

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

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Overview

1. Talks have resumed in Naivasha, for what should be the final round of substantive discussions. The hope is that a framework agreement will be signed by the middle of March, covering the three areas and power sharing, leaving the technicalities of implementation (especially the security arrangements) as the sole outstanding issue before a final agreement can come into effect.
2. The war in Darfur has gone through another escalation, with a major GoS offensive, which provided Khartoum with the opportunity to 'declare victory', although the rebels can readily rebound from their setback. The politics of the Darfur war remain fluid, with different opportunities for renewed negotiation opening up: one at an 'all-inclusive conference' in Khartoum announced by President Bashir, and the other through the NDA dialogue with the GoS, following the SLA's successful application to join the NDA. There are also glimmerings of international mediation.
3. For President Omer al Bashir and Vice President Ali Osman Mohamed Taha, the importance of neutralising the threat posed by Dr. Hassan al Turabi and his Popular Congress Party (PCP) cannot be underestimated. Much of their strategy is still driven by their imperative of neutralising their erstwhile Islamist brethren. For this to work, the GoS and National Congress Party are seeking to embody the historically centrist trend in Sudanese politics: beyond remaining in power, their agenda is to retain a centralised unitary state as much as possible. They possess a visceral revulsion against ceding autonomous powers to regions within the North, such as the Nuba Mountains, South Blue Nile, Darfur and the Beja region in the east.

Darfur

4. In late January, the GoS launched a major ground and aerial offensive in Darfur, as a result of which President Bashir felt able to declare that the armed forces had 'restored law and order' and 'established control in all theatres'. Undoubtedly, government forces did reoccupy certain areas and the SLA and JEM suffered military setbacks. The offensive was in part a show of force, aimed at demoralising the rebels and demonstrating military power to the civilian population (and, indirectly, to the international community). It has had the desired effect of demonstrating the GoS preference for a military solution, a position on which most of the leadership in Khartoum seems to concur. But at the time of writing, this looks like only

a tactical setback for the SLA: whether it turns into a strategic victory for the GoS depends upon the political follow-up.

5. The immediate aim of the GoS is to have a militarily supreme position by the time the Naivasha negotiations on security arrangements begin in mid-March. If the Darfur war continues thereafter, it will have an incentive for the speedy implementation of the relocation of the 90,000 GoS troops from Southern Sudan to the North, so that they can be redeployed in Darfur.

6. Following its declaration of victory, on 9 February, President Bashir announced that he would convene an 'all-inclusive conference on development, peace and coexistence in Darfur'. He went so far as to say that even those covered by the amnesty proclamation (by definition 'criminals') could attend and present their political demands. This announcement needs to be decoded. First, it is clearly an attempt to define the Darfur conflict as an internal problem, and thereby head off any international mediation attempts. Earlier, the GoS had rejected a round-table conference sponsored by the Centre for Humanitarian Dialogue in Geneva, after all the Darfur parties had accepted. The GoS also brushed aside suggestions from the U.S. that a formula similar to that proposed for the Nuba Mountains and South Blue Nile could be appropriate for Darfur. Second, the conference is to take place in Khartoum, effectively ruling out opposition members outside the country. It is an attempt to split the SLA and JEM off from their internal sympathisers (a group which includes many Darfurian citizens and leaders in Khartoum as well as Darfur itself). It would also expose the internal sympathisers with the rebellion. (Because almost all Darfurians are sympathisers, it will be difficult for the GoS to find individuals with the appropriate stature to attend.) Third, the 'amnesty' provision allows the GoS to define whom it will talk to, both as individuals and as political parties. The palace said it would guarantee the safety of representatives of armed groups—but this begs the question of what such guarantees mean, and whether SLA or JEM leaders would be persuaded. The GoS strategy here is primarily aimed at excluding the JEM, which it fears is a Trojan Horse for Turabi's PCP to re-enter government. The nominated Chairman of the conference is Izz el Din al Sayed, who is from Dongola.

7. Unsurprisingly, the SLA has rejected Bashir's offer, instead suggesting that the conference should be held in Jebel Marra in Darfur. The GoS rejected this counter-proposal and insisted on Khartoum as the venue. Certainly, Khartoum Darfur conference is a charm and failure before it takes off. It is the regime's old tactics of divide and rule and containment, another version of the 'peace from within' strategy tried in the South in the 1990s.

