

# **PROSPECTS FOR PEACE IN SUDAN**

## **BRIEFING**

**OCTOBER 2000**

### **Overview**

September saw the beginnings of a potential redrawing of the Sudanese political map, with both positive and negative developments. For the first time there is an opportunity of a unified peace forum, utilising the progress made by the NDA/Asmara Initiative. This initiative has maintained its momentum, with the meeting between President Bashir and NDA Chairman Al Mirghani in Asmara, and the subsequent visit by the Eritrean President to Khartoum. However, progress is threatened by disunity on both sides: the Government is less united than ever, and the NDA still has much work to do to prepare a common negotiating position. The Khartoum 'security nexus' appears to have flexed its muscles with a military offensive in Eastern Sudan. Divisions within the Sudan Government have sharpened, and may emerge as the main constraint on progress towards peace. The SPLM leadership appears conspicuously lukewarm about joining a unified forum as a party within the NDA.

The IGAD peace talks in Kenya were not the total disappointment that many expected. But the realistic prospects of progress at IGAD are as dim as ever.

The Sudan Government's diplomatic campaign to gain a seat at the UN Security Council did not succeed. Whether this will mean an end to ostentatious attempts to be an international 'good boy' remain to be seen. Probably, the dynamic of the ongoing internal power struggle in the run up to the elections is the most important factor in Sudan Government strategy.

### **The NDA/Asmara Initiative for Peace**

More quickly than many expected, President Bashir travelled to Asmara and met with NDA Chairman Mulana Mohamed Osman al Mirghani, on 26 September. This was the 'Exploratory Meeting' of the NDA initiative, facilitated by the Eritrean Government.

The first part of the meeting included a wider representation of the Khartoum and NDA leaderships. On the NDA side, the following were present:

1. Pagan Amum, newly appointed as Secretary General of the NDA (SPLM).
2. Gen. Abdel Rahman Saeed, Deputy Chairman of NDA (LC).
3. Mansour Khalid, NDA Secretary for External Affairs (SPLM).
4. Hatim al Sir, NDA Secretary for Information (DUP).
5. Fathi Shila, Secretary General of the DUP.
6. Brig. Abdel Aziz Khalid, Chairman of SAF.

This group is now an ad hoc Peace Committee, in effect superceding the Committee for the Comprehensive Political Solution Initiatives.

Until two days previously it appeared likely that Dr John Garang would also attend, but he departed for Nairobi shortly beforehand. The formal rationale for this was that the NDA had authorised only the chairman to meet with Bashir, but some suspected this represented an attempt by the SPLA C-in-C to keep his options open.

The meeting resolved that there should be a subsequent meeting, the ‘Introductory Meeting’, implicitly also to be held in Asmara, in which high level delegations from the two sides would meet and agree on the modalities for a comprehensive peace conference. The NDA also restated its preconditions for a comprehensive conference proceeding, namely the repeal of two security laws and a revision to the party laws. The NDA also restated its basic negotiating position, based on the IGAD DoP, the Asmara Declaration and the Tripoli Declaration.

Subsequently, Eritrean President Isseyas Afewerki travelled to Khartoum on 4 October on a state visit. Along with discussion of a number of bilateral issues (security, oil), the NDA/Asmara Initiative was also discussed. The response from Khartoum was positive, but also conditional:

1. Khartoum said it was too late to consider the NDA’s three preconditions. A special session of the Congress Party had just concluded and the opportunity for recommending suggested revisions to the laws had passed.
2. President Bashir introduced two new preconditions of his own, namely (i) a comprehensive ceasefire and (ii) closure of NDA radio.

This appears to be a strategy for delay. Bashir wants to stall major compromises until after the election. His plan is to enter the peace talks with a mandate which will enhance his position, both vis-à-vis the NDA and with respect to his internal adversaries.

In the meantime, a major offensive began in Eastern Sudan. This started on 6 October, while President Isseyas was in Khartoum. There are two possible explanations. One is that elements within the Islamists, the army and security services who are unhappy with the idea of accommodation with the NDA, sought to derail the peace process. The attacks certainly publicly embarrassed both Pres. Bashir and his guest. A second explanation is that Bashir himself authorised the offensive, with the aim of testing whether the Eritrean President would stick to his declared policy of non-intervention in Sudan.

President Isseyas returned to Asmara and briefed the NDA Chairman al Mirghani on the Sudan Government response. Al Mirghani has not said anything publicly: he is holding his cards to play them at the forthcoming NDA Leadership Council meeting scheduled for 20 October. However there are some signs that the NDA Chairman is interpreting the signals from Khartoum in a positive light. He has not visited Cairo or Tripoli and an expanding contingent of senior DUP figures is gathering in Asmara.

