

Prospects for Peace in Sudan

Briefing: August 2007

(focusing on Darfur)

Overview

1. The hope for securing peace in Sudan lies in a three-set sequence that runs: (a) conclude with the issue of UN troops in Darfur, (b) sustain a credible peace process for Darfur and (c) redirect attention back to the key national issues, namely national unity or separation and the democratization process under the CPA. At present the prospects for achieving this are better than at any time in the last year. As always, caution is in order.
2. The passing of UN Security Council Resolution 1769 means that, in principle, the protracted wrangle over the identity, number and mandate of the international force in Darfur is finally resolved. Now the more important question arises, what is the force actually there to do? The strategic vision of the Force Commander and the relations between the peacekeepers and the political operation in Darfur (and Sudan) are paramount. Also important is making the Ceasefire Commission and Joint Commission functional.
3. The Arusha meeting creates important political momentum. Four major issues remain, namely: (a) the incomplete representation of the armed movements in Arusha; (b) the diminished stature of the armed movements with respect to other stakeholders in Darfur; (c) the continuing opportunities for spoilers (including the Sudan government, which has weak incentives to cooperate); and (d) the probability of inflexible hard-line negotiating positions held by the armed movements. While it will be possible to open the formal talks between movements and government in a few months, a rapid and successful conclusion to the negotiating process is not in prospect.
4. An additional reason for cautious optimism can be found in the preparatory meetings of the Darfur-Darfur Dialogue and Consultation and a number of other local initiatives conducted in Darfur. In parallel to the militarization and fragmentation of Darfur's communities there is a convergence on a version of this historic "Darfur consensus" that held the region's ethnic groups together. It is important to underline the complementarity between the revived peace process and the DDDC preparatory work: neither can succeed without the other.
5. One of the most significant obstacles to achieving progress in Sudan remains the public debate in the U.S., where Darfur has become the focal point of moral posturing by aspiring Democratic presidential candidates. The point at which greater political attention to Darfur has a positive impact on the political process has long-since passed.

Realities in Darfur

6. On the eve of the final session of the Abuja peace talks, a delegation of elders from Darfur warned the parties that if the DPA failed, then Darfur would see a war of all against all. They foresaw a collapse of confidence in the authority of both the government and the rebels. They advised the latter that a war against the government of the day should not be confused with a war against government (in general). The warning was prescient.

7. The reality in Darfur today has the following major elements:

- a. Deaths from violence are between 100-200 per month, chiefly attributable to banditry, inter-tribal conflict, the breakdown of discipline among the SLA-Minawi group, and occasional government military action (usually unsuccessful). In the last 12 months, at least half of the violent fatalities have been either GoS soldiers or Arab militiamen. Aerial bombardment is extremely sporadic and has killed perhaps a dozen or so civilians this year. Displacement continues at about 20,000 per month.
- b. The government's control of its proxies has reached breaking point. Much of the violence is among these proxies, consisting of one militia fighting another. Other Arab groups are asserting their independence from Khartoum or even aligning with the rebels. The GoS's least-bad option is to continue to stoke local conflict, in order to prevent Arab and non-Arab groups allying against it.
- c. The humanitarian crisis continues but has become well-managed, with mortality and nutrition levels at pre-war levels (though there is a recent spike in malnutrition in some areas associated with a cutback in rations). In the humanitarians' "no-go" areas most indications are that things are relatively normal.
- d. While commercial vehicles move with relative safety, humanitarian activities are subject to a high degree of robbery and extortion. This indicates a war economy. The attacks on relief workers have a disproportionate impact on international perceptions of the crisis.
- e. The monstrous campaigns of forced displacement of 2003-04 remain without remedy and more than two million people live miserably in displaced camps. This displaced population is the locus of important and poorly-understood social, economic and political dynamics. There is a potential for new violence following new patterns. The focus for this is likely to be the 2009 electoral process which the NCP is trying to manipulate in its favour.

8. At the end of July, the fiercest fighting of the year took place northwest of Nyala between two Arab militias (Rizeigat Abbala and Terjam), both of which were armed by the GoS and absorbed into different paramilitary institutions (central reserve and nomadic police and PDF). This is the most recent clash in an on-off conflict that has lasted since late 2006. About a dozen such conflicts currently rage in different parts of Darfur.

