

Prospects for Peace in Sudan

Briefing: April 2008

Overview

1. The NCP-SPLM partnership for the CPA stands at a critical juncture. The NCP sees the 2009 elections as its route to internal and international legitimacy and is hoping that problems with the census and elections can be pinned on others (the SPLM, the Darfurians). Both parties have failed to find a compromise to the Abyei situation.
2. The NCP strategy for the elections is to organize politically in the central regions of the North, expecting to use its money and organization to win on the basis of pre-election agreements with other Northern parties, and to utilize security methods to control elections in the peripheral areas including Darfur and the South, where necessary postponing elections altogether. The Northern parties are distrustful of both NCP and SPLM. The SPLM faces the challenge of organizing its own electoral strategy for the North.
3. The economic crisis of the last nine months is a major headache for the NCP. Economic hardship undermines the NCP's popularity among its constituents and creates difficulties for its patronage-based mechanism for controlling the country. The NCP has moved to consolidate central control of state finances.
4. The SPLM Convention scheduled for May will be a pivotal event for the future of the movement. The majority of the organizing committee is members of the pro-unity bloc and it is possible that they will use the occasion to push for the SPLM to embrace unity, which would involve sidelining those leaders who support separation.
5. The Darfur conflict is currently intractable with the parties pursuing military options. The GoS sees Chad and JEM as its major military adversary and is mounting offensives in Darfur and supporting the Chadian rebels for another offensive against N'djamena. Idriss Deby is fighting for his political life and has no interest in negotiations except as a tactical measure to buy regional and international support. Darfur cannot credibly become part of the national democratization process. The international mediation has exhausted its options.
6. UNAMID is in an impossible situation. It is entrapped in the war on the ground in Darfur and Chad and the war of words between Khartoum and western capitals. While these two conflicts continue, UNAMID will remain a vulnerable hostage, draining international resources for very meagre benefit. A salvage plan for UNAMID would begin with making its existing ten battalions properly operational.

NCP-SPLM Relations

7. Following the September 2007 withdrawal of the SPLM from the GoNU, relations between the NCP and SPLM descended to an all-time low. The SPLM played its hand tough to the point of intimating that a new war was a possibility. The response of the NCP has been to seek to marginalize the SPLM in Northern politics while keeping its options open for cooperation or competition in the South.

8. Abyei was the flashpoint for the breakdown of the relationship. Both sides are playing for the maximum outcome in Abyei: the NCP wants the oil and the support of the Misiriya (the latter is not a foregone conclusion); while the SPLM wants the whole territory and was actively recruiting Arabs to its ranks, notably into the Debab forces. The confrontation brought the sides to reciprocal military mobilization which could have led to armed conflict.

9. Salva Kiir insists that dialogue is the only way ahead and is tacitly offering a similar joint interim administration to that which was tabled last year. But the two parties have been unable to avoid a confrontational posture. Edward Lino has taken the position as chief executive (governor) of Abyei, appointed SPLM ministers and has invited the NCP to appoint ministers. The NCP has rejected this as a violation of the CPA and has dispatched forces.

10. Trust has not been restored to the NCP-SPLM relationship. The two parties are planning in parallel for an election in which they no longer expect to present a common platform. Each continues to acquire arms. The NCP maintains its security presence in key areas of the South such as the oilfields and uses its relatively small political presence as a base for political organization. The SPLM is importing new weapons systems and is seeking alliances with groups in Kordofan and Darfur.

The Electoral Calculus: The Centre

11. The NCP enjoys only minority support and would be reduced to one party among many in a free and fair election. But its preference is to contest and win elections and gain the legitimacy that will follow. Internationally, it will make the case that its elections are at minimum no less free and fair than those in countries such as Kenya and Nigeria. It is using its money, organizational capacity and control of the state to position itself at the centre of an exercise in limited democracy. Those running the election for the NCP believe in elections as a route to legitimacy. And most of the Northern opposition recognizes that there must be soft landing for the NCP—it must remain the major stakeholder in power—if there is to be any prospect for stability. The Iraq invasion has given incumbency a good name.

12. The elections bill is mostly agreed but still awaits decisions on remaining issues, notably the proportion of seats in the National Assembly to be chosen on a constituency basis and the number on proportional representation. This question has been referred to the Presidency for a final decision. The civilian opposition prefers a slant towards

proportional representation and away from geographic constituencies on the basis that PR is less amenable to manipulation by an incumbent with resources.

