

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

APRIL 2001

Overview

Little has happened in Sudan over the last month. On all sides, there is political and military stasis, even paralysis. There are no serious moves towards peace, and not even a readiness on any side to contemplate serious moves. This situation arises because each of the main parties is paralysed through their own internal difficulties, and because of the current international policy vacuum concerning Sudan, that has arisen in the context of the disarray among many regional actors including IGAD, and the new U.S. Administration and its unresolved policy debate on Sudan.

Disarray in Khartoum

Hassan al Turabi appears to be winning the latest round with the Sudan Government. Turabi was arrested on 20 February, and according to the National Security Act, his detention must come up for review three months later. During April, an international Islamist delegation mediated between Turabi and the Government. The Government insisted that Turabi rescind his Memorandum of Understanding with the SPLA as a precondition for his release. Turabi's rejoinder was that he should first be released, as any agreement made while he was in detention could not be considered an agreement freely entered into. The Islamist delegation departed without any agreement having been reached. However, there are signs that the Government has in effect capitulated to Turabi's position. First, his application for bail has been removed from the National Security and passed to the Khartoum Criminal Circuit. This makes it likely that his application for bail—along with those of his senior detained colleagues—will be favourably received. Second, the NDA leaders detained in December have been granted bail, on 25 April. (This followed a court ruling that bail could be granted in cases of crimes carrying the death penalty.) This is an indication that the PNC leaders will receive the same treatment. (In 1990, the Government bailed Hassan al Turabi and Mulana Mohamed Osman al Mirghani on the same day, the first political detainees to be released.)

Evidently, Turabi has won this round. His victory has resulted in the unreadiness of the Government to talk seriously to the SPLA at present, and especially its unwillingness to consider any discussion of state and religion. If a Government delegation were to meet with the SPLA and offer any glimmer of compromise on state and religion, they would be vulnerable to being outflanked by Turabi, who managed an agreement with the SPLA without any mention of state and religion. Both President Bashir and Dr Turabi are caught in contradictory positions, but Turabi has handled the contradictions more successfully, so far. It is therefore unwise for IGAD or its friends to seek any meetings between the parties in the present circumstances.

In this context, the deaths of 15 senior military officers in the 4 April plane crash have caused serious problems for the government. Who is to fill these high-level posts in the army and security that have suddenly been vacated? The late Col. Ibrahim Shams el Din was an unusual figure in that he managed to maintain credibility in both the Bashir and Turabi camps. He has not yet been replaced, while General Nafie Ali Nafie has taken over his responsibilities in the interim. President Bashir's difficulty is that most of the middle-ranking officers available for promotion are Islamist cadres, whose loyalty to the President may not be certain. Another more radical option is apparently being considered, of re-instating professional army officers who were given compulsory retirement at the time of the 1989 coup and shortly thereafter. But the loyalty of these officers is also an unknown quantity. The appointments to these unfilled vacancies will be an important indicator of the strength of the different camps in Khartoum.

This problem has provided a breathing space on the battlefield, and also for military officers who are reluctant to allow their loyalties to become evident. Meanwhile, the Sudan Government remains paralysed.

Khartoum remains beset by its capacity for self-inflicted wounds. Despite its claims to have reduced aerial bombardment, attacks continue. The Lord's Resistance Army has not been demobilised. The violence in Easter week, when police arrested 47 Southerners after a rally by the Christian 'faith healer' Reinhard Bonnke was canceled, highlighted the ongoing tendency not to tolerate Christian organisations.

The Southern Dimension

While the Sudan Government is avoiding being pinned down on peace, it is also trying to strengthen its Southern military allies. This too is bringing potential complications for Khartoum. On 24-26 April, a conference was held in Juba in which more than one hundred Southern militia and military commanders are meeting under the chairmanship of Brigadier Gatluak Deng, the Chairman of the Southern Council. This conference undertook the following:

1. To unite the Southern militia forces under the name of Southern Sudan Defence Force.
2. To select a chief of staff for this force (General Paulino Matiep).
3. To form a ceasefire and military-technical commission, considering how to merge the different forces, equalise ranks and hierarchy, and create a single command structure.
4. To link the SSDF with the Sudan People's Armed Forces (SPA) in a coherent manner.

If successful, the new united SSDF could become a credible and effective military force, and play a significant role especially in defence of the oil fields. However, political considerations have complicated the matter.

First, the Southern Council is predominantly formed of retired Southern army officers, given the task of fighting on behalf of the Sudan Government. Many of them are in a marriage of convenience with Khartoum, and have operated on Khartoum's behalf largely because of the government's tactics of divide and rule. By uniting these commanders in a single force, the government is potentially creating a unified force that could threaten its own military control of the South. It should be recalled that it was Paulino Matiep who in 1983 fired some of the first shots in the war when he attacked the Chevron oil installations in Upper Nile.

Second, the formation of such a separate Southern force, politically junior to the SPAF, is a sensitive step. Will experienced Southern army officers consent to be considered

as junior to their Northern colleagues? Or will they want equal status? Such internal military matters concerning ranks, officers' privileges and pay, etc., could become an important source of discontent.