8. The SLA is still seeking a consensus, internally and with its allies in Darfur, on a political strategy and a minimum negotiating stand. Most of the SLA leadership has relatively little national political experience, and at present there is no mechanism for dialogue between the different Darfur parties to identify their commonalities. While most are fighting for the region, others see the opportunity of seizing power in Khartoum. (There are historic precedents for this: Darfurian armies reached up to Shendi in the early 19th century and the Darfurian Khalifa Abdullahi el Ta'aishi ruled Sudan from 1886-98) If the SLA and JEM are to be in a position to negotiate an end to the current conflict, they must quickly reach a common political position.

9. The SLA made a smart political move in applying for admission to the NDA. The SLA application was accepted by the NDA at the Leadership Council meeting in Asmara on 13

February. Although the NDA has neither political nor military clout (and the recent meeting was the first for eight months), it remains as a negotiating forum whereby power sharing in the North can be accomplished (see below). The entry of the SLA into the NDA opens the possibility of the Darfurians using the NDA as a vehicle for negotiating a fair representation in central government. It also opens the possibility of the SLA laying down its minimum conditions for a political agreement, in conjunction with other parties such as the Sudan Federal Democratic Party, headed by Ahmed Diraige, former governor of Darfur and a respected elder.

10. The SLA entry into the NDA was not unanimously supported. The NDA Chairman, Mohamed Osman al Mirghani, reportedly opposed the application on the grounds that the NDA is committed to peace, but the SLA is fighting a war. However, there is no formal ceasefire between the NDA forces in eastern Sudan (notably the Beja Congress) and the GoS, let alone security arrangements. So the counter-argument was that it is premature to dismiss an applicant because it is still engaged in armed struggle, and, on the contrary, the presence of the SLA will help the NDA gain an advantageous ceasefire agreement. Another consideration informing the Chairman's position is the pro-centralist stand of the DUP, which is averse to powerful regional/ethnic blocs in the country.

11. The JEM has not applied to join the NDA, which opens the scenario of a split between the SLA and JEM in political strategy, but at the same time makes it more likely that the GoS will be ready to talk to the NDA over Darfur. The SLA move throws down a political challenge to the JEM and indirectly to the PCP. If the JEM joins the NDA, it will need to decide whether it does so independently of the PCP, thus becoming part of a Darfur bloc, or whether it links its application to the long time rumoured application of the PCP to the NDA.

12. The Darfur agenda in the NDA has thus far been the preserve of the SFDA, and its two prominent leaders, Ahmed Diraige and Sharif Harir. SLA admission into the NDA will certainly strengthen the Darfur agenda. However, doubts remain of NDA's collective determination to negotiate a fair deal that meet the aspiration of the people of Darfur. The SPLA/M leadership in this regard will be crucial.

13. There has been much speculation that the common Zaghawa ethnicity shared by many of the Darfur rebels and the Chadian President, Idris Deby, means that the insurrection has the support of Chad. The evidence does not seem to support this. While individual Chadian officers may be supporting the rebels (either fighting in their ranks or facilitating logistical access via Chadian territory), and many Chadian Zaghawa leaders and businessmen sympathise with or support the SLA and JEM, the interests of the Chadian government do not lie with a war in Darfur. No Chadian government in recent decades has been safe while there is instability on its northern or eastern borders, and Sudan would not have much difficulty in supporting anti-Deby forces based in Darfur. In the Abeche negotiations late last year, the Chadian intermediaries clearly favoured the GoS position. Recent reports indicate that Chadian troops supported the GoS operations in Darfur. Last year, President Deby also emphasised his independence from the Zaghawa coterie that has long been his power base, and his common interests with the GoS, by executing a prominent Zaghawa convicted of conspiring to kill a Sudanese MP. While Chad theoretically remains on hand as an external mediator, in practice its role is sufficiently compromised that it cannot be considered a credible peacemaker.

14. Two avenues for negotiation are therefore open. One is President Bashir's 'all-inclusive conference.' If this goes ahead quickly, it will almost certainly become simply a means of co-opting some Darfurians, and laying the basis for a renewed search for a military solution, along the lines of the 'peace from within' strategy in the South in the 1990s. Wisdom in the GoS, external pressure, and a united front among Darfurian leaders can prevent this. The second avenue is through the NDA-GoS negotiations expected to resume in late March. This is theoretically a good option, as it would provide the Darfurian fronts with the opportunity of presenting a strong and well-supported case. Unfortunately, the NDA leadership record on proactive political initiatives is rather weak, NDA processes are very slow, the JEM is not part of the NDA, and the SLA negotiating position has yet to be developed. Neither of these avenues is therefore sufficient.