13. In the central areas of the north we can expect an election contested relatively fairly. In the central triangle around Khartoum, the NCP will spend money on infrastructure and services, seek support from local powerbrokers, and allow a fair election to proceed. (A memo two years ago written by the former finance minister Abdel Rahim Hamdi revealed that the NCP considered these the essential parts of Sudan.) All Sudanese know the broad outlines of electoral outcomes in these areas and would not accept blatant rigging. Hence the NCP strategy is to deal with this area through civil politics, including forming coalitions with other Northern parties or obtaining electoral pacts with them.

14. The Umma Party leader Sadiq al Mahdi has taken the principled position that he will not accept a position in any government that is not elected. But he is positioning himself for a post-election coalition based on common Northern interests. The DUP and NCP share much of the same core constituency in the riverain areas of central north Sudan. The DUP has the potential to offer itself as a secular alternative to the NCP and a unifying force across northern Sudan. However it suffers from internal splits. The NCP strategy of talking to these parties has also squeezed the PCP to the point at which it is also obliged to talk coalition politics.

15. The SPLM possesses a reservoir of popular support across Northern Sudan, chiefly on account of its credentials as the voice of opposition to successive governments. The extraordinary turnout for John Garang's return to Khartoum in July 2005 is testament to this. SPLM leaders in the North are confident that Sudanese will vote with their hearts, that it will gain the support of many in the Nuba Mountains, Blue Nile and Darfur and that many northern Arabs will vote for the SPLM confident that it is the best chance for unity. However the SPLM faces a challenge in creating an effective electoral organization in the North. The NCP calculation is that after the elections the SPLM will be one coalition partner among many in the North.

The Electoral Calculus: The South

16. The NCP's strategy for the peripheries is based on security management rather than civil politics. Its expectation is that the census and voters roll will be inaccurate, both for technical and political reasons, and that voting will follow local patterns of patronage. It would be content with no elections in many peripheral constituencies and will be ready to go along with proposals to postpone the census or elections in the South, provided it is reacting to others' proposals and not making them itself.

17. All previous Sudanese national elections have been incomplete. In the past, Southern constituencies affected by war have simply not returned members to parliament. In 2009 it is more likely that representatives for any voided electoral seats would be appointed by the NCP and SPLM on the basis of CPA-based calculations.

18. The SPLM has tended to take its electoral support for granted and counts on established loyalties. It is possible that conditions will not be conducive for free and fair elections in the South.

The Electoral Calculus: Darfur

19. Darfur is a headache for all the major parties. All would be ready to proceed with national elections irrespective of Darfurian participation, but none wants to be the one who suggests suspending the elections there. Most expect that Darfur will become a liability for the national elections, especially fearing that violence or disputed outcomes will damage the credibility of the national elections. The mainstream Northern parties are tempted to treat Darfur in the same way that Northern Ireland was treated by the mainstream British political parties for decades—as an irritant that should not become a partisan electoral issue (thereby disenfranchising the electors in the province). But at present there is no way of insulating Darfur's problems from the national electoral process.

20. Among Darfurians, the majority view appears to be that participation in either the census or the election would be a mistake. IDPs fear that they will be either disenfranchised or lose the right to return home, and that recent west African immigrants will be enfranchised in their place. Some Darfurian leaders in the NCP have expressed opposition to the election. The opportunity of presenting the elections as a mechanism for liberation through democracy has been missed. It is now too late to alter Darfurian popular opinion on this issue, which means that any elections in Darfur will be severely compromised. Failed elections in Darfur and the consequent missed deadline for the 2010 referendum on the status of Darfur will have severe implications for the remaining credibility of the DPA.

The Economy

21. Sudan's economic performance is the GoS's Achilles' heel. The diversified management of national finances was merely a management problem when the economy was growing, because the central financiers could satisfy the major claimants within the government, NCP and security simply by delaying paying the non-priority demands until sufficient funds were available—which was usually quite soon. Since the economy hit a downturn in the middle of 2007, economic and financial management has turned into political crisis. Claims on the central funds include security's requirements for its operations in Darfur, Chad and the wider region, and the NCP's demands for its election campaign. The government put a freeze on recruitment and promotion and stopped salary increases. (Inflation is officially 15%.) The Minister of Finance, Zubeir Ahmed Hassan, was a technocrat who did not have the power to rein in the spending of the various claimants on his funds. He offended the NCP bosses by asking for them to account for the money he provided to them. His ability to increase revenue from income tax and corporation tax was very limited (most of those who should pay these taxes find ways not to do so) and he had no control over oil funds. Zubeir tried to raise VAT from 12% to 16% but was faced with a revolt by the National Assembly. The budget was eventually

passed. Nonetheless a substantial budget deficit is forecast for this year and the government has been forced to borrow. Deficit financing is likely to fuel inflation.