### *Historical Footnote*

It is worth noting that in more than 17 years of civil war, the NDA/Asmara Initiative is the *very first* peace initiative that has originated from the external opposition. All other peace initiatives

have come either from the internal opposition (Koka Dam, 1986; the DUP-SPLM initiative, 1988), from the Government (the Khartoum Agreement, 1997—if that can be truly called a peace initiative rather than a defence pact) or from external players (Carter Centre 1990, Nigerian Government 1991, IGAD 1993, Libyan-Egyptian Initiative 1999—though the latter also had the active involvement of Sadiq el Mahdi). The SPLM and NDA had never, until now, initiated any peace process.

## **The LEI**

Egypt and Libya publicly welcomed the NDA/Asmara Initiative, although they were privately bitter about the rebuff they received from the NDA, and the way in which Mulana al Mirghani has carefully avoided spending time in Egypt in recent months. The Libyan-Egyptian strategy is that they will be able to take over the initiative shortly. They would like the ‘Introductory Meeting’ to be held in Cairo.

It is quite possible that the NDA/Asmara Initiative will collapse into the LEI. This may happen if, for example, the SPLM remains strongly committed to IGAD, so that the DUP and other Northern parties then proceed with the NDA/Asmara Initiative without them. Without the SPLM (and other Southern parties, who are likely to argue that a ‘peace’ deal that excludes the SPLM has no interest for them), there is no unified forum, no IGAD DoP, and no serious interest in self-determination—in short, there is a version of the LEI.

Anticipating this, the Libyans and Egyptians are being patient. Events in Libya (racist attacks on black Africans) and Israel/Palestine have also diverted their attention.

## **Khartoum Politics**

President Bashir’s control of the Government does not appear secure. He is not only threatened by the People’s Congress Party headed by Hassan al Turabi, but also by militants within the army. It is evident that some of his key tactics are not approved by his deputy, Ali Osman Mohamed Taha. The fact that Bashir and some of his erstwhile key supporters are divided is now clearer than ever, but much about these divisions remains unclear.

The dates for the parliamentary and presidential elections have been set: beginning in October they will be concluded in December. This means that the final round of voting will take place during Ramadhan, which is unusual. A further delay cannot be ruled out, but Bashir is very keen for the elections to proceed as quickly as possible, because his expected victory will strengthen his hand against his internal adversaries.

Turabi is mobilising his forces. There has been a series of strikes and demonstrations, including armed demonstrations that have involved firing on—and killing—policemen. The prospects of serious civil disturbances by pro-Turabi groups during and after the elections are very real. Turabi has indicated he will boycott the elections, and it is possible that Turabi will be able to exploit the popular discontent with the economy, war and serious drought to seriously destabilise the government, if not overthrow it altogether.

(In passing, one of the motives for the Northern parties in exile to return to Sudan is that they fear that Turabi is stealing a march on them in terms of mobilising the citizenry. Conditions appear to be ripe for a popular uprising, perhaps with an armed element. By staying out, some of

the Northern parties fear that they are allowing Turabi to organise and benefit from just such an intifada.)

Signs of Bashir's worry can be seen in his appeasement towards Turabi. The two have even spoken in the same public rally. For these reasons it will be very unlikely that Bashir will be ready to contemplate any compromise on the role of Islam until after the elections at the earliest. Thus, substantive peace talks before the election are almost certain to be stalled.

Bashir appears to be under serious threat from his number two, Ali Osman Mohamed Taha. Ali Osman is reportedly opposed to a peace settlement or an accommodation with the Northern opposition parties. The rationale for this is that the opposition is weak and divided, and with the changing regional situation, the Government needs only to sit tight and it will win the opposition round one by one, without making serious concessions. Many senior figures in the security nexus also take this line, and their power for independent action is evidenced by the fierce fighting in Eastern Sudan. The prospect of a coup cannot be ruled out.

The Congress Party convened a special session on peace in advance of Isseyas' visit. On 16 October the Government also opened its internal 'Preparatory Conference', reviving the bypassed and nearly-defunct 'Sudanese-Sudanese Initiative' that was active in the summer months. The chair is Abdel Rahman Suwar el Dahab. The Umma and internal NDA are boycotting the Conference. The conference seems to be a way of sending a message to the opposition and to the world that the Government will proceed with its own multi-party system regardless, and that those who want to join may do so, but the process will not wait for them. On the opening day, President Bashir linked the Conference to the LEI, re-affirming his preference for this peace channel.

