

Sudan: Analysis and Prospects

December 2005

Overview

1. The current round of Darfur peace talks in Abuja is crucial. With the SLA divisions currently patched up, the main challenge is for the GNU to take a properly unified position. This requires high-level SPLM leadership, which is currently lacking.
2. Abuja 7 can make significant progress but cannot secure a comprehensive settlement. The manner of its conclusion determines the possibilities for next steps. Options for an additional round in Abuja or transfer to an All-Darfur Conference need to be explored before the talks conclude.
3. The Darfur situation is paralyzing the implementation of the CPA. It is minimizing the peace dividend and standing in the way of progress in democratization and stabilization.
4. Major dangers to the CPA lie across Sudan's borders, in Chad, Libya, Ethiopia and Eritrea.

The SLM

5. The SLM has been cursed in its two leaders. In recent months the main problem has been Minni Minawi and his ambition to take over the movement, but Abdel Wahid Nur can be relied upon to squander every opportunity for leadership that comes his way. But the two appear at last to have responded to intensive pressure and shown some seriousness about negotiating. The message that they are losing international sympathy appears to have been heard.
6. Minawi's decisiveness appeared to commend him as a potential strongman for Darfur, someone with whom it would be possible to strike a deal. That assessment has turned out to be mistaken. Minawi's political-military style is divisive and his leadership capability is limited. Minawi's ambition to seize the leadership the SLM misfired. The Haskanita Conference had limited legitimacy and Minawi blew the political capital he acquired there. His mis-handling of the Nairobi meeting on November 8-9 cost him both internal and external support. His delegates to Nairobi were angered by the fact that he had not prepared them for what they would meet, while his authoritarian style alienated internationals who had been prepared to give him the benefit of the doubt. Most seriously, Minawi's arrests of dissident commanders weakened his support and his November 22 military assault on Abdel Wahid's Jebel Marra base was repulsed with losses. Minawi's main miscalculation was to use the Haskanita Conference as a pretext for moving to eliminate his critics rather than accommodating them. As journalists become aware of his human rights record, it is only a matter of time before he gains a very poor public profile.
7. Abdel Wahid continues to play his cards very badly. He is the natural rallying point for those disaffected with Minawi, but he repeatedly confounds his would-be allies by his erratic and

authoritarian style. His proposal for a formal split of the SLA into two factions angered the majority of SLA members and commanders who believe that, if both leaders' personal ambitions are kept under control, the SLA would have no difficulty reuniting.

8. The fact that Minawi and Abdel Wahid were obliged to meet in the Government-controlled city of el Fasher, because they could not agree on an alternative location, was a humiliation for them both. The Government press has exulted over this. The NCP's preferred option is for the peace negotiations to be transferred to Sudanese territory (Khartoum or el Fasher) and this meeting serves as ample justification for their claims. Should the U.S. and AU decide that the next step in the peace process is the transfer of the process to an all-Darfur conference to be held in a Darfurian city such as el Fasher, the precedent has been set.

The GNU on Darfur

9. The GNU has failed to make progress towards a united position on Darfur. A National Committee on Darfur has been established that includes the NCP and SPLM but it has not resolved the differences within the GNU. The Government delegation to Abuja is headed by Majzoub al Khalifa, as before, with only middle-ranking SPLM representation (Yassir Arman). It does not include any other parties represented in the GNU.

10. The NCP is continuing business as usual. It anticipates that the SLM disarray will mean that it can escape censure at the Khartoum summit of the AU in January. It is fearful of bad publicity at the time of the Summit but expects to be able to handle the political fall-out, especially if a decision is made quietly in advance to keep the Nigerian Presidency of the AU, thus avoiding the embarrassment of a debate on the topic at the Summit. It is more fearful of the peacekeeping operation being re-hatted and possibly the peace process itself being handed over to the UN.

11. The NCP's major concern is its All-Darfur Conference. Senior NCP leaders appear to believe that the designated participants in this conference are genuinely more representative of Darfur than the SLA, that it represents a solution rather than a diversion, and that it can supplant Abuja. It is a characteristic denial of the seriousness of the situation. The NCP is having some success in co-opting other Northern political forces into this strategy, including the Umma Party (which has historically had strong representation in Darfur) and the Popular Congress Party (of Hassan al Turabi). These groups concur that the problem of Darfur should be settled internally in Sudan without international engagement. But the majority of Darfurian opinion is against this approach. However, if mainstream Darfurian leaders become more and more frustrated with the SLM, they will begin to jump ship and join the All-Darfur Conference. Public opinion in Khartoum and the South is also swinging away from sympathizing with Darfur. The NCP has opened a line of communication to JEM. If this conference goes ahead it will complicate the politics of peace in Darfur: Khartoum should be encouraged to postpone it.