22. In response, President Bashir switched Awad al Jaz from the Ministry of Energy to the Ministry of Finance (while Zubeir Ahmed Hassan moved in the opposite direction). Some SPLM members' immediate reaction was joy that a man they feared had been removed from control over oil. However, the petroleum finances moved with Awad al Jaz. For the first time, a true political heavyweight is now Minister of Finance. Not only is there a new minister, but many of the senior staff at the ministry such as the permanent secretary have changed. Instead of the technocratic administration that existed until now the ministry more resembles a security office. Al Jaz made a quick move to court popularity by reducing the price of wheat bread, the urban staple. (No similar move was made for sorghum, the staple of rural areas and the poor.)

23. The immediate outcome of al Jaz's move is that the GoS can prioritise its spending more effectively than before, ensuring that the NCP's campaign chest and the security services have the resources they need. This also gives President Bashir the opportunity to centralize government finances to an unprecedented degree and inject some discipline into what has been a financial free-for-all. Two questions arise. The first is, will al Jaz have authority over the companies controlled by the security agencies, which control a large part of the market in consumer commodities (some estimates are 40% of the market)? If Bashir and al Jaz are able to centralize this financial control, a second question arises: to what end will this discipline be utilized? It seems very likely that the immediate outcome will be using funds to swing the election. After the election, will the possibilities for coherent financial and economic policymaking be utilized for national benefit?

24. Sanctions and divestment are biting, with the attempted shift from trading in US dollars to Euros less than successful. The oil industry is sorely in need of technical upgrading that will allow it to refine the low quality oil that is being pumped. The government's recent solvency has also meant that creditors who would otherwise have written off Sudan's debts are showing greater interest.

The SPLM

25. Two months away from its landmark National Convention, the SPLM is locked in the search for a national political strategy. Its official position and default position is holding fast to the strict implementation of the CPA as its manifesto. This is a safe approach that wins it international support and allows it to remain a partner in the GoNU while criticizing the NCP. However the SPLM is poised for a major debate on its approach to the fundamental national issues and for what to do should it win an election.

26. The fundamental question of national unity or secession is still open for debate. Salva Kiir faces the need to make decisions on this in the coming months, which also entails a decision on the balance between Southern and national politics. The organizing committee for the National Convention is in the hands of the unionists within the SPLM.

Their critics allege that their handling of the preparation for the meeting has lacked transparency, arousing suspicions that the different tendencies within the movement will not be able to resolve their differences in an amicable manner.

The Darfur War

27. The NCP's overall framework for Darfur is the following. It holds that it would have won the war militarily and imposed a political solution, had it not been for international interference and the role of Chad in supporting the rebels, in concert with Libya and Eritrea. It sees Chad as a direct sovereign threat and also as the staging post for European/NATO aggression. It is unworried by the SLA but concerned by JEM because of its political links in Khartoum.

28. The NCP strategy for the regional forces is to remove the government in N'djamena and neutralize or contain the threats posed by Libya and Eritrea. For the SPLM, it wants to neutralize what it sees as an attempt to bring Darfurian armed movements into a grant military alliance of the Sudanese peripheries against the centre.

29. Regarding the SLA, the NCP approach is to buy the splinters off one by one, as cheaply as possible. Concerning JEM, the calculation is that Khalil Ibrahim can only survive with the support of two of his three current patrons, namely the Islamists, Chad and Libya. If the NCP succeeds in neutralizing the Khartoum Islamists through its talks with the PCP and overthrowing Idriss Deby, then JEM will not be a threat.

30. The last few months have seen a sharp uptick in violence in the northern part of West Darfur, as the GoS has waged a counteroffensive with combined air support and militia against JEM. This has both clear military objectives and significant civilian casualties. Even if it were at full strength, UNAMID would be unable to do more than watch.

31. The Arab militia headed by Mohamed Hamdan Hemeti, which mutinied in October last year, is back in the GoS fold, following an agreement in which Hemeti obtained most of what he wanted from Khartoum, on paper. However, the relationship is now very different as neither side trusts the other. Hemeti says he expects the GoS to deliver on less than half of its promises. The GoS no longer expects Hemeti to act as its loyal proxy. Anwar Khatir, a Mahamid Arab leader who had never served as a GoS proxy, is another who recently signed a deal with Khartoum. He also found the rebels so disorganized that they were unable to provide a sensible alliance partner. Within the government orbit he is seeking to chart an independent line.

