

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

MARCH 2002

Overview

1. The process of the GoS accepting the U.S.'s four conditions, derailed by the 20 February helicopter attack at Bieh, has resumed. Khartoum has accepted in writing the U.S. proposal. While the GoS claims to have reworded the proposal, this is largely a public relations exercise: from the outset, Danforth referred to a monitorable arrangement for the protection of civilians from attack. The SPLA leadership meanwhile raised the question of whether the fourth protocol would allow it to continue to attack the oil fields. The SPLA fears that should oil installations be classified as 'civilian' targets, it will be effectively debarred from putting any military pressure on the GoS. The SPLA has signed.
2. Other developments include further debates on the right of self-determination. For the first time, the Sudanese churches have produced a detailed position, while the unification agreement between the SPLA and SAF includes new language that implies, at the minimum, a delay in the realisation of self-determination.

Meeting the U.S.'s Conditions

3. Senator Danforth's fourth condition has been usually described in public as a halt to aerial bombardment against civilian targets. In fact, from the outset it was worded as a monitorable commitment to protect civilians in the war zones from attack. Hence the 'revised' wording of the agreement on point four is in fact no more than a reiteration of what has been the U.S. position all along, and the GoS is merely trying to sugar the pill by claiming that it has obtained concessions from the U.S. If this is the political ladder it needs to climb down, then this is unproblematic: allowing Khartoum to put the best public relations spin on its climb-down is a small price to pay. But the question of whether Khartoum can actually meet the condition remains unresolved.
4. The SPLA leadership protested that it had not been consulted in the 'new' formula for the protection of civilians in the South. But the fact that the negotiations were entirely with Khartoum betrays the reality that the U.S. is overwhelmingly concerned with obtaining concessions from the government.
5. Subsequently, during his visit to the U.S., John Garang delayed accepting the fourth point, arguing that it would restrict his capacity to attack the oilfields, which he claims are legitimate military targets. Garang's fear is that, if oil installations are classified as 'civilian', the fourth protocol would become virtually identical to a ceasefire. If it were unable to attack oil installations, the SPLA would become unable to put any military pressure on the GoS. By

the end of the month, the SPLA had signed, without compromising its stand on the status of the oil installations.

6. Meanwhile, progress continues to be made in implementing the other provisions of the Danforth initiative, including monitoring the ceasefire in the Nuba Mountains, and establishing the international commission to investigate slavery. The GoS hopes that the slavery commission will be unable to undertake serious work in the field in the coming two months, and that it will end up recommending support to existing institutions such as the Committee to Eradicate the Abduction of Women and Children, which have not been very effective. The Nuba ceasefire monitoring system and the slavery commission should be operational by mid-April. Overall, the picture is broadly encouraging: the parties have, just, passed the tests that were set.

What Next for the U.S. and Europe?

7. Senator Danforth's report will most probably be issued in the second half of April. Already, the U.S. is committing itself to closer engagement with Sudan, with plans to upgrade the embassy in Khartoum well underway, alongside the establishment of an expanded Sudan unit located in the State Department but including representatives from across all concerned departments. This reflects a consensus that Khartoum has done enough to warrant U.S. involvement in the peace process. However, it is not clear whether the consensus in Washington goes much deeper than this: while the State Department is keen for a closer engagement, the White House and National Security Council will need to be more sensitive to the mood in Congress, which is deeply sceptical of the benefits of this approach. The Sudan Peace Act, specifically the provisions for greater non-military support to the SPLM and the areas it controls, is still alive in Congress.

8. The British Government is also setting up a Sudan unit, which will bring together the Foreign and Commonwealth Office and the Department for International Development. The new British Special Envoy, Alan Gouly, has visited Sudan and the region. His reception in Khartoum was notably warm. The Sudan Government appears to feel comfortable with Britain taking a leading role.