12. The NCP has recently broadened the participation in its All-Darfur Conference to include some of its critics, but it needs to do far, far more if the conference is to gain credibility. It may be open to persuasion to delay the conference until it has an imprimatur of legitimacy from an agreement at Abuja, includes the armed movements, and has international endorsement.

13. The SPLM has yet to adopt a coherent position. The Darfur file remains in the hands of Abdel Aziz al Hilu, Secretary General for the SPLM for Northern Sudan. He has not stated his preferred position and has nominated two of his subordinates to the GNU delegation (Yassir Arman and Walid Musa). Salva Kiir has not established an SPLM office for Darfur nor appointed an SPLM special envoy for Darfur. Equally seriously, the SPLM is not conveying a consistent message to the SLM. Salva Kiir and Lam Akol met the SLM delegations in Nairobi on November 10 and gave a strong message that the SLM should avoid internal division, above all bloodshed, and should send a united delegation to Abuja. Representatives from Abdel Aziz al Hilu's office subsequently went to Nairobi and reportedly gave a different message, encouraging the SLM to take a tougher stand.

14. Members of the National Assembly are expressing their discontent over the GNU handling of the Darfur peace talks. As the senior delegates are a presidential advisor (Majzoub al Khalifa) and the head of the SPLM parliamentary delegation (Yassir Arman), there is no-one of ministerial rank who can be summoned to parliament to answer questions on the Darfur peace talks.

Abuja

15. The Abuja talks will not reach a comprehensive agreement by January. In addition to the divisions within the parties and their lack of capacity, the mediation team itself still lacks the necessary capacity. The SLA does not have enough cadres to engage in simultaneous talks on security arrangements, wealth sharing and power sharing. Confidence-building on security arrangements has only just begun and will take many months to move towards fruition. However, the substantive issues in power-sharing are relatively straightforward and should not require complicated negotiation. Some form of protocol on power-sharing is achievable, but a comprehensive agreement is not. What then should be the take-away from Abuja 7, to enable the process to move more rapidly?

16. Plan A is 'one more try'—an upgraded Abuja 8. This is workable if the parties are serious and committed (which should be evident after the first week of talks) and if a great deal of detailed work is done on the security arrangements issue. That detailed work includes field visits and workshops for a wide spectrum commanders by an expert security team. The risks of this approach are (a) that SLA unity may not last, (b) the process will become becalmed again and (c) key Darfurian stakeholders are not represented, so that detailed agreements may be impossible to implement.

17. Plan B is to make the current Abuja round the last one, based upon a cornerstone agreement on power sharing, declare a breakthrough, use this as a mechanism for transferring the talks to a new forum. That new forum would have to be a version of the All-Darfur Conference and would therefore need to be convened inside Sudan. The cornerstone agreement would have to be substantive enough for the SLA to have genuine reason for participation in this process. It has understandably rejected the Government's All-Darfur Conference as currently constituted and would demand strong international engagement and guarantees. The risk of this process is that it is untried.

Democratization

18. The NCP has spent the last two weeks busy with its own Convention including elections to new posts. The security cabal headed by Salah Abdalla Gosh and Nafie Ali Nafie (now vice-president of the NCP) remains as influential as ever. Security continues to threaten, harass and detain individuals and act in an arbitrary manner. While the war in Darfur remains unresolved, security still has a free hand to act in this way.

19. The NDA has joined the GNU taking up the ministerial positions it was offered.

20. Southern Sudan has its own Constitution and is building its democratic institutions. This has been preoccupying the SPLM leadership. Early tests of transparency in the South include accounting for the first \$761 million released from Khartoum to the GoSS (from which \$135 million was subtracted for spending in the pre-interim period). The armed forces of Southern Sudan have yet to be paid.

21. The sheer complexity of the CPA and its implementation is emerging as a problem. A monthly assessment by the British Embassy in Khartoum has 64 line items plus sub-items. The CPA Commissions are being stood up on an ad hoc basis. It is inevitable that implementation will fall behind, and it is important for international players to identify the key elements to monitor. Parliament can play a role in this and can itself be one of the most important institutions to monitor. Francis Deng (UN and Brookings) is putting together a panel of eminent international figures to provide independent monitoring.

22. Events in several east African countries have highlighted both the strength and the limits of electoral democracy. In Ethiopia, Kenya, Tanzania and Uganda, political crises have been unleashed by recent or impending elections and (in Kenya's case) a referendum. On the positive side, these instances all show that electoral democracy is now part of the political culture in the region and cannot be uprooted. Coups d'etat are out of the question. On the negative side, they show how elections can be a destabilizing force in a winner-takes-all situation. In no case is there an agreement among the ruling elites on how to divide or share power to allow for a smooth system of alternation of power between contending parties. This problem is heightened when the contending parties represent different ethnic groups. There is a lesson for Sudan in these experiences: some key issues need to be decided by elite consensus in advance of competitive elections.

