

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

SEPTEMBER 2000

Overview

To date, the month of September is living up to the anticipation that it would prove the crucial month for the prospects for peace in Sudan. The NDA Chairman, Mulana Mohamed Osman al Mirghani has confounded his detractors and has emerged as the pivotal figure in any possible peace agreement. The decision taken at the second NDA Congress in Massawa to challenge the Government on the peace process—i.e. to agree to meet with the Government and discuss a comprehensive peace—is also a challenge to IGAD and the LEI: if these initiatives do not produce tangible results very rapidly, then the Sudanese will go ahead with their own initiative themselves. This is the key step. The background to this is the lack of progress at IGAD and the LEI.

IGAD

The IGAD Peace Secretariat convenes a meeting of delegates from the Sudan Government and SPLM on 21 September. In the absence of the NDA, this is now fast becoming a charade. The IGAD meeting will be attended by a delegation from the IPF core group (Norway, Italy and the U.S.) which will afterwards make its assessment of whether IGAD has made sufficient progress to warrant continued support. Only a miracle can now achieve this outcome.

The critical blow to IGAD was its refusal to entertain the NDA (see August briefing). After failing to meet the IGAD Secretariat, the NDA Peace Secretariat mission to Nairobi was prolonged after urgent remedial efforts by IPF members, led by the U.S., to encourage the Kenyan government to reconsider NDA involvement in IGAD. The Sudan Government increased the stakes with a provocative statement from its Nairobi embassy, saying that Kenyan meeting with the NDA would be considered tantamount to an act of aggression.

Efforts to bring the NDA and IGAD together proved fruitless and the NDA Peace Secretariat delegation left disappointed.

The IGAD meeting scheduled for 3 September was postponed until 21 September. It will follow the same format as before. However, aware that this is the last chance, the Special Envoy Ambassador Mboya has been actively preparing position papers in an attempt to pin the parties down on commitments to specifics.

The best outcome from IGAD is of course an agreement. Failing that, the moment has come for IGAD to admit its failure and lend its support to a replacement initiative, as envisaged by the NDA resolution on peace (see below). The worst outcome would be for IGAD to remain

alive, making just enough progress to encourage the parties and the IPF to continue backing it. This would make it very difficult for the NDA's initiative to proceed.

LEI

The LEI is also in crisis: its stratagem of a quick fix has not paid off. However, it still remains the most likely contender to achieve a (semi-)agreement because if the alternatives fail, Egypt and Libya have enough leverage, and there is enough common interest among the Northern parties, to make it work.

The Libyan role in the LEI seems to be fading. Initially, the Libyan role was prominent because the initiative owed much to Sadiq el Mahdi, who has close ties with Libya. Subsequently, Egypt has emerged as the most important factor by far. The Libyan leader's unpredictability and readiness to make blunt and undiplomatic statements has diminished his role. The Libyan invitation to the NDA to come to Tripoli, originally for late July, has been postponed indefinitely and may now not take place at all. This reduces the external backing enjoyed by the Umma Party, which as a consequence has to be more proactive in developing its internal role.

Visiting Khartoum on 21 August, Ali el Tariki, who heads the Africa policy for the Libyan government, made his strongest statement yet in opposition to self-determination for Southern Sudan. He claimed that this could lead to 'unsurmountable chaos' in the region. This statement was particularly disappointing for Southern Sudanese parties in Khartoum, which had hoped that the Libyans might adopt a more flexible approach on self-determination than Egypt.

The Egyptian strategy has been based on strenuous attempts to achieve a meeting between Mulana al Mirghani and President Bashir, either in Cairo or Jeddah. In late August, Mulana made a sudden trip to Saudi Arabia, staying for a week, and just hours after his departure for Asmara, President Bashir made a stopover in Jeddah before flying on to New York. Whatever occurred, there was no meeting, and Egypt was disappointed. Cairo appears to have underestimated the skill and determination of the NDA Chairman (in common with others, who have often written him off).

The Massawa resolutions of the NDA are a blow for the LEI. The NDA could have passed resolutions setting up the structures for engagement with the LEI, but did not do so, despite visible pressure from Egyptian and Libyan delegates in Massawa.

Ironically, the LEI's best hope now lies in a continuation of IGAD. If the IGAD process remains alive, following its existing formula, then the door is once again open for Egypt to reassert its influence.