Alliances are fluid and opportunistic. While the GoS tries to mediate in many of the conflicts it is usually incapable of resolving them and indeed is fearful that a proper resolution will lead to the Arabs becoming part of a Darfur political bloc that marginalizes the NCP. In the case of the Rizeigat Abbala-Terjam fight the GoS has sent in the army, which may only further complicate the situation. For example it may push one or other of the militias to ally with the SLA against the army.

Khartoum and UNAMID

9. President Omar al Bashir is clearly in control of Khartoum's policy on the issue of UN troops in Darfur. For the first time since the 1989 coup he is exercising his constitutional powers over a prolonged period without being overshadowed by a civilian party leader. He is relishing the power. Bashir's pride is also deeply stung by the insults he received when he was refused the position of President of the AU and (more importantly) the way he has been singled out for public condemnation by the U.S. administration.

10. Bashir's intransigence on UNAMID can be explained by a combination of his distrust of U.S. motives, his impatience with being continually humiliated, and the unexpected success of his tactic of tying the international community's attention down on the marginal issue of the identity of Darfur's peacekeepers. These three considerations are not going to change. Unless there is a major change in the tenor of the rhetoric of the U.S. administration and the opening of a good and confidential channel of communication between Washington DC and Khartoum, Bashir will continue to fear that the U.S. is nurturing an agenda of regime change. Khartoum will also create as many difficulties as possible for the process of deploying UNAMID, in order to keep foreign capitals preoccupied with this issue.

11. The numerous logistical and administrative challenges in standing up the UNAMID force in Darfur will not be detailed in this briefing. Two other issues must however be highlighted:

- a. The strategic vision and doctrine of UNAMID is at least as important as its mandate. Community liaison and political intelligence is more important than force or the threat of force.
- b. The institutions of the Ceasefire Commission and Joint Commission are as important as the force itself. Many of the difficulties of AMIS are chiefly attributable to the paralysis of the CFC and JC.

Darfur's Peace Process

12. More significant is the relaunched Darfur peace process headed by the AU and UN Special Envoys Salim Salim and Jan Eliasson, which is pursuing its roadmap, only marginally behind schedule. The Tripoli meeting to align the different initiatives and the envisioned Arusha meeting chalked up significant steps forward. The Arusha meeting

was boosted by UNSCR 1769. As many of the rebels have vested high hopes in the UN, they could not rebuff the UN following the resolution.

13. Four sets of challenges face the Special Envoys in the next stage of the revived process, namely (a) the incomplete representation of the armed movements in Arusha; (b) the diminished stature of the armed movements with respect to other stakeholders in Darfur; (c) the continuing opportunities for spoilers (including the Sudan government, which has weak incentives to cooperate); and (d) the probability of inflexible negotiating positions held by the armed movements.

14. *Incomplete representation of the armed movements.* The old conundrums have resurfaced: how many groups to admit to the process? What happens if groups splinter during the process? And, as the process reaches a conclusion, how to handle the internal jealousies that make some leaders more fearful of their rivals' success than of the failure of the process?

- a. The single most important issue here is the absence of Abdel Wahid al Nur. He retains immense loyalty in the displaced camps and among many Darfurians because he consistently and publicly articulates their fears and hopes. His weaknesses are his erratic personal style and lack of organizational structure, continuing frustration among his commanders, and the fact that he has vested much of his credibility in a supposed ability to influence the international community to come and "save" Darfur. There has been some reluctance internationally to isolate and condemn Abdel Wahid, fearing this would make him more intransigent and turn him into a martyr. However it is also possible that international measures against him would reveal the reality of his low international standing. A decision point on this is approaching.
- b. The absence of Suleiman Jamous ironically turned into a unifying factor for the movements due to their representatives unanimous support for his release and his own conciliatory handling of the affair.
- c. JEM splinters were not represented, while JEM itself was given greater weight than the other groups, despite its extremely limited presence on the ground.
- d. The only Arab representative in Arusha was Salah Abu Sura, who has very limited forces on the ground. Other Arab groups are much stronger. However, opening the door to an Arab group is an important step that can lead to the inclusion of other Arabs in subsequent stages.

15. *Diminished stature of the armed groups vis-à-vis other political stakeholders.* The failure of the SLM and JEM leaders to provide political leadership has diminished their standing with respect to key stakeholders including the emergent leadership in the IDP camps, prominent individuals, and the native administration. The issues articulated by Darfurian stakeholders in the DDDC preparatory meetings are somewhat different from those emphasized by the armed groups' leaders. For this reason it is essential that the peace process and the DDDC preparatory consultations continue in parallel.