9. Although the U.S. and Europe have appeared to be sending somewhat different messages, closer examination suggests that this is more an outcome of differences in styles of official communication, as opposed to differences in either aim or method. For example, the European Union's announcement of moving towards the resumption of development assistance should be seen as the progressive normalisation of relations subject to strict conditionalities. The EU will first develop a Country Strategy Paper and then move towards implementation on the basis of progress in the EU-Sudan dialogue. Even if Sudan meets all the conditions, this will take at least a year before any development assistance comes on stream. The EU re-emphasised this in the wake of the Bieh helicopter attack. The U.S. tends to be more rapid and public in its criticisms of human rights violations by the GoS than European countries, but this must be seen in the context of a vigilant and vociferous domestic lobby: the content of messages from European governments is essentially the same.

10. The difficulties of coordinating so many external players, combined with the continuing official position of support for IGAD and the JLEI, means that the process is slow. The U.S.-European efforts at present are not in favour of accelerating the pace: in fact one of the aims

is to discourage Presidents Moi and Mubarak from proceeding with a hastily-convened summit, before the conditions are in place for this delivering a substantial agreement. However, this slow pace increases the chance of the peace process being derailed by events.

Khartoum

11. President Bashir still sits atop a divided government. The basic issue is power: most of his senior lieutenants are fully aware that any agreement on peace or democratisation means that the top jobs will be shared out, and while Bashir may well remain President, positions such as Vice President and senior ministerial portfolios will be distributed to the opposition.

12. However, divisions within the GoS should not be overplayed. The Islamists have a remarkable ability to remain within a single administration, while still disagreeing—or perhaps more significantly, appearing to disagree. There is ongoing mediation both between Omer al Bashir and Hassan al Turabi, and between Omer al Bashir and the other factions within the government. While these reconciliation talks continue it is unlikely that the GoS will split.

13. Hassan al Turabi remains a threat in the medium and long term. He is definitely out of power for the time being. As such, he has lost many cadres and base of support, particularly in the rural areas, because it is important for these people to be aligned with the powers-that-be in order to reap necessary material support including the grants-in-aid that keep local government functioning. But Turabi has a number of powerful assets. He is outside the government at a moment when it is making major concessions such as allowing international monitors including Americans into the country. Among the Islamists, he has seized the democratic high ground, portraying himself as the advocate of democratic rule. He has some justification in this, because his positions at the time of his deposition were parliamentary ones, and one of his differences with Bashir was that he was advocating elected state governors rather than appointed ones. This latter position is particularly significant in the western regions, where there is deep resentment against what they justifiably perceive as domination by the riverain elite, represented by the Bashir-Ali Osman camp. Turabi is still the sheikh of the Islamists, and the Bashir camp has no one with comparable prestige to counter him. Turabi still commands the loyalty of many senior officials in government and the army, so that Bashir still needs to move with caution. And Turabi is using his time in opposition to revise his Islamist philosophy. Openly recognising that the project of creating an Islamic state has failed, he is focusing now on the concept of an Islamic society, and on the mobilisation of an Islamist civil society in order to achieve that goal. Hence the Popular National Congress's agreement with the SPLM is part of a longer-term strategy of positioning the PNC to take advantage of any political liberalisation to play a key role in any future parliamentary system.

14. On 25 March, President Bashir signed the decree extending the deadline for the exercise of the right of self-determination in Southern Sudan for a further two years. While this averted a possible crisis in the government, avoiding a possible walkout of some Southerners, it has kept alive the GoS's formal commitment to a referendum in the South on the two options of unity and secession, as stipulated in the 1997 Khartoum and Fashoda agreements.

The SPLA

15. The SPLA leader Dr John Garang visited Europe and the U.S. He conveyed mixed messages. On the one hand he played to the anti-Khartoum lobbies by describing the Sudan Government as ‘Taliban’, while on the other expressing his readiness for peace.

16. The SPLA signed a unification agreement with the Sudan Alliance Forces led by Brig. Abdel Aziz Khalid. This agreement is the culmination of the demise of SAF as an independent force and reflects its recent weakness. Brig. Abdel Aziz joins the SPLM Leadership Council and the two have agreed on a common programme. In theory, SAF should now lose its independent representation in the NDA institutions, though this is unlikely to be operationalised. Meanwhile within the SPLA, the SAF agreement has raised questions about the SPLA leadership’s aims and institutional procedures. Procedurally, the agreement was signed without first tabling it for discussion in the SPLM’s own leadership institutions.

