

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

FEBRUARY 2001

Overview

Events in Sudan appear to be bordering on farce. The Memorandum of Understanding between the SPLA and the People's National Congress of Dr Hassan al Turabi has baffled most Sudanese and observers. While the paper commitments have some important elements—as well as some significant absences—it does not bring peace any closer. The accord has benefitted both Turabi and Bashir—Turabi has gained credibility from the most unexpected quarter, while Bashir's political strategy suddenly looks a paragon of predictability. Many Sudanese will ask the question, if Garang can make a deal with Turabi, why not with Bashir? At least with Bashir, ordinary Sudanese will gain some practical benefits—such as peace.

A new government has been formed in Khartoum. It looks virtually identical to its predecessor. I.e., the elections have not enabled President Bashir to break out of his political isolation and forge a wider coalition. Meanwhile the processes aimed at peace and reconciliation are all stalled. The NDA-led process has shown no progress. The IGAD peace process is moribund. The crackdown on Turabi's followers promises serious human rights violations and further militarisation.

Formation of the New Government

Negotiations between the Government and the Umma Party proved fruitless. The government invited the Umma Party to join the Government, though did not formally offer any cabinet posts. On 18 February, the Umma Party announced that it would not join a government without a number of preconditions being met, notably including the convening of new elections and the reaching of a comprehensive national peace accord. This followed a meeting of the Umma Party leadership, in which the great majority voted against joining. Hence Sadiq el Mahdi succeeded in creating considerable unity within his party. The DUP (main wing) welcomed this decision, along with most of the opposition. This means that President Bashir has failed to resolve the basic challenge of political legitimacy: his remains a minority government, in place chiefly because of the continuing disarray of the opposition.

The new government resembles the old one. There has been some shuffling of senior personnel, but no major surprises. The Foreign Affairs and Defence portfolios remain unchanged. Gen. El Hadi Abdalla moves from Interior to Cabinet Affairs; Abdel Rahim Hussein from Presidential Affairs to Interior. Abdel Rahim Hamdi, a World Bank-favoured technocrat, returns as Minister of Finance after an absence of almost ten years. The DUP wing led by Sherif al Hindi and the Democratic Salvation Front (representing Southern groups aligned with Khartoum) joined the government as expected.

As a result, the new government still retains the old sub-surface fractures of the old one. Vice President Ali Osman Mohamed Taha retains the support of many among the Islamist hardliners in the security forces, many of whom have senior positions in government. Among them are Nafie Ali Nafie, Majzoub al Khalifa, Awad al Jaz, and Ibrahim Shams al Din. All are opposed to reconciliation with the NDA. However, others from this security nexus are in Bashir's camp. Overall, the government is more than ever dominated by the security forces.

The political weakness of the government is reflected in the fact that the security apparatus continues to make policy in key areas. Notably, even before the crackdown on the PNC, the NDA internal leadership was languishing in prison more than two months after their detention. This marks a clear indication of the Sudan Government's readiness to use repressive measures. Two of their lawyers, including Ghazi Suleiman, were released, but the charges against the NDA leaders remain in place. These carry the death penalty if convictions are secured.

The SPLA-PNC Agreement

On 19 February, to the surprise, not to say astonishment, of most, the SPLA and the PNC of Hassan al Turabi reached a Memorandum of Understanding in Geneva. The content of the agreement contains the following clauses:

- Point 2 commits the two parties to 'peaceful popular resistance' to the government (but not excluding the SPLA's continuing armed struggle).
- Point 3 affirms the need for a new social contract based on diversity and tolerance.
- Point 4 affirms the parties' commitment to self-determination.
- Point 5 concerns their opposition to military coups. It also stresses that the principle of accountability for corruption and crimes committed.
- Point 8 reaffirms the SPLA's commitment to the resolutions and institutions of the NDA and welcomes the PNC's wish for a dialogue with the other political parties.
- The final point (10) commits both parties to a joint programme for implementing the Memorandum of Understanding.

The accord was negotiated and concluded without the involvement or agreement of the SPLA's partners in the NDA. Some individuals applauded the agreement as evidence for Dr John Garang's political 'genius.' Others, such as the DUP, have been conspicuously silent. The Communist Party distanced itself from the MoU, saying that it concerned only the SPLA and PNC.

What are the implications of the accord?

1. The PNC has committed itself, on paper at least, to a range of promises concerning pluralism, political freedoms, accountability, and self-determination. Turabi has succeeded in donning the mantle of liberalism. However, while human rights are implicit in many of the clauses, nowhere are they mentioned explicitly. Also conspicuous by its absence is any mention of a secular state, one of the SPLA's founding principles.
2. The PNC has gained prestige and legitimacy. It now has the blessing of the SPLA and can present itself as the premier internal opposition party in Sudan. The detention of its leadership is proof of this. Human rights groups will rightly protest against these human

rights violations. The PNC leaders' can now disregard their past record of radicalising Sudan's politics, repressing dissent and escalating the war.

