

## **Sudan: Analysis and Prospects** (focusing on Darfur)

**August 2006**

### **Overview**

1. The aftermath of the visits of Salva Kiir and Minni Minawi to Washington DC provides an opportunity for progress. The challenge is to ensure that the DPA does not become merely another defence pact between Khartoum and a provincial warlord. Joint military operations by GoS and SLA-Minawi have not (yet) ceased. Minawi's appointment as Senior Assistant to the President narrows the opportunities for broadening support for the DPA: his challenge is to make his appointments broad-based and generous.
2. The decision by more than thirty leaders and commanders of SLA-Abdel Wahid to remove Abdel Wahid Nur as chairman and C-in-C and replace him with Ahmed Abdel Shafi has the potential for a breakthrough. The new leadership appears to have very broad-based support among the Fur and much sympathy from the SLA-Unity and Masalit groupings. The new leadership will first consolidate its position and only then move towards open support for the DPA. It should be given the opportunity and time for this process to unfold.
3. The GoS disarmament plan presented to the AMIS Force Commander on 24 June is a fair reflection of the minimum requirements of the DPA but it lacks key operational details. It is a starting point. The plan needs to be assessed properly by the CFC and JC, but more importantly, implementation needs to be begun, and to be monitored and verified by the CFC.
4. The AU remains in near paralysis. It needs a competent Special Representative and a strong Force Commander before it can organize a functioning CFC, JC and begin the DDDC.
5. The UN transition is still in doubt. But there are steps that can be taken to lessen the ways in which a UN force will threaten the GoS, for example specifying that it will have no mandate to arrest any individuals indicted by the ICC.
6. While there is still a reasonable chance for stabilizing Darfur and salvaging the DPA, scenarios for deterioration need to be examined carefully and planned for.
7. The style of implementation of both CPA and DPA is the continuation of deep-rooted patterns of political bargaining in Sudan, characterized by contending central elites and clientilistic provincial elites. The case-by-case approach to negotiating settlements for Sudan's wars has entrenched this pattern.

## **Minni Minawi**

8. Minni Minawi's precarious situation became very evident in the weeks before his visit to Washington. Without strong Darfurian allies supporting the DPA, with few Darfurians ready to express support for him personally, losing ground militarily, and without functioning CFC and JC, he was pushed into the arms of the GoS. The GoS, for its part, was more than happy with this relationship, as Minawi's forces represented a low-cost and low-risk way of fighting their enemies in Darfur.

9. Minawi is an astute tactical thinker and handled himself very well. However, he still lacks the capacity for strategic vision or action and he has too few good advisors. He distrusts Abdel Rahman Musa and the others who signed the "Declaration of Commitment" in Addis Ababa on June 8. Minawi's appointment as Senior Assistant to the President—a post that he said he was not interested in until very recently—does not close the door on bringing other SLM groups into the DPA, but it reduces the incentives. Minawi needs to be generous and accommodating with other leaders from the Movements—and they with him.

10. How should Minawi handle the situation that is unfolding within the SLA-Abdel Wahid (now probably about to be the SLA-Abdel Shafi)? Minawi may feel threatened by the prospect of a credible and popular SLA under Ahmed Abdel Shafi that has also gained the support of many Zaghawa commanders such as Adam Bakheit. But to oppose it or to join the GoS in playing divide-and-rule would be a recipe for disaster. Minawi's best option is to support the reorganization of the SLA-AW and related fragments under Abdel Shafi, while taking the lead in wringing concessions out of the GoS, such as more money in the Compensation Fund, implementation protocols for the ceasefire, and the option of the DDDC recommending that state constitutions be revised to allow space for more independent Darfurians in the legislatures.

11. Minawi's forces are still engaged in joint military operations with the GoS, most recently against both JEM and SLA-Unity on July 28, after his assurance to the U.S. Government that this would not happen again. Such actions are foolish for many reasons, not least the high risks of military failure. SLA-Unity commander Suleiman Marajan claims to have taken more than 100 prisoners, which is embarrassing to say the least.

12. Having lost much territory, SLA-Minawi fighters are increasingly using IDP camps as their bases. The camps are already armed and the locus of considerable ethnic tension between Zaghawa and Fur and there is a significant danger of fighting among IDPs.

## **The End of Abdel Wahid?**

13. Meeting in Jebel Marra on July 25, more than twenty SLA commanders until then loyal to Abdel Wahid Nur, announced that they had removed him as Chairman and C-in-C. Their chosen replacement was Ahmed Abdel Shafi. They made their decision public

on July 28, after contacting Abdel Shafi (who is in Eritrea) to obtain his agreement as well as that of the other potential candidate, Babiker Abdalla (also in Eritrea). On July 29 the commanders and leaders (now numbering over thirty) obtained the endorsement of Abdel Wahid's chief of staff, Abdel Gadir Abdel Rahman "Gadura". Important exile figures have also lent their support and the move will be regarded very positively by Fur chiefs led by Magdum Adam Rijal.

14. Abdel Wahid's remaining asset is his name-recognition and his support among camp militants. The Abdel Shafi bloc is confident that, with the support of tribal leaders, they will win over the camps. This remains to be seen. We can expect a propaganda war on the airwaves. But, given the depth of discontent among all Abdel Wahid's commanders and senior members, it seems likely that the Fur leaders have rejected Abdel Wahid en masse.