17. The SPLA-SAF agreement has raised questions about the precise position of the SPLA on self-determination. The SAF press release mentions self-determination as a right that is to be exercised only when a unified New Sudan has been achieved, and the Southerners have had the opportunity to enjoy the benefits of a united Sudan. This implies the prior overthrow of the current government.

18. In London, John Garang and Bona Malwal for a reconciliation meeting, in the presence of senior representatives of the SPLM and leading independent Sudanese political figures such as Abel Alier. After prolonged discussion, personal reconciliation was achieved on the outstanding dispute between the two men, namely the allegedly libelous allegations made against Bona Malwal in the SPLM magazine. Garang was obliged to concede that he had not yet made the apology agreed when the two met in the presence of Nigerian President Olusegun Obasanjo last year, and to agree to make an apology and retraction of the allegations in the next issue of magazine. This also highlighted the need for the SPLM Chairman to follow the Movement’s decision-making structures and procedures. How the two men will cooperate politically remains to be seen.

The Nuba and Blue Nile

19. The Nuba Mountains agreement proceeds slowly but surely. The GoS has tried to use the window between the signing of the agreement in Burgenstock and the arrival of the Joint Military Commission to relocate forces outside the Nuba Mountains. Meanwhile, both the SPLM leadership in the Nuba Mountains and Nuba leaders abroad are pressing for a political consensus conference to utilise the current ceasefire to try to move towards common agreement of where the Nuba should stand in any peace agreement. Their main problem is lack of resources.

20. The Nuba agreement has raised unsettling questions for the SPLM command and constituency in Southern Blue Nile. In the years leading up to his death in 2001, the Nuba leader Yousif Kuwa Mekki always included reference to Southern Blue Nile in his proposals for any humanitarian and political activities or solutions with respect to the Nuba Mountains. However, SPLA support in Blue Nile is more geographically and ethnically limited than

among the Nuba, and the region does not enjoy the same articulate diaspora lobby and international solidarity group as the Nuba. Southern Blue Nile faces the possibility of being orphaned in the current peace process: its best hope is to be lifted on the same tide that has belatedly recognised the special needs of the Nuba. There are reports that the GoS has concentrated forces in Southern Blue Nile and may launch an offensive there in the coming months.

Sudan, Uganda and the LRA

21. Early March witnessed an apparent breakthrough in relations between Sudan and Uganda, with high-level delegations visiting on each side, and an unprecedented agreement by Sudan to allow Ugandan armed forces to operate within Sudanese territory in pursuit of the Lord's Resistance Army of Joseph Kony. This certainly represents a dramatic change in relations between the two countries. Its immediate basis is the meeting between Presidents Bashir and Museveni at the IGAD Summit in Khartoum in January, but such progress could not have happened without the additional pressure provided by the U.S.'s 'war on terrorism' after September 11.

22. Closer examination reveals a more complicated picture, which shows how a limited agreement between two mutually-distrusting sides can actually lead to a potentially explosive situation—a scenario that has lessons for the wider peace process. The forces in the area are playing hide-and-seek, both politically and militarily. First, Khartoum has not in fact done all it can to dismantle the LRA. The LRA's main military bases were within the security perimeter of the Sudan army's Southern Command in Juba, so that Khartoum could have easily moved against it with its own forces. In fact, the Sudan armed forces did not take any steps themselves, merely permitting the Ugandans to take certain actions. In addition, Kony and his forces slipped away from their bases before the Ugandan operations began, raising the suspicion that they had been tipped off in advance. Probably, officers in Juba calculated that they would allow the Ugandans to find and release the kidnapped Ugandan children held by the LRA, removing a serious international embarrassment, but still retain Kony's forces as a destabilising factor along the Uganda border.

23. Khartoum also tried to use the agreement as a pretext for organising its forces to mount land operations to relieve its outlying garrisons in Eastern Equatoria. On its side, the SPLA will definitely counteract any such move, with Ugandan cooperation if necessary. Thus, one of the outcomes may yet be an escalation in GoS-SPLA fighting.