3. The PNC may be following a strategy of mobilising the regions against centre. Much of Turabi's support is now derived from western Sudan. Since the publication in 2000 of the 'Black Book' concerned with the domination of Sudan's political institutions by the riverain elite, the PNC has been trying to drum up support among these groups, with some success. One of the implications of this is that 'centrist' political groups may become more likely to align themselves with President Bashir.

4. The SPLA has shown disregard for its partners in the NDA. While this may be justified in the light of the latter's failure to contribute much to the armed struggle, and the decay of the NDA as an institution, it is not a helpful contribution towards opposition unity. Many of the Northern NDA leaders (and non-SPLA Southern leaders) will have had their suspicions confirmed about the SPLA's political naivete and lack of commitment to democracy. The SPLA has implied it will propose that the PNC should become a member of the NDA. How this can be squared with the NDA's basic principles remains to be seen.

In addition it is worth noting that one of the SPLA signatories is Pagan Amum, who also serves as General Secretary of the NDA. The SPLA was highly critical of Pagan's predecessor, Mubarak al Fadl, for unilaterally signing the Djibouti Accord with the Sudan Government in November 1999. This criticism cost Mubarak his job. However, the Northern NDA parties appear ready to accept unilateral action by the SPLA. Perhaps this is because they tend to regard Dr John Garang as the voice of Southern unionism, so they are ready to accept what would otherwise be seen as arbitrary actions from him.

5. The MoU's point 5, which affirms the principle of accountability for crimes and corruption, has been greeted with scepticism, not to say derision, across the political spectrum.

6. President Bashir has gained credibility both domestically and internationally. His government suddenly appears as predictable and even centrist. For some years he has been claiming that the SPLA is not serious about peace: the MoU appears to confirm this. He can gain the support of some Islamists by saying that Turabi has betrayed Islam by signing a deal with the infidel. Meanwhile, many in the Northern parties of the NDA would rather deal with Bashir in government than Turabi within the NDA. The Egyptians will be encouraged in the same direction. However, any short-term gains that accrue to the government may be undermined if there is a sustained crackdown on the PNC and serious human rights abuses. Bashir may have 'won' this round—as he has 'won' repeatedly in the last year—but Turabi continues to set the agenda, and may well emerge the winner in the long term.

7. The immediate result of the MoU was the arrest of Hassan al Turabi, followed by dozens of leading members of the PNC. By 25 February nearly 100 were reported arrested with more still being sought. The party newspaper was closed. This crackdown may mark the disappearance of the small margin of freedom that has existed in Khartoum in the last two years.

It is clear that Hassan al Turabi was well informed in advance about the moves against him, and prepared himself. The PNC has well-placed individuals remaining within the security services. Their power is untested but may be considerable. An indication of their influence was an event following the arrest of the former PDF leader,

Amir Omer Abdel Marouf last December. Amir Abdel Marouf was widely regarded as one of the principal leaders of the PNC's military cell. He was released from detention by the forcible intervention of PNC activists, including members of the Dababiin elite jihadist commando unit.

In summary, the principal immediate beneficiaries of the MoU are Hassan al Turabi and President Bashir. Any gains for the SPLA appear to be hypothetical. To the contrary, it has jeopardised its principal existing Northern alliance, with the DUP. Should the DUP-SPLA alliance be broken, the NDA is unlikely to survive, and the chance of a comprehensive peace settlement in Sudan has probably died too.

The Geneva MoU can, possibly, advance peace in two respects.

1. If the PNC can genuinely become a liberal civilian political party, then this is a step towards the demilitarisation of Sudanese politics.
2. If the SPLA is ready to make a deal with its arch enemy, Hassan al Turabi, the architect of political Islam in Sudan, can it not also make a deal with President Omer al Bashir, a soldier with a somewhat greater record of pragmatism?

However, the greatest dangers are that:

1. The government crackdown intensifies and widens, with more power concentrating in the hands of the security and military personnel in senior positions in the government. This will force the civil opposition in Khartoum (Umma and NDA) to align themselves with the PNC in defence of fundamental freedoms. While there is little prospect of an immediate popular uprising against the government, in the longer term it means that the PNC will become part of any future democratic system. But in the meantime, repression will probably be the order of the day.
2. If a senior PNC leader dies, either assassinated, or from ill-treatment, or from ill-health in detention (and several are elderly), then the repercussions may not be containable. There are sufficient armed and trained militants within the PNC camp to wage a serious campaign of terror against the government, mounting assassinations and other outrages.

Where is the NDA?

