

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

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Overview

The Sudan peace process goes through long periods of deadlock interspersed with sudden flurries of activity, in which rapid progress appears possible. In July and August there was rapid progress, with the launch of the Arab Peace Initiative with Libyan and Egyptian backing, and the restructuring of the IGAD process. However, in September it appears that deadlock is again threatening.

The Sudan Government is in a very tight corner. It still represents only a minority among the Sudanese population, the economy has collapsed (and oil revenues cannot salvage it), and the war is unwinnable. But the opposition forces have not been able to press home their advantages: they remain divided and (for the most part) poorly-organised, without a clear common strategy for achieving power and what to do should they achieve it. None of the parties is engaging in the peace process with a sense of confidence or goodwill—each is making its political calculations. It follows that continued pressure is needed on the parties, especially the Sudan Government, to make it possible to advance the peace process.

Important recent developments include the 10 September killing of Cdr Kerubino Kuanyin Bol, possibly on the instructions of SPLA C-in-C John Garang, and the 20 September commando attack on the oil pipeline near Atbara, led by Abdel Rahman el Mahdi's, the son of Sadiq, and subsequent demonstrations in northern cities.

Sudan Government Aims, Constraints

There is much speculation about whether the Sudan Government is negotiating in 'good faith,' or whether it is 'sincere' about its proposals for peace and reconciliation. These questions can never be definitively answered. Instead, it is better to focus on the political calculations of the NIF, and opportunities that can be exploited in the cause of peace and a transition to democracy.

The Sudan Government faces three overwhelming problems that brought it to the negotiating table.

1. The National Islamic Front is a revolutionary movement, with a power base among students and some entrepreneurs. It sought to build up a constituency, both in opposition and in government, using ideology, the patronage powers of the state, and the financial power of

Islamic financial institutions. But, after ten years in power, it finds itself more or less where it started: still a minority party, with the major constituency blocs that it faced beforehand still intact. If the NIF wants to remain in government indefinitely, it must accommodate at least some of these forces. It is now trying to do this, but it is finding that it is not easy to compromise with groups that it has earlier tried to destroy.

As a result, the implications of any form of liberalisation or multi-partyism are that the NIF will find it increasingly difficult to hang on. Authoritarian governments tend to crumble when they make tactical concessions. The relatively minor concessions made in the last 12 months have seen the growth of an increasingly bold internal opposition, which may gradually, after false starts and setbacks, prove a real challenge to the regime.

2. The war is unwinnable. For several years, both the SPLA and the Sudan People's Armed Forces (and associated militias) have been militarily exhausted. The opening of the eastern front in 1996-7 swung the war in favour of the NDA, but not decisively so, and since the outbreak of the Ethio-Eritrean conflict that front has also degenerated into an effective stalemate, with neither side able to inflict a decisive defeat on the other. The NDA forces can stage commando attacks at will throughout eastern Sudan, as witnessed by the 20 September destruction of a section of the oil pipeline near Atbara.
3. Since 1995 the economic situation has passed from disastrous to catastrophic. The debt is unmanageable. The balance of payments is still continuing to deteriorate. Government finances are virtually non-existent. Aid flows have practically dried up. The Sudan Government has a hand-to-mouth existence, with foreign exchange reserves equal to only about a month's worth of imports, and a rock-bottom agreement to pay \$4.5 million per month to the IMF (about 5% of the entire interest due on Sudan's debt—which continues to mount). Contrary to some inflated expectations, exploitation of the oil reserves will not make a fundamental difference, as the government's liabilities are so huge.

The Sudan Government has a reputation for tactical brilliance among its opponents, so that some are fearful of any engagement with it, anticipating they will be outwitted. But at present the Sudan Government is not in charge of events. The modest, tactical liberalisation in Khartoum may in time run out of control: the government has the option of a crackdown that would discredit its current moves towards peace and reconciliation, or allowing democracy activists to exploit the narrow space that has opened up, not knowing what the outcome will be.