24. Unexpectedly, on 20-21 March, LRA forces attacked four Sudanese army units involved in liaison with the Ugandans, killing over 20 Sudanese men including one colonel. A Ugandan captain was captured, reportedly tortured, and killed, and another captain is missing. The coordinated and targeted nature of this attack raised strong suspicions that information had been passed to the LRA units from Juba, and indeed immediately afterwards a Sudanese major-general was abruptly transferred to Khartoum. The incident raises the question of whom the army command can trust among its officers in Juba. The outcome is to raise the stakes in the confrontation with the LRA: the GoS is now impelled to take more decisive action.

IGAD and the JLEI

25. IGAD is quiet. On 12 March there was a committee meeting to discuss the date for the next round of talks. There are no prospects for an immediate summit.

26. Egypt has made it clear that it is not officially in support of any merger between the JLEI and IGAD, and is only in favour of 'coordination' between the two initiatives.

The NDA

27. The NDA Leadership Council meeting in Asmara on 26-27 February resolved little. The main political dynamics of the NDA are bypassing its institutions. The NDA leadership in Khartoum remains unable to travel and engage in meaningful political activities.

28. The U.S. has finally made the formal offer of \$1 million to the NDA for support in its organisational and negotiation activities. This is one tenth of the full amount promised several years ago and is hedged around with so many conditions that several members of the NDA Leadership Council argued that the money should be rejected outright. From start to finish, this U.S. promise has in fact been an embarrassment to the NDA: when the Clinton Administration first announced its support in 1997, President Bashir rushed to the Arab states and collected the same sum, twice over, in immediately-delivered assistance.

Women and Peace

29. March witnessed two significant meetings concerning women and peace in Sudan, both in Kampala. The first was the Sudan National Women's Convention, convened by the Civil Forum of Sudan, hosted by the Pan African Movement and organised by Justice Africa. This addressed the challenge of realising women's rights in the future in Sudan, and bringing together the various strands of women activism into a single network. The conference revealed the differences existing among Sudanese women's groups, especially between North and South, in turn underlining the need for more national dialogue at this level. In some respects, civil society groups appear more polarised than political groups, and more determined to insist on principle, perhaps because they have had fewer opportunities for dialogue and interaction.

30. The second meeting was the reinvigoration of the Netherlands Government sponsored 'engendering the peace' process. This continues to make progress. It will face the challenge of widening its constituency, so that breakthroughs in mutual understanding made by a relatively small group can translate into a wider movement in support of peace.

Churches and Peace

31. The Sudanese churches have produced their most detailed statement yet on the substantive preconditions for peace. At an Ecumenical meeting in London, representatives of all the major Sudanese churches and their international partners met, and the senior Sudanese representatives issues a statement entitled 'Let my people choose.' This is a very clear

statement that Southern Sudan and the marginalised areas of the North are entitled to self-determination, that this right has been recognised by the parties to the conflict, and that its implementation is the precondition for a just and lasting peace.

Prospects for Peace

32. Senator Danforth's key points—protection of civilians and the Nuba Mountains ceasefire—have focused attention on one of the key elements that has hitherto been absent from the Sudan peace process, namely security arrangements. This is ultimately the key to the success of any agreement. What the U.S. approach has done, deliberately or otherwise, is to put security concerns at the forefront of the peace process, leapfrogging the wider political issues such as state and religion and self-determination. A British-organised seminar on ceasefire modalities and related issues, held in January, also enabled the parties to study this question, and ask themselves what security measures will be needed in the event of an agreement.

33. The danger lurking within the current progress towards meeting Senator Danforth's four conditions is that the outcome will be a protracted freeze in the conflict—in effect a ceasefire—that does not move towards addressing the substantive issues of the war. The GoS would be happy with such an outcome, and the SPLA deeply unhappy, as its principal weapon is its ability to exert military pressure on the GoS, notably by threatening the oilfields. Hence it is important that in the coming months, the international community should not merely monitor the implementation of the four points, but must move to address the main issue, namely peace. The next challenge for the mediators is to maintain the current momentum by addressing the challenge of a unified peace process.