Prospects for the Darfur Mediation

32. The likelihood of the UN-AU mediation for the Darfur conflict making significant progress in the coming months is close to zero. The mediation possesses neither strategy nor leverage to bring the parties closer to an agreement, and has identified its overriding objective as restarting talks. International efforts to bring peace to Darfur are exhausted, throwing the onus of action back onto the Sudanese. Without a peace process in Chad the

likelihood of progress in Darfur is remote. The only option for quick progress is to take the initiative up a level, and for the key international players, led by the U.S., to talk directly to Khartoum about an overall package.

33. The NCP and JEM are ready to discuss power-sharing on a bilateral basis without international involvement. To the extent that UN-AU mediated peace talks occur, they are likely to be a façade behind which the parties pursue other interests and options—part of the conflict system rather than a step towards a resolution.

34. Khartoum will continue to attend peace talks because it wants to show a respectable face to the international community and because it is confident that the armed movements will either fail to turn up, or should they turn up, fail to put together a coherent negotiating strategy. In the meantime it will pursue its military options in Chad and Darfur. The GoS has nothing to lose from the mediation because it expects nothing from it. The UN-AU mediators possess no leverage which might compel Khartoum to alter its strategy.

35. The rebels' main interest in the mediation is the legitimacy it confers and the possibility of obtaining resources independent of the GoS and Chad. Insofar as they see other regional or international sponsors with more capability, they have little interest in the mediation. And insofar as they are seeking recognition from the mediation, their interest may in fact be in sustaining the status quo rather than reaching a peace deal that would require them to deal with Khartoum directly. By this process, a high-profile mediator may be sucked into the conflict and become a factor helping prolong the conflict rather than ushering it to a conclusion.

Prospects for UNAMID

36. UNAMID has been asked to perform mission impossible. Despite its Chapter VII mandate it is in reality a classic peacekeeping operation with a few additional protection elements added to its task list. It is deployed in the middle of an ongoing war, without a ceasefire or a functional mechanism for dealing with most of the belligerent groups, and with a mismatched counterpart in Chad that has no mechanism for dealing with the Chadian rebels. It is deployed in the middle of a political battle between Khartoum and three of the P5, in which Sudan suspects that UNAMID is the vanguard for a hostile deployment. GoS opposition to any troop contingents that might fall under NATO command is logical in this context. The rebels hope that UNAMID will ultimately deliver something akin to Kosovo, as certain U.S. politicians and columnists have advocated. Disinterest in peace and escalation of conflict are logical in this context.

37. The immediate obstacles for UNAMID are the logistical difficulties it faces in operating effectively. It is underperforming AMIS. Its best option at present is to concentrate on the existing ten battalions and make them properly functional, with adequate base facilities and transport, rather than trying to expand its size. The GoS is extending just sufficient cooperation for the major onus of responsibility for non-performance to fall on the international donors.

Next Steps

38. International options for making progress on Sudan are severely constrained. The existing Darfur policy is essentially at a dead end. International peacemaking and protection efforts in Darfur are exhausted and the best opportunities for progress lie with either recognition among ordinary Darfurians that this is the case, so that they take matters into their own hands, or a summit-level initiative.

39. International policy is rebalancing. However, there is little time left to revive a useful policy on the CPA and elections, with time lost and leverage wasted. Most importantly, no progress is likely while western political leaders tout offensive military action as a realistic option.

40. Khartoum is clearly worried by the prospects of a Democratic administration in Washington DC, fearing that it would take a bellicose stand against the Sudan government. Partly for this reason, the GoS welcomed the new U.S. Special Envoy, Ambassador Richard Williamson, on his recent visit to Khartoum. The GoS wants to put its relations with the U.S. and other western nations on a new footing. Many in the U.S., for their part, recognize that they need to do business with Khartoum. Williamson proposed a sequence of reciprocal steps that each could take. The main problem is that there is so much distrust on both sides that no leader in Khartoum or western capitals is ready to take the other's commitment in good faith. All are minded to wait for clear evidence that the other side has delivered before responding. The GoS will not abandon its bellicose posture towards Chad without firm guarantees that its interests can be protected. Khartoum continues to believe that there are individuals well-placed within the administration who act to further regime change. Given the difficulties of the GoS adopting and sticking to a single coherent policy, especially under these circumstances, it is improbable that it could display sufficient good intentions within a six month period, for the U.S. administration to be satisfied and change policy before the Presidential elections.