Third, the Southern Council will shortly have to take some potentially unpopular decisions. The most important of these is the postponement of the referendum on the status of Southern Sudan as required by the 1997 Khartoum Agreement. According to this Agreement, a referendum on unity or separation should be held on 8 March 2002. Clearly the Government of Sudan will not permit such a referendum to proceed. But it will require the Southern Council to initiate the measures to postpone it. Presumably the pretext will be lack of security. But this will not be a popular decision and some dissent and even armed resistance can be expected.

The Juba conference is reported to have received messages of support from Joseph Lagu, Bona Malwal and Aldo Ajo. There is speculation that these Southern leaders may be contemplating a return to Khartoum.

What of the NDA?

The NDA appears to be evaporating. The Memorandum of Understanding between the SPLA and Hassan al Turabi's PNC has paralysed it. Both the SPLA and the PNC appear committed to the MoU. This entails the SPLA taking the first opportunity of an NDA meeting to propose PNC membership of the NDA. This is anathema to most of the Northern political parties and especially to Mulana Mohamed Osman al Mirghani. The tactic used by Mulana al Mirghani has been simple: he has not called any meetings. Hence the PNC membership remains hanging, and the NDA has not met since its Congress in Eritrea in September.

Meanwhile, Mulana al Mirghani has continued to meet regularly with Sadiq el Mahdi. The substance of their meetings remains speculative, as the only public announcements have been that they are 'enhancing' the Sudan Call issued by the two leaders shortly after the SPLA-PNC MoU. It is likely that they are recognising their common interest and moving towards some sort of potential accommodation with elements within the Government of Sudan.

One of the principal activities of the NDA secretariats in Eritrea has been waiting for money promised by the U.S. government, and dreaming about how these long-awaited funds can be turned to good advantage. Since July 1997, the U.S. government has held out the promise of significant financial assistance to the NDA, its secretariats and its humanitarian activities in Eastern Sudan. Finally in September 2000 the first humanitarian assistance arrived in the form of an advance team from the U.S. NGO International Rescue Committee, to undertake field assessments. By this time, the opportunity for significant impact had of course long been missed. After another eight months, without any financial resources actually having been received by the NDA, the secretariats and their members are beginning to become somewhat disillusioned. They complain that every time a certain U.S. promise of assistance is made publicly, the Sudan Government rushes to the Arab world and raises a similar or larger sum—in cash. Meanwhile, the NDA is kept waiting for years and is ultimately disappointed. Better, they say, to have not wasted their efforts and hopes in this manner.

The decline of the NDA is particularly marked by its failure to mount any serious campaign for the release of its internal leadership, detained in Khartoum from 6 December to 25 April.

On the battlefield, the NDA continues to hold its own in low-level fighting in Eastern Sudan. However, the last remnants of SAF forces in Menza, on the east bank of the Nile in

Southern Blue Nile, have finally been defeated and the Sudan Government is now in full control of the area.

The SPLA

The much-heralded major dry-season offensive by the Sudan Government in the South has failed to materialise. There has been fighting around the oilfields. There has been some bombing—most recently of Narus. In Southern Blue Nile, the SPLA successfully repulsed a Government offensive aimed at recapturing Kurmuk. In the Nuba Mountains, the new SPLA governor, Abdel Aziz Adam al Hilu, has taken the offensive and attacked the garrison town of Heiban, killing the SPAF commander. There have been repeated aerial bombardments in both Blue Nile and the Nuba Mountains during recent weeks.

The SPLA is busy waiting for the outcome of the current policy debate in Washington DC. The leadership is hopeful that the Washington hawks will win out and that the new U.S. administration will channel significant resources, humanitarian, financial and possibly military, to the SPLA.

Negotiations proceed between the SPLA leadership and Riek Machar. A draft Memorandum of Understanding has been despatched to Riek in Upper Nile, proposing as a first option that there is unity between the forces, and as a fallback that there is coexistence. The SPLA negotiation team is headed by Edward Lino, that of Riek by Taban Deng. Both sides are serious and it is likely that an accord will be reached.

In Upper Nile, Riek is of course only one leader among several. The Nuer community is anxious that unity between Riek and Garang is not achieved at the expense of the ongoing process of reconciliation among the Nuer themselves. Efforts towards intra-Nuer reconciliation, sponsored by chiefs, military commanders, churchpeople and civil society organisations, are currently proceeding well.

Humanitarian Crisis

Once again, Sudan faces a humanitarian crisis requiring international assistance. Khartoum has initiated a number of measures, and maintained others, that amplify this problem. The Nuba Mountains and Southern Blue Nile continue to be cut off from UN assistance. This week marks three years since UN Secretary General Kofi Annan obtained a promise that OLS would be permitted to operate in the SPLA-held areas of the Nuba Mountains. That promise has not been honoured.