In September and October, the NDA showed a flurry of hopeful activity, taking the initiative in outlining the options for a comprehensive peace process. Guidance on this initiative was entrusted to the Eritrean Government, which succeeded in convening some important meetings but was unable to achieve the breakthrough required. Since then, the NDA has reverted to a state of being almost moribund. This has the following aspects:

1. There has been no high-level meeting of the NDA, either at the level of the Leadership Council of Executive Committee. The February meetings in Libya were not formal NDA meetings.
2. The institutions mandated by the Massawa Congress have yet to be put in place. The few functioning institutions of the NDA, such as the Legal Secretariat, were dissolved and have not been re-established. Others have simply not been created. Many in the

leadership are simply waiting for ill-defined promises of U.S. support—a figure of US\$10 million is commonly mentioned—for their activities. But whether this support will materialise at all, or on this scale, and who will receive it, remains very unclear. Past promises of U.S. assistance to NDA civil and humanitarian activities have been notoriously slow in arriving and their administration has been marked by extreme bureaucratic complexity and a tendency to revert to supporting international NGOs rather than Sudanese institutions.

3. Major NDA players have taken initiatives without consulting their partners. The SPLA initiative to talk to the PNC of Hassan al Turabi is the main example of this. But the DUP is also talking to both the Umma Party and the Government.
4. The internal NDA leadership remains in prison in Khartoum charged with capital offenses. The external NDA has failed to make this a rallying cry for opposition. It has even failed to make the unconditional release of their jailed colleagues into a precondition for peace talks.

The external NDA as an institution tends to function only insofar as it serves as a negotiating forum. In the absence of any serious negotiating process, it reverts to a state of practical inactivity and internal intrigue—‘opposition of hotels’ as the government disparagingly calls it.

In early February, NDA Chairman Mulana Mohamed Osman al Mirghani had an inconclusive meeting with Sadiq el Mahdi in Libya. A further meeting is scheduled in Cairo for late February. These meetings represent the continuing efforts by the Libyan and Egyptian governments to promote reconciliation in Sudan.

The Warfront

The current dry season is witnessing some of the most serious fighting for several years. The Sudan Government has a slender but significant military advantage. It has rearmed and re-equipped and is able to use a far greater volume of fire in its military engagements. It has also paid its troops on time, and has raised morale.

Government consolidation of the oilfields remains solid. SPLA Cdr Peter Gadet launched attacks around the oilfields but did not succeed in penetrating the perimeter, and oil production continued unaffected during the attacks. However, the attacks demonstrated the continuing resolve and militancy of the SPLA forces in the area.

The most serious fighting has been in the Aweil area, with the government seeking to roll back the gains made by the SPLA in 2000, and so far the SPLA succeeding in preventing the army from making any progress. Medium-term government plans in Bahr el Ghazal are clear from the fact that oil concessions in Rumbek and further south have been awarded to oil companies participating in the Greater Nile oil project.

In the Nuba Mountains, the government has made significant gains. It overran the SPLA forces in Kululu and Korongo in the south-west mountains, opening the road from Kadugli to the South, and cutting off SPLA forces in the western mountains. It is nearly at the point of imperiling SPLA air supply routes (chiefly used for humanitarian access, as the SPLA forces there are very rarely resupplied with military hardware). The new SPLM Governor, Cdr Abdel Aziz al Hilu, until recently commander of the SPLA’s eastern front New Sudan Brigade, is expected to take up his position shortly.

Major fighting is expected in Southern Blue Nile in the coming months, as the government seeks to secure the Adar oil fields. More militia have been mobilised in this area.

In eastern Sudan there have been several small raids by NDA forces (overwhelmingly SPLA) on police posts. But the government forces are reinforced and more vigilant and the chances of a repeat of the November raid on Kassala are improbable.

IGAD

The IGAD peace process remains stalled. There has been no meeting since September and none is planned. The IGAD Partners' Forum, which funds the IGAD Sudan Peace Secretariat, delivered its assessment of the peace process to IGAD in November, and is still waiting for IGAD's response. In late January, the IPF co-chairs (Italy and Norway) presented a demarche to the IGAD Chairman asking for IGAD's response to the assessment to be presented to IGAD. The implication of this was that serious progress is necessary if the IPF is to continue funding and supporting the IGAD Sudan Peace Secretariat. Specifically, the assessment had called for a summit of IGAD Heads of State focussing on Sudan, and the IPF co-chairs sought to know whether this was likely, and if so when. Given the current internal pre-occupations of the IGAD member states, it is unlikely that any such summit could be convened soon.

In addition to the political problems at the level of member states, the IGAD Sudan Peace Secretariat also faces its own internal difficulties. It has not been energetic and has lost much of the goodwill that it enjoyed a year ago. The Secretariat is still opposed to the idea of 'complicating' the negotiations by including the NDA. However, the IGAD Special Envoys are supportive of this idea.