The NDA Congress

The NDA held its Second Congress in Massawa, Eritrea, between 9 and 13 September. The key issues for discussion were:

1. The NDA's approach to peace negotiations.
2. The position of the Umma Party.
3. Internal organisational.

In common with recent meetings of the NDA Executive, there was strong representation from Khartoum.

The NDA's Position on Peace

The Congress produced a strong resolution on peace. This was strongly influenced by the delegation of the NDA from Khartoum, which came with the message, 'enough is enough'. The Congress was still strongly suspicious of the Government's intentions. However it resolved to test the Government by agreeing to meet. This is a very important step. In the recent past, opposition to such a step from the SPLM, Communists and SAF would have been sufficient to prevent this. The decision to 'give peace a chance' reflects a shift within the SPLM, pressure from the internal NDA, active lobbying and preparatory work by the smaller NDA parties and perhaps most importantly, stronger leadership from the NDA Chairman.

The NDA's resolution on peace commits it to the following:

1. NDA Chairman Mulana al Mirghani and President Omer al Bashir should meet very soon, without further preconditions.
2. Subsequently the two Peace Secretariats (the NDA one to be upgraded) should meet to prepare for a comprehensive settlement conference.
3. The IGAD Declaration of Principles, the Asmara Declaration of June 1995 and the Tripoli Declaration shall be the basis for a comprehensive settlement. (A proposal to clarify the articles of the Asmara concerning the Nuba Mountains and Southern Blue Nile, specifying the options in the referenda for these areas, was debated and referred to the NDA Leadership Council for wider consultation and a decision.)

This is a remarkable step forward which may lead rapidly towards a framework for the resolution of the major conflict if the Government responds positively. There are reasons why Bashir may see it in his interest to react rapidly (see below).

How does this relate to the existing IGAD and LEI peace processes?

1. IGAD: the Congress did not formally reject IGAD. But the rebuff given to the NDA by IGAD in August was felt strongly, and the meeting's bitterness was evident. The subtext of the resolution is indeed a rejection of IGAD. The SPLM argued in favour of the continuation of IGAD, and NDA members appreciated the SPLM's need for continuing good relations with Kenya, but the consensus—with the agreement of the SPLM—did not support any mention in favour of IGAD.
2. LEI: Mulana al Mirghani has been under extremely severe pressure to meet with President Bashir under Egyptian auspices. He managed—just—to escape succumbing to this pressure in the first week of September. As with IGAD, the Congress did not explicitly reject the LEI, but there was also deep disappointment and frustration expressed.

In short, the NDA was expressing its frustration with the failure of both initiatives to deliver any tangible progress or even the prospect of a formula for a comprehensive settlement.

The resolution implicitly asks for a third, alternative forum in which a comprehensive settlement may be sought. The question of who convenes this third forum is left open.

The resolution marks an important strengthening of the position of Mulana al Mirghani. Within the NDA, Mulana's position has relied on close links with the SPLM and the Communist Party. The DUP-SPLM alliance has been the backbone of the NDA. Without this, the military presence of the SPLA in Eastern Sudan would have been a political impossibility. Equally importantly, it has ensured that the DUP will not follow the Umma Party in leaving the NDA and negotiating separately with Khartoum. Meanwhile, the NDA Chairman has also used the organisational capacities of the Communists to ensure that the NDA has a functioning secretariat.

Mulana al Mirghani's greatest weakness has been the apparent incompatibility of his key allies—Egypt and the SPLA. But he has succeeded in turning this into an asset. It is only by a strategy that holds out the prospect of satisfying both, to a degree, that Mulana can keep intact his ambition of a leadership position in Sudan. It is becoming evident that Mulana's detractors have seriously underestimated him.

The relationship between Mulana al Mirghani and Dr John Garang (and hence the DUP-SPLA relationship) has significantly changed in recent months. Since the withdrawal of the Umma Party, the SPLA has become increasingly reliant on the DUP as its strategic Northern ally. The Umma Party's flirtation with (or seduction by) Khartoum has pressured the DUP to follow suit. As mentioned, Egyptian pressure has been intense. The internal constituency of the DUP is very strongly in favour of a peaceful settlement, soon. Whereas a year ago, the DUP was the SPLA's suitor, the relationship is now reversed. Garang knows that Mulana can make a separate deal with Bashir, and will do so if it is ultimately necessary. Meanwhile, Mulana has been personally strengthened by the way in which he has successfully made his way through this minefield. His personal confidence is much increased, and he appears much more ready to resist pressure from Cairo for a quick, unsatisfactory settlement.