16. *Opportunities for spoilers.* The calculations of the regional players (Eritrea, Chad, Libya) may have changed in recent months, given post-Somalia pressures on Eritrea, the new government in France and the prospect of foreign troops in Chad, and international consensus reducing the opportunities for Libya to meddle. The incentives for the GoS to cooperate are also unclear. The GoS has succeeded in making Darfur a marginal issue in domestic Sudanese politics. The signatory parties to the DPA and DOC are serious potential spoilers: they have much to lose.

17. *Improbability of a flexible negotiating position.* During the various rounds of Abuja, it was not difficult to obtain agreement among the armed movements on a negotiating position. The problem was that they agreed on a hard-line position and could not agree on how to compromise. On the plus side, it seems that the movements were (a) keen to forge a united position and (b) ready to use the DPA as a starting point rather than returning to the DoP as earlier indicated. On the minus side, indications are that the movements' position is little different from the opening demands made at Abuja.

18. On its side, the GoS is likely to take the line that (a) the DPA cannot be reopened for renegotiation, (b) the CPA timetable for elections should not be interfered with and (c) the posts that have already been awarded to signatories can only be reallocated with the agreement of those signatories.

19. The death of Dr Majzoub al Khalifa in a car accident in late June has left Bashir without one of his most capable operators. Majzoub had proved himself sufficiently powerful and organized that he could not be removed from the Darfur file. His approach of "retail politics" (a term named for him personally) had consolidated the NCP's position in Darfur and squeezed out any serious chances for the kinds of compromises necessary. Majzoub's death creates a gap within the governing clique that will be hard to fill. While his successor may be ready to demonstrate more flexibility on the peace talks, he may lack the political authority possessed by Majzoub, who had the power to impose concessions on his colleagues when necessary.

Broadening the Process

20. Another hopeful development in Darfur in recent months has been the preparatory consultations conducted prior to the Darfur-Darfur Dialogue and Consultation (DDDC). The unresolved politics of Darfur mean that, for the time being, it is not possible to proceed with the DDDC or even with creating the Preparatory Committee for the DDDC. Setting up either of these institutions would be a recipe for political divisiveness and manipulation and it is better that they are postponed. In the meantime, however, the DDDC preparatory consultations have carved out sufficient autonomous political space in order to be able to function in a significant way.

21. The key findings to emerge from the preparatory process thus far are the following:

- a. People demand and need the opportunity to talk at length, express their grievances and explore their options. It is necessary to create the space for political discussions among Darfurians. Without this, Darfurian politics will be driven underground and will become preoccupied with factionalism, rivalry and armed conspiracy.
- b. There is a widespread sentiment of support for the historic “Darfur consensus” that established the non-threatening hegemony of the Fur and a balance between Arab and non-Arab tribes.
- c. The majority of Darfurian community leaders do not feel politically represented, either by the NCP or by the rebel movements. They consider the armed movements to have been brave but politically incapable, unable to provide solutions for Darfur.
- d. New political leaders are likely to emerge from the IDP camps in due course. For the time being there is strong loyalty to Abdel Wahid.
- e. There are major concerns over the census, the elections, and the administration of the home areas from where IDPs were driven. The electoral process is a major opportunity for enfranchising Darfurians.
- f. Opinions of AMIS and the AU are low, in part because of the lack of communication from the AU. Expectations for UNAMID are unrealistically high.

22. The DDDC preparatory process and the revived peace process are complementary. The logic of the peace process demands that participation be strictly limited. But there is no limit to the number of advisors who can be brought to the margins of the process, and whose advice and opinions can be sought, and who in turn can feel a sense of common ownership of the process.

23. The second important complementary function of the DDDC process is to strengthen the links between the Darfur peace process and the national CPA. The DPA only makes sense as a buttress to the CPA, and the dynamics of the CPA implementation have complicated the prospects for Darfurian confidence in national unity and democratization. The key development is the proximity of the 2009 national elections. During the Abuja talks, the Darfurian movements failed to internalize the significance of the fact that all power-sharing provisions were purely interim, pending these elections. This has now changed, especially among the Darfurian leaders in the towns and IDP camps. By stimulating debate about the elections, including (a) what is needed to make them a successful exercise in democracy and (b) how Darfur can play a pivotal role in the national debate over identity and unity, the DDDC preparatory process can help provide a constructive environment for peace talks to proceed.

