby government is now in perpetual crisis and this represents a continuing threat to peace in Darfur.

30. The prospect of continuing unrest in the IDP camps is real. Abdel Wahid has been asked by the AU to issue a statement calming the situation after one AU interpreter was killed in rioting. One of the main challenges is overcoming ignorance and misconception about the content and spirit of the Agreement: there is a lot of extremely negative misinformation spread by Sudanese and foreign commentators which is contributing to these protests. Putting the facts straight is essential. But the protests also reflect deep suspicion and alienation that will take years to overcome.

31. The GoS has as many pretexts as it needs for slowing down the implementation of the power- and wealth-sharing provisions of the text. The division among the Movements, the

lack of clarity about their status, and their sheer lack of organization, means that the National Congress Party can easily play games and buy off individuals one by one.

### **Next Steps**

32. The most essential step for sustaining the momentum of the DPA is the reinforcement of AMIS and/or despatch of UN troops.

33. The security arrangements Implementation Task Team needs to be resourced and dispatched, verification of the forces' deployment needs to be assisted, and AMIS HQ and the CFC need to be much better resourced.

34. The Movements' concern over implementation guarantees reflects a genuine fear, rooted as much in their own weakness as in the GoS's reputation for acting in bad faith. The day-to-day political counselling that the Movements have received in Abuja (to rather modest effect) will need to be continued in Khartoum and Darfur if the implementation of the DPA is to proceed.

Alex de Waal  
May 8, 2006