The Sudan Government is also divided, both tactically and strategically. In essence, one group (mostly with a power base in the security forces) wants to make a deal with the SPLM over the South, so that the NIF can retain a tight control over the North. Another group, headed by Dr Hassan al Turabi, is more keen on establishing a broader Islamic front with the sectarian parties in the NDA, so as to keep out the secular parties including the SPLM. At the time of writing, the outcome of this contest is unclear, but the lack of progress at IGAD and the sabre-rattling by the US Congress and State Department are playing into the hands of the Turabi group.

Opposition Strategy

Divisions and lack of clarity in the NDA have prevented the opposition from taking advantage of the government's weakness and divisions. This also means that they have not confronted the Sudan Government on the outstanding issues that are blocking a comprehensive peace. The opposition consistently objects to a comprehensive ceasefire because it believes—probably correctly—that it is only likely to continue to obtain concessions from the Sudan Government if it continues to fight. Facilitators should bear this in mind when they call for a ceasefire.

Approach of the Sectarian Leaders

The NDA leadership is beginning to talk to the Sudan Government but has not given up the armed struggle.

Sadiq el Mahdi seized the political initiative with his meeting with Dr Hassan al Turabi. It seems clear that the Umma Party has decided that the current government cannot ultimately be overthrown by armed struggle, and that a peaceful accommodation will be more effective. The external leadership of the Umma Party plans to return to Sudan in the near future. It hopes that the NDA will return collectively at the same time, but will not wait indefinitely for them to make a decision. The Umma Liberation Army attack on the oil pipeline, reportedly led by Abdel Rahman Sadiq el Mahdi, sent a clear signal to the government that the opposition was not going to be easy prey.

However, the general thrust of the sectarian leadership is towards reconciliation and return. The Umma and DUP recognise that their strengths lie in their constituencies inside, and that they will be able to take advantage of liberalisation. They have also been alarmed by the belligerent and pro-South noises coming from Washington, which seem to point in the direction of either a separate South or a united Sudan in which they are marginalised.

Approach of the SPLM

The SPLM has failed to clarify its position on a number of key points, and as a result is in danger of being outmaneuvered by the NIF and the sectarian leaders. It is not clear whether the SPLM is party to the Arab Peace Initiative or not. This reflects other issues awaiting clarification.

1. Lack of clarity over self-determination. The SPLM missed an opportunity in August 1998, when meeting with President Hosni Mubarak of Egypt alongside other NDA leaders, to insist that a commitment to self-determination be built into the 'Cairo Declaration'. The Egyptians and some NDA leaders took this as an abandonment of the SPLM commitment to self-determination for Southern Sudan. In July and August 1999, statements from the Libyans and Egyptians concerning their 'Arab Peace Initiative' have stressed the unity of Sudan and made no mention of self-determination.
2. Religion and the state in a confederal Sudan. The 1995 Asmara Declaration affirmed the separation of religion and the state as the common goal of the NDA. However, in the October 1997 IGAD meeting, the SPLM introduced a new position and a new accompanying map, which divided Sudan into two confederal entities. The Southern Entity, 'New Sudan', encompassed not only Southern Sudan but Abyei, the Nuba Mountains and Southern Blue

Nile as well. This proposal seemed also not to rule out the possibility of a linkage between state and religion in the Northern Confederal Entity—as long as there is a secular Southern entity. These ambiguities may become important as the Arab Peace Initiative progresses, and its leading protagonists seek a form of words that can accommodate their Islamist aspirations while keeping the SPLM on side.

3. Commitment to the armed struggle. The SPLM leadership has recently been encouraging its rank and file to believe that the US Congressional resolution on Sudan commits the US to extensive military support for the SPLA including imposing a no-fly zone for Sudanese military aircraft over the South. Expressions of solidarity by Christian organisations campaigning on slavery have also been interpreted in a similar way. This approach may serve to maintain morale at the front line. But if the leadership forgoes a strategic engagement with the peace process because of these gestures of solidarity, it is in danger of making a serious blunder.