“Saving” Darfur

24. The American agenda of “saving” Darfur promoted by an ever-growing band of celebrities and presidential hopefuls departs more from the reality of Sudan with every passing month. As a result, the international politics that surrounds Darfur has rather little to do with the facts of what is happening in Darfur and what might transpire next.

25. The portrayal and impulse for action has the following major elements:

- a. The mantra that “things are getting worse.” They are getting worse in one main respect: it is more difficult and dangerous for aid agencies to operate. Fortunately that does not mean, in principle or in fact, that things are getting worse for the Darfurian people. There is continuing displacement due to localized conflict and insecurity. However, such statements are commonly taken at face value to imply that matters are worse than in 2003 or 2004 which is completely untrue.
- b. “Genocide is continuing.” This is also untrue. There is an argument to be made that the Sudan government is a serial offender in committing grave atrocities during its wars and that robust action is needed to stop this from happening again, in Darfur or elsewhere. This argument is not being made and the actions proposed do not address this problem.
- c. Demonization of the GoS. Criticizing Khartoum is a no-lose option. Even cautiously welcoming anything that comes out of Khartoum is a public relations risk.
- d. The adoption of the idea of a militarily-enforced no-fly zone as the measure of choice by U.S. Democratic presidential hopefuls, just as even the more militant U.S. activists are recognizing that it is a pointless and reckless action. Lurking behind this is an even more curious logic: because a NFZ will lead to humanitarian crisis (as the GoS closes down international humanitarian operations) it is the responsibility of the U.S. and its allies to resolve the resulting crisis with a ground intervention.
- e. The new leaders in Britain and France both want to have high-profile, low-cost “wins” with respect to their relations with the U.S. and have thought (erroneously) that Darfur provides them with such an opportunity. (This is similar to the way in which senior figures in the George H.W. Bush administration in late 1992 thought that Somalia was an easy option compared to Bosnia.)
- f. Diplomacy between Washington DC and Khartoum is conducted by public signals whose correct interpretation is never guaranteed.

26. The outcome of this is that President Omar al Bashir is increasingly convinced that the U.S. has a regime change agenda and that the UN troops intended for Darfur are part of that. (The example of Kosovo—beloved by some American commentators—also alarms the GoS, given the current impetus towards Kosovan independence.) Many within the GoS are pessimistic that *any* agreement can be reached on Darfur while the U.S. appears to keep open the option of military action.

27. America’s Save Darfur campaign and related activist groups have moderated their recommendations in recent months as it has realized that it faces the quiet but powerful opposition of the operational humanitarian agencies. But the damage has been done. If Darfur continues to be the lodestone for American politicians to demonstrate their moral

standing and toughness, at no cost to themselves, this situation will not change until after the November 2008 Presidential elections.

28. The AU and UN concur that a public relations effort is needed that can portray Darfur in more accurate terms. However, neither organization is able to conduct that effort itself. When UNSG Ban-Ki Moon dared to say that things had improved in Darfur, he was loudly and repeatedly castigated for having been fooled by Khartoum, being complicit in evil, etc. This was comparable to the near-lynching inflicted on Andrew Natsios in the Senate Foreign Relations Committee when he tried to step back from the most extreme and erroneous portrayals of Darfur. It will be necessary for public intellectuals, Sudanese and international, with some real familiarity with Sudan to reclaim this space.

Implications

29. The progress of late July and early August—UNSCR 1769 and the Arusha meeting—should not detract attention from the realities that the tough issues of providing security and negotiating an inclusive peace deal have yet to be tackled. Nonetheless, as successive peace processes in Sudan have demonstrated, half the struggle is to obtain a cohesive international position: from there on, the political issues have their own logic and can be resolved, albeit over time. The current momentum means that the process may now allow for a sustained focus on the substantive issues for Darfur and Sudan as a whole.

30. One important implication is that it is necessary for the AU and UN leadership to play down expectations about what can be achieved in the short and medium term, and to emphasize that achieving security and peace will take many months if not years.

31. A second challenge is to ensure that the Sudan government undertakes three or four complex and challenging tasks at the same time, namely providing security in Darfur in cooperation with UNAMID, negotiating an improved DPA, conducting national elections, and preparing for the decision point of the South on unity or secession. It is only possible for the AU and UN to do this if there is much greater confidence between western capitals, especially Washington DC, and Khartoum.

Alex de Waal
8 August 2007