15. On the other hand the SLA admission into the NDA may abort the Jeddah agreement between the NDA Chairman and the GoS Vice President. The GoS interest (especially that of Ali Osman) has been to negotiate with the DUP in preference to the NDA. Consistently, the GoS targeted Mohamed Osman el Mirghani for dialogue and homecoming. The DUP leadership has been so far under tremendous pressure to make a deal with the GoS. The GoS and SPLA/M signing a peace agreement will add more pressure on the DUP leadership in exile to return home. This will need a deal. There is a great possibility therefore that the GoS may abandon negotiations with the NDA as a block and concentrate on bilateral agreement with the DUP leader as an individual.

16. The SLA would be well advised to utilise the NDA as one channel for negotiation, while keeping open the option of a second channel directly with the GoS under international mediation. This is precisely what the SPLA did: retaining its membership of the NDA while also seeking a solution through IGAD.

17. It is possible that international mediation will be required to resolve the Darfur war. The French Foreign Minister has visited Chad and Sudan and there have been hints at mediation role, possibly involving the European Union. This seems a doubtful prospect at the present time. The timing is not auspicious. The GoS will want to delay any mediation, at least until after the completion of the Naivasha process, while the SLA and JEM have much political work to do. The mediators themselves would need to coordinate their efforts with the IGAD process. This implies a continued conflict and suffering into the summer.

18. A protracted conflict in turn entails the Darfurian farmers missing the coming growing season (they need to be home on their farms by May-June). If farmers are away from their farms for the rainy season, they also risk losing their land to others. A humanitarian ceasefire and safe passage for villagers to return home to cultivate should be the minimum position of the international community. The GoS has recently announced the beginning of repatriation from Chad. It is important that all repatriation is strictly voluntary. It is also important that food assistance be provided to villages, rather than mainly to displaced camps, so that it does not become a mechanism for materially supporting the government allied-militia policy of forced displacement.

19. The human rights situation in Darfur is extremely serious, with many reports of extra-judicial executions by the army and militia, and the widespread arrest of community leaders and intellectuals. This warrants continuous focus and monitoring.

Naivasha: The Three Areas

20. The negotiation over the three areas (Abyei, the Nuba Mountains and Southern Blue Nile) remains a desperately difficult issue. The GoS hoped that its strategy of pushing this issue to the last phase of the talks would mean that there was strong pressure on the SPLA to settle on disadvantageous terms. But the SPLA is negotiating very hard. One reason for this is that it is feeling the pressure from its own members from the three areas, who were concerned at indications that the SPLA leadership might be ready to settle for less than what they had hoped. Another reason is that the SPLA feels that the pressure is now on Khartoum, because of the war in Darfur and associated international condemnation.

21. The parties appear to be close to a compromise over the Nuba Mountains and Blue Nile, whereby these areas enjoy autonomy under the Presidency, with a review of their status after four years but Abyei remain the main sticking point.

22. The GoS anxieties over the three areas are deepened by the war in Darfur and its fear that they may be compelled to accept a deal for all the marginalised areas (potentially including the Beja as well) that is close to recognising the right of self-determination for all minorities in Sudan. In the eyes of leading Khartoum politicians, this is tantamount to accepting the dismemberment of Sudan as a country. The riverain elites that have ruled Sudan since independence are in fact facing the consequences of a well-entrenched set of policies that have promoted gross inequalities of wealth and power in the country (perhaps 50% of Sudan's financial wealth is concentrated in Khartoum alone). Khartoum—as a city and an elite—needs to make a strategic accommodation with the aspirations of all Sudan's diverse regions, if the country is to remain intact. However, the GoS complaint that its sovereignty and territorial integrity are being undermined by the SPLA position on the three areas strikes a chord with other African governments and also some international mediators.

The South

23. Southern Sudan is in grip of apprehension awaiting the outcome of the peace talks in Naivasha. The prolonged peace talks are creating uneasiness among many Southern Sudanese, who are still not well-informed about the details of the negotiating process and what has been agreed to date. Months of high expectations are gradually being replaced by creeping suspicions of GoS good faith in the peace process.

24. Power sharing within the South, the system of rule, internal security arrangements for the South and other Southern Sudanese specialised concerns appear to be a frozen agenda. This is unfortunate. Southern Sudan should be witnessing professional, political, communities and civil society activities, focusing especially on technically informed policies to address the many challenges of the coming interim period. These Southern Sudan issues are still awaiting the SPLA's agenda of priorities.

The NDA and Power Sharing

25. The NDA narrowly avoided oblivion. The Jeddah Agreement between its Chairman, Mulana Mohamed Osman al Mirghani, and GoS Vice President Ali Osman Mohamed Taha, was not readily accepted by many of the parties within the NDA. This disagreement nearly

broke the NDA. However, at the February Leadership Council meeting in Asmara, the NDA agreed to the broad principle of the Jeddah Agreement, namely power-sharing among the largely Northern parties, but substantially revised the content. The key to this success was John Garang's insistence that despite the SPLA negotiating directly with the GoS in Naivasha, it still remains part of the NDA and will be part of any future negotiations on power-sharing in the North. New negotiating committees were established for a planned round of talks to begin, as soon as agreement has been reached between the GoS and SPLA in March.