### *A Warning Sign*

An event on 11 October stands as a warning for the prospects for lasting peace in Sudan. Omer Nur al Daim, a senior Umma Party leader, now in Khartoum, was attacked and seriously injured by a group of former Umma Liberation Army militiamen. In June, more than 200 Umma militiamen returned to Sudan from Ethiopia, on the basis of a political agreement between the party and the Government. No provisions were made for integrating the returnees into the Sudanese armed forces, and disarmament and demobilisation did not figure in the negotiations. Personal frustrations among the militiamen appear to have motivated the attack. This stands as a warning sign that disarmament and demobilisation of former combatants and the integration of some into a new national army will be a crucial but difficult process in the future.

### **NDA Politics**

Following its Massawa Congress, the NDA has made the key appointments to secretariats. Among others, Pagan Amum (SPLM) is Secretary General, Dr Sherif Harir (SFDA) is Secretary for Organisation, Dr Mansour Khalid (SPLM) is Secretary for External Affairs and Suleiman Betai (Beja Congress) is Secretary for Humanitarian Affairs. The NDA in Khartoum has chosen Joseph Okello (USAP) as its new Secretary General after the resignation of Abdel Rahman Nugudalla (Umma). The SPLM has taken on a larger number of portfolios.

More clearly than ever, the NDA is founded on the DUP-SPLM alliance. However the nature and durability of this alliance remains an unanswered question. Some of the appointments indicate that the NDA is likely to become more organised and institutionally effective. However it is still hampered by lack of funds for the secretariat.

There is important unfinished business from the Massawa Congress, that the NDA will need to address if it is to develop a strong and united platform for peace negotiations. This includes:

1. Draft Constitution.
2. Decentralisation law (especially important for the marginalised people such as Nuba, Southern Blue Nile and Beja).
3. Interim arrangements.

The next NDA Leadership Council meeting is set for 20 October. This will discuss the peace process and these outstanding issues. However, a full Congress would have been much better than the Leadership Council for agreeing central issues such as the Constitution.

The DUP planning a conference—first for many years—in early November. Probably this will be held in Asmara. The pressure on the DUP leader and NDA Chairman, al Mirghani, to return to Sudan will mount.

Meanwhile Umma Party announced return of Sadiq el Mahdi to Khartoum sometime in January. The injury of Omer Nur al Daim (who has been evacuated to Egypt and who may be out of political life for some months) may accelerate Sadiq's return.

It is evident that the DUP is now committed to a peaceful settlement, and if the NDA cannot achieve a unified forum, it will return. The question is, can the NDA organise sufficiently to ensure that the DUP does not go alone. The challenge of ensuring that there is a common stand on peace falls particularly strongly on the SPLM. The NDA/Asmara Initiative is probably the sole chance for the SPLM to achieve a unified forum for peace in Sudan, in which all the parties of the NDA will adopt a common position based on the IGAD DoP.

On the warfront, September/October has continued to see fierce fighting. SPLA advances in Bahr el Ghazal came to a halt when Government train reached Aweil. President Bashir himself travelled to Aweil after its arrival, an indication of how significant the Government considered this. In Eastern Sudan, Government forces made modest advances north of Kassala but did not dislodge the NDA forces (which are increasingly SPLM, as most of the Northern parties become more pacific) from the key locations of Telkuk and Hamush Koreb. The Government offensive in the East witnessed heavy aerial bombardment, the most intensive for several years.

## **IGAD**

Convened by the IGAD Sudan peace secretariat, delegations from the GoS and SPLM met in Baringo, Kenya, between 21-30 September. The talks were rather more productive than anticipated because, after the parties presented their positions, the Secretariat introduced a new strategy of presenting its own 'non-papers', outlining positions that would be acceptable to the mediators and would potentially be the foundation for an IGAD-mediated agreement. These papers were based on the IGAD DoP and covered interim arrangements, wealth sharing, and self-determination.

The talks concluded without agreement. Three major issues divided the parties.

1. State and religion. The Government position is that the federation should be ruled by Islamic law, with states having the choice to opt out if they wish. The SPLM position is the reverse: the federation should be secular, and states may adopt legal systems as they wish. Further, the SPLM argued that lack of agreement on this meant that issues of interim administration were not discussed, on the grounds that until the question of the legal regime is settled, interim arrangements cannot be resolved.
2. Wealth sharing. The key concern here is the division of oil revenue. The Government position is that oil revenues should accrue to the centre, which will then allocate certain percentages to the state. The SPLM position is the reverse: revenues should first accrue to the state (where the oil is), which in turn provides some to the centre. The Government argues that mineral rights are a sovereign right; the SPLM points out that one reason why the Addis Ababa agreement broke down was that Khartoum repeatedly failed to provide more than a small percentage of the funds promised to the Southern Region.
3. Status of the Nuba Mountains/Southern Blue Nile. The Government argued that this issue was not on the agenda of IGAD at all, and that IGAD is solely a North-South forum (a position that contradicts the IGAD DoP). The SPLM did not take a clear line on this, merely stating that the question of NM/SBN would be dealt with by 'sons and daughters' of the region in future negotiations.