Meanwhile, the Sudan Government is ratcheting up the pressure on the OLS-Southern Sector. It is doing this through insisting that it exercises its sovereign right to issue (or withhold) visas for humanitarian workers entering Southern Sudan through Kenya, and through demanding its own presence in the OLS base at Lokichokkio in Kenya.

The Debate in Washington DC

Sudan has continued to obtain quite unprecedented attention in Washington DC. The principal positions remain as outlined in the March briefing: the State Department leans towards seeking a political settlement, roughly along the lines laid down in the CSIS report, while powerful Congressional and other voices are advocating escalated confrontation with

Khartoum, stressing the moral outrages of slavery and forced displacement around the oilfields.

A third way, namely seeking to channel the moral outrage into peacemaking, has received significant backing during the last month. This includes the 5 April statement by U.S. Roman Catholic bishops, the 23 April statement by Jesse Jackson, and a position taken publicly the following day by former President Jimmy Carter. All these three began with an expression extreme moral outrage against the human rights abuses inflicted on the Sudanese population (particularly by the Government) but went on to underline the importance of ending the war. Carter explicitly stated that the former administration's policy of seeking the overthrow of the Khartoum Government had been mistaken. Jackson's statement was particularly striking: it began with a condemnation of slavery but went on to call for a re-establishment of diplomatic relations between the U.S. and Sudan and U.S. support for the IGAD peace initiative. Jackson called for an immediate ceasefire and negotiations.

Advocates of greater U.S. involvement in Sudan concur in their demand that President Bush should appoint a Special Envoy for Sudan. Such an appointment would go against the grain of the Bush-Powell preference, which has been to reduce the number of special envoys. However, such is the prominence of Sudan in the foreign policy debate, that an exception may well be made. If this is done, it will happen after the confirmation of the new Assistant Secretary of State for Africa, Walter Kansteiner, which is expected in early June.

The U.S. policy debate has not moved nearer to resolution. But it is clear that the U.S. Administration will not be able to ignore Sudan. At the very minimum it will have to take a diplomatic position at the UN Security Council and make gestures concerning humanitarian assistance and in opposition to slavery. We may anticipate some moves towards a policy in June.

Regional Factors

The Sudan Government is fortunate in that its neighbours are mostly embroiled in other problems.

The IGAD peace process lies in Kenyan hands. But it is not moving. The promised IGAD summit is not materialising. It was promised for April, and there are now suggestions of May, but it is improbable that these will materialise. If they did so, there will have been little preparation and serious outcomes cannot be expected. The IGAD Sudan Peace Secretariat remains inactive. The Special Envoy, Ambassador Mboya, reportedly leans towards engaging with the Egyptian Government and including the NDA, but no practical steps have been taken.

The political deadlock at the heart of the Ethiopian government has continued. It appears that Khartoum has met Addis Ababa's chief bilateral security concern, and scaled back its support for Al Ittihad in Somalia. A notable warming of Ethio-Sudanese relations has followed, evident in the way in which the hijacking of the Ethiopian military aircraft to Khartoum was handled amicably between the two capitals.

Egypt is preoccupied with the escalating Israeli-Palestine conflict. Its somewhat simplistic attempt to bring the Sudanese leaderships together having failed, Egypt has little on offer other than waiting, watching the parties weaken themselves through their mistakes, and maintaining its presence. Libya is facing mounting problems with its Africa policy, as it faces more difficulties with its sponsorship of the African Union proposal. However, the Libyan-Egyptian initiative is not dead: both countries are committed to high-level meetings to maintain it. Other regional factors remain essentially unchanged, as in former briefings.

Implications

It appears that the political process in Sudan has settled into a kind of equilibrium of decay. All the internal parties are so divided and weak that they consume most of their energies in internal conflict. The countries of the region have sufficient internal difficulties that they are unable to focus any energies on Sudan, with the result that the IGAD peace process and the joint Libyan-Egyptian have both come to a halt. The IGAD partners remain paralysed while the policy debate in Washington remains unresolved. The only positive aspect of this is that the armies in the field appear to exhausted to fight seriously as well, although the overall humanitarian situation remains as grave as ever.

It appears that peace in Sudan will need a strong external impetus by a power with sufficient leverage to be able to impose a settlement on the reluctant parties. The substance of any such agreement is less controversial than the process whereby it might be achieved. The IGAD Declaration of Principles remains accepted—formally at least—by all parties. An all-inclusive peace conference remains accepted by all. The question is, who can actually commit the political resources necessary to bring the parties together and insist that they reach a settlement? Who can impose peace on Sudan?

It is ironic that the weaknesses of the peace process co-exist with a general consensus that the issues themselves have matured to a point at which agreement on many substantive points could be reached. The current situation can be summarised with the following four points:

1. The IGAD DoP provides an agenda for substantive negotiation.
2. All parties agree, in at least some fora, that a solution must be based on a process that includes all. There can be no partial solutions.
3. All Sudan's neighbours have a legitimate interest in the peace process in the country and its outcome.
4. The international actors with sufficient leverage and room for maneuver are the troika of the U.S., Britain and Norway.

The monthly briefing on prospects for peace has been published since June 1999. Back copies are available on request.