The SPLM leadership has many reasons—some good, some not so good—for continuing the armed struggle. If it insists that the government demonstrate ‘good faith’ then there is no serious prospect of any deal now or in the future. Facilitators will have to focus on clarifying the SPLM’s key demands and extracting concessions and guarantees from the Sudan Government if progress is to be made.

The death of Cdr Kerubino Kuanyin complicates the situation in the South. The precise circumstances of this incident are still unclear, but it appears that Kerubino and some of his commanders were hosted by a Nuer group, and that the order for a court martial and execution may have come from the SPLA high command. This incident has various negative implications.

1. It is likely to inflame Nuer-Dinka animosities, undermining the Wunliet reconciliation process.
2. It will also create the potential for tensions between leaders of the Bahr el Ghazal Dinka and the SPLM leadership.
3. There have been no assassinations or executions within the Southern movement for some years. A return of the culture of elimination would be extremely unfortunate.

Approach of the smaller parties

The smaller parties of the NDA, in particular SAF, the Beja Congress and the Sudan Federal Democratic Alliance, face the threat of marginalisation during any reconciliation and peace processes. Indeed, some would see the main purpose of the reconciliation process as being to thwart the growth of these forces. This would imply that these small parties’ interests lie in prolonging the armed struggle. However, there are indications that there is substantial civilian support for these parties inside Sudan, and that they would reap electoral advantage from their more progressive programmes, their relative newness to the political scene, and from their readiness to take up the armed struggle.

The Union of Sudan African Parties (USAP) has launched an initiative in support of the various peace processes. This came in the wake of the intervention of former Vice President Abel Alier in April. USAP is unusual in that its representation is both inside Sudan and outside.

The USAP initiative is representing the viewpoints of the constituency of unarmed Southerners, who have always been marginalised. USAP is likely to be strong on the issue of self-determination for Southern Sudan.

Approach of the internal opposition

For some in the internal opposition, the activities of the NDA outside are merely a sideshow. The real political process is taking place in Khartoum, and the showdown will be there too.

Among some circles, there is suspicion and even cynicism about the internal opposition. Its leaders are accused of naivete or opportunism, or even being tools of the NIF, helping to split the NDA. On the other hand, many in the internal opposition are more radical and more consistent than their external counterparts.

The internal opposition believes that the Sudan Government made its modest concessions from a position of weakness, and that it is divided and losing its grip on power. It follows that if the opposition remains active, determined and strategic, it can force more and more concessions until the government relinquishes power. This approach relies on a lack of will by the security forces to defend the regime at the critical point.

The IGAD Peace Process

The July IGAD meeting in Nairobi opened the prospect for a reinvigorated GoS-SPLM peace process in conformity with the IGAD Declaration of Principles. The IGAD peace process now has a new structure that could enable it to move ahead and address the outstanding issues in a systematic and energetic manner. For this to happen, several conditions need to be met:

1. The new structure, involving a Special Envoy, Secretariat office in Nairobi, and committees to deal with specific aspects of the peace process, needs to become active and engaged without delay. Among the parties, this is IGAD's last chance.
2. The 'state and religion' committee will need to press the GoS for a clear answer on the separation of state and religion. Should the GoS refuse to provide an answer, the committee chair and the IGAD member states should be ready to draw their own conclusions, and move on to other agenda items. This will require leadership from the IGAD Chairman and a consensus on the issue among member states. Fortunately the consensus seems to exist, but whether the political momentum can be generated remains to be seen.
3. Careful political, legal and technical preparation is needed to ensure that the work of the second and third committees, dealing with self-determination and interim arrangements respectively, will be undertaken effectively. These issues are extremely complicated and require sensitive but firm handling.
4. The IGAD process is likely to focus almost entirely on Southern Sudan, especially in the light of the Arab Peace Initiative, which is a north-focussed process. The position of the Nuba Mountains and Southern Blue Nile will have to be clarified, so that these people are not squeezed out.
5. The GoS will have to remain committed to this process.