The SPLM delegation took a positive line with the IGAD mediators, complimenting them on their efforts and the papers. One notable manifestation of this was the SPLM agreement on the IGAD proposal on Abyei, namely that the people of Abyei should be given the chance in a referendum to decide whether they belong to Kordofan (North) or Bahr el Ghazal (South) during the interim period. Should they vote for Bahr el Ghazal, they would subsequently vote as Southerners in any referendum on self-determination. (This is the formula agreed in the NDA's Asmara Declaration of 1995.) The SPLM statement on this represents a departure from the SPLM's confederation proposal, which asserted without equivocation that Abyei is part of Southern Sudan. This subtle but significant change in position raises the question of what is the SPLM's final position on NM/SBN?

Observers were surprised at the unexpectedly cooperative attitude of the SPLM at the IGAD talks, especially in view of the SPLM's formal commitment to the NDA/Asmara Initiative. Some are asking if the SPLM is in fact, belatedly seeking to keep IGAD alive because it is not fully committed to a unified forum that includes the NDA Northern parties.

### *Assessing IGAD*

The IPF deadline for IGAD to achieve substantial progress has been de facto extended for one month. The IPF core group will meet in London on 23-24 October to assess its position with respect to the IGAD Sudan peace secretariat.

Some questions that are pertinent to these discussions include the following:

1. Is IGAD going to achieve a comprehensive peace? The answer to this is clearly no, given the absence of the NDA.

2. Will IGAD achieve any form of settlement more quickly than the NDA/Asmara Initiative or LEI? The answer to this is also no. There is no deal in sight in IGAD, while there is a clear momentum behind the NDA/Asmara Initiative and LEI.
3. Whose interest is served by keeping IGAD alive? The Kenyan Government appears very reluctant to admit the shortcomings of IGAD, suspecting that this would be a setback to their national standing. Ironically, Libya and Egypt have interests in IGAD, because it would allow them to divide the SPLA from rest of NDA and achieve a North-North reconciliation without the inconvenience of the IGAD DoP. Powerful elements in the Sudan Government undoubtedly take the same line. The SPLM also has interests in IGAD (see next point). It is important that these legitimate interests are separated from any tactical (mis)use of IGAD as a means of avoiding a political settlement and instead pursuing a military solution.
4. What needs to be salvaged from IGAD if it is to be abandoned? IGAD brings four important elements to the conference table:
  - (i) The DoP.
  - (ii) Modest progress on substantive discussions, framed around the DoP.
  - (iii) Engagement of IGAD member states.
  - (iv) Engagement of IPF.

These four factors provide some guarantees that the interests of Southern Sudanese will be catered for in a comprehensive settlement. Any successor to IGAD should therefore incorporate these elements.

## **International Factors**

### *The UN Security Council*

Sudan was not voted as Africa's representative onto the UN Security Council, much to the relief of the U.S. and many others. The campaign for and against Sudan absorbed a huge amount of diplomatic energy for both Sudan and the U.S. Africa policy. Undoubtedly, Sudan's campaign encouraged it to seek the goodwill of a range of countries including Eritrea and Uganda. The fact that its ambitions were thwarted means that the incentive for cooperative behaviour is now less. It is possible that renewed bombing in Southern Sudan that began on 11 October reflects this.

### *Uganda and Sudan*

The Carter Centre, initially requested to provide facilitation for solving the problem of the Lord's Resistance Army in northern Uganda, ended up convening bilateral state-to-state talks between Uganda and Sudan, with the support of Libya and Egypt. An agreement was reached on removing LRA to 1,000 kilometers from the countries' common border. Some abducted

Ugandan children were handed back to Uganda. The Khartoum press implied that President Museveni would now cease to support the SPLA, though in fact the Ugandan leader never said such a thing. Egypt offered troops to patrol the border.

The agreement appears to represent progress. But will it be honoured? There is considerable scepticism, for several reasons.

1. Sudan's interest was partly because of its campaign to get a seat on the UN Security Council. Uganda was one of the countries that is reported to have voted against it.
2. Even if there was goodwill from Khartoum, it is unclear whether Bashir control the generals in Juba sufficiently to be able to enforce the agreement.
3. Museveni made it clear that SPLA is an internal Sudanese affair. So Uganda is unlikely to move rapidly against the SPLA.

But the SPLA would be wise to be cautious. It has an unfortunate history of relying overmuch on the patronage of neighbours, without building wider links to secure its presence in its host countries. The SPLA presence in Uganda is not indefinite or unconditional. Museveni is standing for election in early 2001, and the SPLA has not achieved widespread popularity in Uganda, so that support for it may be an electoral liability.