26. At the Asmara Leadership Council meeting, the NDA requested representation in the power-sharing discussions in Naivasha. The SPLA will forward this request, which is likely to be rejected by the GoS.

27. The NDA is widely dismissed as irrelevant, with no military clout and little political cohesion. Why should the GoS agree to negotiations with the NDA in addition to its talks at Naivasha? There are two main reasons for this. One is that the entry of the DUP into government will strengthen its own power base. The second is that the SPLA still remains as part of the NDA, and will be in a position to insist on the completion of power-sharing negotiations with the NDA as a prerequisite for it joining the government, subsequent to an agreement at Naivasha. However, as mentioned above, the entry of the SLA into the NDA and the likely result that the NDA will negotiate hard for strong representation from Darfur in a future government, mean that the GoS may reconsider this approach.

The Region

28. The Ethio-Eritrean conflict is in a 'no war-no peace' status, an armed stand-off rather than a peace. While there are no indications that either party either wishes to restart the war, or is mobilising in case the war re-ignites, the situation remains volatile. Most immediately, both sides are destabilising the other. The Eritrean government is supporting insurgents in Ethiopia (the OLF is based in Asmara), while the Ethiopians are supporting the armed Eritrean opposition. There is an axis between Addis Ababa, Khartoum and Sanaa aimed at containing Asmara. The Eritrean opposition is based in both Ethiopia and Sudan: while the Ethiopian government seeks to control its activities closely, while Sudan gives them a freer hand.

29. The Eritrean government is clearly opposed to the Sudan peace process. Its capacity for destabilising eastern Sudan is limited by the fact that the great majority of Sudanese forces in Eritrea are SPLA, and by the fact that the African Union still has a brief for investigating the late-2002 incursions into Sudanese territory from Eritrea.

30. A serious ethnic conflict has erupted in the Gambela region of Ethiopia, adjoining Upper Nile. Very serious allegations including Ethiopian complicity in mass killing Anuaks have been circulating. The Ethiopian government version is that the troubles began in December with an ambush on government vehicles, which killed eight government officials. This, claims Addis Ababa, appeared to be the work of trained guerrillas, and which necessitated an army response. What is clear is that the ambush was followed by ethnic violence in the regional capital Gambela town, in which a number of Anuak regional government officials were killed. It appears that the President of the region, an Anuak, fled to Sudan, though no good explanation has been provided for this. Critics claim that there is a government plan to

destroy the power of the Anuak in the region (though what the motivation for this might be, remains unclear). It is likely that one of the underlying causes of the conflict is dispute over land, specifically the encroachment of settlers from the Ethiopian highlands, including groups that were resettled in the vicinity by the previous Ethiopian government in the 1980s. In any event, the conflict has led to an inflow of refugees into Sudan. It demands urgent attention to understand the causes of the fighting, and to restore peace and stability.

31. The insurgency of the Lord's Resistance Army remains a very serious threat in northern Uganda. This is clearly demonstrated by the attack on refugee and IDPs camp killing more than 192 persons. Most victims are Acholi leading to accusations that the Ugandan army is not keen to protect the people from northern Uganda. After more than sixteen years of continuous war in this area, and despite the agreements between Kampala and Khartoum, this insurgency continues apparently without respite. While it will be essential for the political roots of this conflict to be addressed internally within Uganda, the LRA remains an important element in the Sudan peace formula.

Conclusions

32. The Darfur war is escalating. But it is not quite beyond political control. Both the GoS and the SLA have taken political initiatives that indicate a readiness to negotiate, though both their steps—the GoS 'all-inclusive conference' and the SLA joining the NDA—are well short of a framework for a solution. It is evident that international mediation will be required. It may well be that the internal political processes of both the GoS and the Darfur rebels require time: each side needs to reach an internal consensus on a serious negotiating position. This time should not be bought at the expense of the humanitarian needs of the people of Darfur.

33. The regional and international community should continue exerting more pressure on the Sudanese negotiating parties (the GoS and the SPLA/M) to make the current round of talks in Naivasha really the 'final' round. Sudan has been a country of missed opportunities and there are indications that the momentum for peace is slipping away. The assurances that the Sudan peace process being irreversible should not be taken for granted. If the current peace process collapses, the implications would be truly terrible to contemplate. In the worst case, the international community might find itself spectators to mass killing.