Position of the Umma Party

When the Umma Party suspended its membership of the external NDA, it did so only until the Congress. The Umma was therefore keen to attend. No formal invitation was issued, and when a formal request was received from the Umma, it was very late and incorrectly addressed. Within the Umma, opinions were sharply divided. A substantial section, represented by (among others) Abdel Rahman Nugudalla, who also serves as Chair of the NDA in Khartoum, was strongly in favour of the Umma being readmitted to the NDA.

Unfortunately the Umma position was mis-handled by all sides, and the Umma delegation walked out of the Congress. In effect, Abdel Rahman Nugudalla therefore resigned his position as Chairman of the internal NDA. On his return to Khartoum, Nugudalla held a press conference in which he stated that the Umma had withdrawn from the NDA, but he re-stated his commitment to the NDA Charter and said he would not join a dictatorial government.

The final departure of the Umma leaves the party in disarray and without a clear ally. It is likely that before long the Umma leadership will make some alliance with one of the major blocs in Khartoum, that is, either Bashir or Turabi. Sadiq el Mahdi was scheduled to meet with Hassan al Turabi in Qatar in mid-September: as of the 18th the meeting has not yet taken place.

Internal Organisation

The Congress was a chance for the NDA to rejuvenate itself. Mulana al Mirghani was re-appointed as Chairman by the Congress. A Leadership Council meeting convened immediately afterwards (still in session on 18th) is allocating the positions. The active involvement of the SPLM in making appointments is a notable aspect to this meeting.

The Warfront

In the last few months, the SPLA has succeeded in making important gains in Bahr el Ghazal and Upper Nile. This is a setback to the Government. However, Government forces did succeed in recapturing the small town of Meban (a.k.a. Bunj) on the Upper Nile/Blue Nile border. It is equally clear that the only possibility for serious military gains by the opposition, that will truly threaten the Government, lies in Eastern Sudan.

Since June, the NDA forces on the eastern front have been substantially reorganised. The previous Joint Military Command, that included all forces, has been dismantled. The SPLA forces were reinforced and received heavy weapons previously used by the joint forces. Senior SPLA leaders openly stated that they considered their strategic allies within the NDA to be the DUP and the Communists, thereby brushing off their other potential allies, the SDFA, SAF and Beja Congress.

By mid-August it was becoming increasingly evident that the SPLA leadership was considering mounting a major military operation in eastern Sudan, with the intent of bringing down the government and if possible occupying Khartoum by force. This is reported to have generated debate within the SPLA. At the SPLA High Command meeting in late August, one group within the SPLA leadership argued for an offensive in the East, while others argued that the SPLA's home is in the South, and that the forces now in Eritrea should be recalled to the South, and strike a blow in the oil fields.

A major offensive in the East would require full backing from Eritrea. During the last month, Khartoum has been increasing the pressure on Eritrea. In August, Sadiq el Mahdi, visiting Eritrea, was asked by the Sudan government to mediate with its Eritrean counterparts. Undoubtedly the Libyans and Egyptians also exerted pressure on Eritrea to restrain military activities in Eastern Sudan. Ali Tariki was in Asmara for the summit of the Sahara-Sahel group of countries on 19-20 August.

Whether because of this pressure or for other reasons, by September the Eritrean Government was sounding decidedly more pacific in its relations towards Sudan.

If an offensive in the East had truly been on the cards, it would have made sense to launch this before the NDA Congress, so that the SPLM Chairman could have attended the Congress with a major military victory under his belt. As nothing has happened to date, it now seems very unlikely that it will in the near future.

Developments in Khartoum

President Bashir's troubles have not dissipated. Keeping the lid on the different, contradictory and fissiparous tendencies has not proved easy. Battlefield setbacks in Bahr el Ghazal and Upper

Nile are an embarrassment. Senior officials such as the Governor of Khartoum appear to have the ability to make policy unilaterally and with impunity—the Governor’s edict introducing new and very strict restrictions on women in the workplace and public spaces has proved a public relations disaster at the moment when the Government needed it least.