6. The SPLM will need to appoint its committee members quickly and give them a clear mandate to work on the detailed positions that will be needed for the peace process to move ahead.
7. The Egyptian and Libyan governments should reaffirm their commitment to the IGAD process, at the minimum as a forum for resolving the war in Southern Sudan. This is essential if the GoS is not to play the two peace initiatives off against each other.

Arab Peace Initiative

Little by little, the Arab Peace Initiative is acquiring substance. Some of the statements and signals are actually or potentially contradictory. If it is to be an effective contribution to the peace process, some issues will need to be clarified.

The basic conditions for dialogue between the NDA (northern parties) and the GoS have been laid down, and essentially agreed. Committees have been set up on both sides. The position of the SPLM remains unclear following contradictory statements by the leadership.

1. The Arab Peace Initiative has not used the term ‘self-determination’ up to now. The chance of introducing this principle into the peace negotiations has probably passed, missed by the SPLM in the last thirteen months. However, the principle can remain—if it remains unstated. This can happen if the Arab Peace Initiative reaffirms the central and leading role of the IGAD initiative in resolving the North-South conflict.
2. The initiative is not ready to use the term ‘secular state’ or anything exactly equivalent. This is another opportunity missed by the NDA, which may not come again. This issue cannot be passed to IGAD as it relates to the central problem the Arab Peace Initiative is addressing: reconciliation between the NIF and the northern parties in the NDA. It is possible, even likely, that the initiative will adopt a form of words such as that put forward by Sadiq el Mahdi: ‘citizenship alone shall be the basis for citizens’ rights.’ This will allow for the philosophers to get to work and draw up a charter for a state that upholds universal human rights norms but is ‘guided’ by Islam, or something similar.
3. The parties of the NDA may be ready to settle for many compromises provided that they are allowed to mobilise their constituencies, and there will be a multi-party election. The sectarian NDA leaders are confident that their constituencies remain intact and that they can win a plurality of votes, and reduce the NIF to a minority party (with which they will be ready to share power). One of the reasons for their readiness to compromise is that they know that the political process will begin *after* the agreement is signed—and that with skill and their constituencies behind them, they can win the game. So what remains undecided today can be won tomorrow.

Points in favour of the API include:

1. Libya has an energetic foreign policy and capable diplomats (this fact is often forgotten because of the unique style of the leader himself).
2. Libya has money, and can pay the necessary expenses to keep the peace process moving, and can provide aid that could help underwrite a deal.
3. The Libya-Egypt partnership is very influential with the Government of Sudan and the NDA.

(These points all compare favourably with the IGAD initiative, and provide pointers for how the revitalised IGAD process should consider its future priorities.)

Points against the API include:

1. The US is certain to be opposed to any deal mediated by Libya.
2. The failure to address the issues of self-determination and separation of religion from the state will make it very difficult for the SPLM to proceed.
3. If the API is pursued in parallel with the IGAD process, with the SPLM confined to the latter, there will need to be clear and careful consideration of the position of the Nuba and the Southern Blue Nile people.

Any one of these problems is potentially fatal to the API and could see it founder. There will either be comprehensive peace in Sudan, or no peace at all.

Conclusion

Unfortunately, there is little substantial political will towards a genuine, comprehensive peace from any of the parties. The peace process exists because of the political calculations of the Sudan Government and various opposition leaders that their interests are served by engaging in a peace process—or in some cases, that their interests would be damaged by withdrawing (or being seen to withdraw) from an existing peace process.

A strategy to support the peace process therefore depends on exerting pressure on the parties. No opportunity should be lost to hammer home the message that Sudan cannot afford to continue the war, and that a settlement must involve representation of all forces and a democratic constitution. Condemnation of one side may be justified, but any condemnations should be presented in such a way that the other side cannot take this as an endorsement of their war effort.

The Sudan Government needs to make more concessions than the opposition. It has been able to escape confronting the issues up to now because of the weakness of the opposition negotiating strategy and opposition disunity. Opposition scepticism towards the government is justified, and is manifest in continuing armed struggle and refusal to contemplate a ceasefire unless the main political issues are settled. External facilitators should recognise this and help ensure that the Sudan Government faces the necessary issues.