Bilateral politics between each IGAD country and Sudan are taking over as the main driving force. Ethiopia is taking a more active line towards Sudan. Its considerations include:

1. Concern over the Islamist hue of the transitional government in Somalia, which has the enthusiastic backing of al Ittihad, the very same group that has sought to destabilise Ethiopia over the last few years, and whose presence in parts of Somalia close to the border with Ethiopia has sparked several Ethiopian military incursions since 1996.
2. Increasing cooperation over security and oil. Sudan is already a supplier of oil to Ethiopia and may be set to become a major strategic economic partner. This partnership is likely to be deepened by the discovery of oil in Gambela, adjacent to Upper Nile. The geology of this oil deposit means that it is easier and cheaper to exploit it from the Sudanese side of the border than the Ethiopian side. This provides a powerful economic incentive for closer cooperation.

Reflecting this, a high-level delegation including the Ethiopian Chief of Staff, Major General Tsadkan Gebre-Tensai, visited Khartoum in early February. Subsequently the countries have exchanged trade missions and there has been publicity given to an ambitious plan for a railway linking Port Sudan to the Ethiopian highlands.

Uganda is preoccupied with elections, which are revealing unexpectedly high levels of opposition to President Yoweri Museveni. The ruling National Resistance Movement appears to be split, leaving the President more vulnerable than ever before. There has been much criticism focussing on his engagement in the war in the Democratic Republic of Congo. Criticism of this military engagement also implies criticism of his alliance with the SPLA. Although Museveni has been making bellicose statements about the need for military action

against the Lord's Resistance Army and, if necessary, its Sudanese backers, these threats are not likely to carry much substance.

Kenya has fewer direct interests in Sudan. But President Moi is facing severe economic problems including a major drought in the northern part of the country. One of the major employers in northern Kenya is Operation Lifeline Sudan's operational base at Lokichokio. OLS is currently considering scaling back its presence in Loki and moving its base of operations to Rumbek in Bahr el Ghazal. This move would be unwelcome in Kenya.

The Eritrean government has played an important role in Sudanese affairs in recent years, both in terms of supporting the opposition and bringing them together, and more recently in trying to broker a peace agreement. Eritrean initiatives are handicapped by the highly centralised nature of the government and the weakness of governmental institutions, so that all initiatives rely on the efforts of a small number of over-committed individuals. Recently, Eritrea has been preoccupied with the conclusion of the peace agreement with Ethiopia and with internal political difficulties. Its aim of normalising relations with Khartoum remains intact, but both the Sudanese government and opposition are recognising Eritrea's limited and declining capacity for playing a role in the region.

In these circumstances, it might be expected that leading members of the IGAD Partners' Forum might have initiated their own peace process. This is in fact precisely what the Sudan Task Force at the Center for Strategic and International Studies (CSIS) in Washington D.C. has recommended to the incoming U.S. administration.

However, IGAD's own disarray is also matched by lack of unity of purpose among the IGAD Partners. The co-chairs of the IPF are Norway and Italy, while the other key members of the forum are the U.S., U.K., and Canada. Italy's involvement has been problematic for some of the other members. Italy is due to host the next IPF meeting, scheduled for late March following several postponements. But Italy has been widely criticised for focussing on procedural aspects of the meeting, especially by closely involving Egypt and inviting Libya, rather than dealing with the substantive issues. Canada's position is rather controversial, due to the involvement of Talisman. The U.S. Administration is still in the process of putting together its new team for Africa, while the British are preparing for an election which will probably fall in May. (While this does not affect basic policy, it means that ministers are unable to devote time and energy to Sudan.) There is still insufficient consensus on how to proceed, and insufficient high-level political commitment to Sudan among the IPF core countries for any alternative initiative to materialise immediately.

Conclusion

Those with long memories may recall a satirical article in the 1 April 1989 edition of *The Sudan Times* that described Hassan al Turabi being converted to charismatic Christianity. What April Fool can Sudan's satirists produce that will compete with the Geneva Memorandum of Understanding?

The repercussions of the SPLA-PNC MoU will only become clear over the coming months. Potentially, this could represent a step towards a comprehensive solution. However, the manner in which the SPLA reached the agreement, without consulting its existing Northern coalition partners, gives serious cause for concern about whether this is a strategic initiative or merely an example of opportunism. In the short term, it does not bring peace any closer. It is likely to contribute to a major realignment of political forces in Sudan, with unknown consequences.

Meanwhile, the political disarray in Khartoum continues, with the government remaining weak, potentially divided, and belligerent. The war continues. The modest

momentum towards a comprehensive peace agreement that existed in the second half of 2000 appears to have dissipated.

For the foreign friends of Sudan, interested in peace, the current situation has one major lesson. This is that moves towards peace should be initiated sooner rather than later, before confused and opportunistic alliances are created that will only complicate an already complex situation.