More seriously, Hassan al Turabi remains able to mobilise and threaten the government. Following protests in Kosti, el Obeid, el Fasher and Port Sudan, there have been arrests of Turabi’s followers. An interesting element in these demonstrations has been that many protesters have been objecting to recruitment for the army. This implies, first, that war-weariness is reaching a critical mass in the North, and second, that Turabi’s declaration that the war is no longer a *jihad*, is having some impact. (Turabi has derisively referred to ‘an oil *jihad*’ and has mobilised his constituency against recruitment.)

Bashir has had severe difficulties in putting together his internal coalition. The strategy of bringing in the opposition one by one is not working at the moment. The Preparatory Conference for the Sudanese-Sudanese Initiative, scheduled to convene on 21 August, has been postponed with no date set for resumption. The reason for the postponement was the Government’s disappointment at the refusal of the DUP and USAP to join the Conference. There is considerable and growing disarray among the political forces in Khartoum.

In this context it is very probable that Bashir will respond positively to any invitation to meet with the NDA Chairman.

The ‘American Initiative’

In early 2000, as part of its policy of supporting the NDA, the U.S. Government indicated that it was inviting the NDA to a conference in Washington D.C. No firm date for this meeting has ever been fixed: there were early hints that it would be February, then later in the spring, and more recently late September. The official position of the U.S. Government is that this invitation still holds and that any reference to an ‘American initiative’ for peace in Sudan refers solely to this.

In fact, the U.S. Government has been floating ideas for a ‘Dayton’ or ‘Camp David’ type of negotiation forum for some time. At the IPF meeting in Oslo in June, at which a deadline of mid-September was put on IGAD for it to make substantial progress, there was an unspoken alternative: if IGAD fails, the U.S. will step in and call the parties together for precisely this kind of meeting.

In August, the possibility of this approach appears to have been shared with some leading players in Sudan. However, the idea was broached only in a preliminary manner. News of these contacts were leaked to the press by either the Sudan Government or Sadiq el Mahdi, and the Khartoum and Cairo newspapers were filled with inflated and ill-informed speculation about U.S. master-plots to divide Sudan, etc. When these stories broke, most of the key players were genuinely confused about what was going on, giving rise to contradictory statements either welcoming the U.S. involvement, distancing themselves, or professing ignorance.

The likelihood of a high-level U.S. initiative seems remote. In the two months before the presidential election, and with Egypt playing a key role in keeping the Middle East peace process alive, any U.S. initiative that might upset Egypt and which would have a very uncertain chance of success is very improbable. In addition, U.S. diplomatic efforts have been focussed on trying to block Sudan getting a seat at the UN Security Council, and on halting bombing raids in Southern Sudan, and, despite its superpower status, America’s diplomatic resources are rather

limited when it comes to dealing with a country such as Sudan. The U.S. Government has simply been unable to focus its efforts on Sudan in a way that would enable it to manage the complexities and sensitivities of the situation and engage effectively.

There is an important positive development from these events. All parties—the Sudan Government, the NDA and the Umma Party—have all publicly recognised that the U.S. can play a constructive role in making peace. Amid the anti-U.S. statements from Khartoum, this crucial element, acknowledging that the U.S. is indispensable, should not be overlooked.

Assessing IGAD

With the wider momentum towards peace in a high gear, IGAD has the opportunity to play an important role.

IGAD's rebuff to the NDA was a very serious and potentially fatal setback. If IGAD is still to seek a comprehensive peace deal, it must re-invite the NDA to participate. However, even a formal invitation from the IGAD Chairman may now be too late.

Should IGAD remain a GoS-SPLM forum, which is most likely, then IGAD cannot hope to achieve a peace deal. However, it can contribute towards a peace deal that may be consummated elsewhere. IGAD can do this by playing to its strengths, namely:

1. The Declaration of Principles, which does provide the outline for a comprehensive agreement;
2. Its engagement with the substantive issues of the conflict, including self-determination, interim arrangements, religion and the state, and wealth-sharing.

An approach for IGAD is therefore to adopt the DoP as an agenda, and try to move the parties towards agreement on a range of substantive issues arising from this agenda. Agreements reached in this forum can form a foundation for subsequent progress towards a comprehensive deal.

The NDA Massawa resolutions provide an opening to refocus on the peace process, to re-evaluate existing peace processes. The evaluation of IGAD following the September meeting will be a crucial opportunity for this. This update will make its own full assessment in the October briefing.