Southern Kordofan

23. A number of intersecting factors make it likely that Southern Kordofan will be a flashpoint during the transition. These factors will be analyzed more thoroughly in a later briefing. They include:

- a. The contested northern boundary of Abyei district, which will become the internal north-south frontier if the residents of Abyei vote to join the South. It could even become an international frontier if the South secedes.

- b. The dismantling of Western Kordofan state, leaving the major ethnic groups there—Misiriya and Dar Hamad—distinctly disadvantaged.
- c. The weaker position of the SPLM in the current, larger Southern Kordofan (which is likely to have a demographic majority of Arabs) compared to the previous, smaller one (which had a Nuba majority). The CPA provides for an SPLM governor for two years followed by an NCP governor for two years. The SPLM governor is based in Kadugli and the NCP deputy in el Fula: two distinct power bases in one state.

24. Instability in Southern Kordofan would have major repercussions not only on the North-South peace but also on Darfur.

Humanitarian Issues

25. The old GoS Humanitarian Affairs Commission continues essentially unchanged. It is run by security. The minister (an SPLM appointee, Kosti Manibe) has little power. Meanwhile, key humanitarian issues fall under state governors. This is particularly significant in the case of Khartoum State, given that this is the location of a large displaced population. The CPA gives the SPLM only 10% of the posts in Khartoum State despite the fact that displaced Southerners represent a much larger proportion of the population. Khartoum State is proving obstructive to humanitarian agencies and their attempts to work with the displaced.

26. The GoSS lacks a minister for humanitarian affairs. The only Southern humanitarian institution is the SPLM's Sudan Relief and Rehabilitation Commission. This is emerging as an important institutional weakness in Southern Sudan.

27. Parliament has created a permanent committee for humanitarian affairs and internally displaced persons.

The Region

28. The situation in Chad remains deeply worrying. France, which could play a constructive role, appears completely wedded to Idriss Deby's failing regime. France admits, however, that there is no Plan B should Deby die or a war begin. Khartoum is acting with the utmost irresponsibility in sponsoring Chadian rebel camps in Darfur: this should be halted at once. Should a war begin in eastern Chad it will inevitably have a cross-border dimension and it would make the Darfur conflict much more complicated. Sudan's CPA depends on stability in Chad.

29. The Libyan role in Darfur and Chad is unclear. Libya undoubtedly broke the arms embargo on Darfur by supplying Minawi in advance of the Haskanita conference. It appears to have renewed interest in Chad, perhaps partly driven by a desire to put right the Libyan army's humiliation in Chad in 1987. Libya is also one of Eritrea's few friends.

30. War between Ethiopia and Eritrea is a possibility. It is in the interest of neither country, but cool calculation of likely outcomes has not deterred the two leaderships from war in the past. While Eritrea is in the wrong on most issues, on the specific issue of the border demarcation and

the handover of the town of Badme from Ethiopian control, Eritrea is right. But Ethiopian Prime Minister Meles Zenawi cannot back down on this without jeopardizing his own position domestically. He is less vulnerable to protest from the opposition parties, who have staged rallies in Addis Ababa, than he is from his own party members. Meles's own party blames him not only for having taken a weak stand on Eritrea (he ordered the army to stop its victorious advance in June 2000 and agreed to arbitration on the border rather than dictating the boundary on the basis of military occupation) but also for weakness in allowing the opposition to organize and win so many seats in the 2005 elections.

31. If war were to break out between Ethiopia and Eritrea, Sudan would be identified as an ally of Ethiopia. This has the strategic advantage for Sudan that Ethiopia is almost certain to win. It has the danger that Eritrea will use the pretext of Eritrean opposition presence in Sudan as a reason for widening the war to include Sudan. For the Eritrean president this would be a way of raising the stakes and obtaining maximum international pressure to stop the war and save his government.

32. To complete the circle of instability, Uganda is in political crisis, with President Museveni pressing charges of treason against his political rival, Dr Kizza Besigye, in a military court. His army continues to show itself wholly incapable of defeating the Lord's Resistance Army. DRC and CAR are scarcely tranquil either.

Next Steps

33. The Darfur peace process has been hampered by the fact that every major player has treated each round of talks on a case-by-case basis, rather than strategizing over a longer period. If Abuja 7 is treated in this manner, opportunities will be lost. Three elements are important to the success of Abuja 7:

- a. The NCP and SPLM must invest much more effort in reaching a united position. In turn this requires the SPLM taking on the issue at the highest level. The U.S. is best-placed to pressure the SPLM and NCP on this.
- b. A plan for the handon from Abuja to another forum needs to be in place before the end of the talks. One option is for the Government to postpone its All-Darfur Conference and be prepared to reconfigure this conference so as to gain the acceptance of the armed movements, so that it can take forward the peace process. A clear and unified international position on the All-Darfur Conference would be very helpful.
- c. A properly-sequenced process of exploring security arrangements must begin now, which cannot be rushed to a rapid conclusion in a few weeks.

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