15. Abdel Wahid also controls the (remaining) finances of the Movement including the Thuraya phones.

### **Abdel Shafi**

16. Ahmed Abdel Shafi was considered as a potential leader of the SLM/A in 2003 but was ruled out because of his youth. Born in 1973 and a graduate of Juba University College of Education, he was one of the earliest leaders of the SLM/A. He spent most of the last three years in the field and is both respected and liked. He is quiet and modest and has been careful to stick to the party line throughout, but is also hard-working. Abdel Shafi's own opinions have leaned towards hardline positions. In the post-May 5 discussions in Abuja and Nairobi, he was among those who held out for a supplement to the DPA with additional provisions on compensation and power-sharing in Darfur. He was, however, a consistent advocate of engagement with the GoS, and finally broke with Abdel Wahid when Abdel Wahid failed to go to Yei to meet with Salva Kiir on June 2. Abdel Shafi is a consensus candidate within the SLM/A Fur bloc and has the support of the other leadership candidate, Babiker Abdalla. Babiker has been a stronger advocate for peace but lacks the firm leadership qualities of Abdel Shafi and is content to be number two.

17. The first priority of the new leadership is to consolidate its position. Abdel Shafi and Babiker Abdalla are both in Asmara and need to return to Darfur. Both Eritrea and Chad are likely to want to obstruct their return. (The best option is to travel through Nairobi or Kampala and South Sudan. SPLM cooperation is important, both politically and logistically.) They have won verbal expressions of solidarity from SLA-Unity, Khamis Abbaker (Masalit) and Ibrahim Madibu (Rizeigat). If they do succeed in their aim of convening a conference in Darfur it is possible that they would reunite the major part of the SLM/A.

18. We should not expect the new leadership to express immediate or unconditional support for the DPA. They need to reassure their constituency that they are not simply selling out, and they still have some important demands to make. It would be a mistake

for the U.S. or others to pressure Abdel Shafi into making a commitment to sign the DPA before he is ready, or making support for his conference conditional on his group making that decision. (The only condition should be observing the ceasefire.) Abdel Shafi and his group are well aware of the stakes. Their decision must be freely made and must be seen to be so. But in the meantime, the very fact that Abdel Shafi is engaging with the peace process should help stabilize both the IDP camps and the rural areas.

19. The removal of Abdel Wahid puts Abdel Rahman Musa in a difficult position. Abdel Rahman Musa was left exposed after signing the Declaration of Commitment to the DPA, as Minawi does not trust him and the AU gave him no support. The NCP immediately sought to exploit him and the perception of his close relations with GoS has weakened him. Abdel Rahman's political inexperience have made him seem naïve and ambitious. His attempts to form a new party (SLM-Free Will) have not gained momentum. His best move would be to reunite with the SLA-Abdel Shafi.

20. If Abdel Shafi does hold his conference, obtain support, and re-engage with the peace process, important questions arise. The first is, what should be the response to any specific demands they raise? A second is, can Abdel Shafi (or whoever is elected at the conference) be a full signatory to the DPA? The best option is for Minawi to take the lead in trying to bring them on board (see para.10), becoming Darfur's dealmaker and thereby strengthening his own hand.

### **Disarming the Janjaweed**

21. The GoS's Janjaweed disarmament plan was presented to the AMIS Force Commander on June 24 but has not been discussed in either the CFC or JC. The plan is a modest four pages and is similar to draft documents drawn up by the GoS security team at the Abuja talks. It reflects the substance of those negotiations and is a fair reflection of the minimum demands of the DPA. However, the plan lacks key operational details: it includes no operational plans, locations or specifications of groups. A fuller commentary is attached as an annexe.

22. The Janjaweed disarmament plan needs to be assessed properly by the CFC and JC. The best mechanism would be for the GoS to begin disarmament and for its operational plans to be reviewed regularly by the CFC and JC as implementation proceeds, alongside verification by the CFC.

### **The AU's Continuing Inertia**

23. The debacle of the non-meeting of the JC on June 23 should have been a wake-up call to the AU. It has not been. The AU remains with a HQ staff for Sudan or less than one full time professional, an absentee Special Representative in Sudan, and a grossly understaffed Khartoum office. Shockingly, the JC failed to meet in July. The CFC is also almost moribund. The AU Chairperson and Commissioner for Peace and Security recognize the gravity of the situation but do not seem ready to take the essential step of appointing a capable Special Representative.

24. The AU is losing credibility even among its own staff. It has failed to speak out over ceasefire violations and especially it has failed to condemn GoS perfidy in using aircraft with AMIS colors and logos in combat (most recently on July 28). Its troops have not been paid for months. It is widely perceived as partisan and there are large areas which are no-go for AMIS. Its current scattered deployment across Darfur makes no sense. The most dangerous scenario is that AMIS may become sucked into the conflict because of real or perceived bias towards the GoS and Minawi.

25. There is a serious danger that the GoS and Minawi will interpret the AU PSC resolution on Sudan as mandating military action against non-signatories simply by virtue of their refusal to sign. This should be avoided if at all possible. The DPA clearly does not invalidate the N'djamena Humanitarian Ceasefire. Its sections on the CFC and JC refer to strengthening the existing institutions and not creating new ones. The language and spirit of the DPA should be interpreted to mean that all groups are included in the CFC and JC, though only DPA signatories should be involved in discussions on implementation of the provisions specific to the DPA. It is only by giving a party representation on these bodies that it can be called to account for its actions with respect to the ceasefire. Inclusive representation is a tricky issue but it can be overcome with an authoritative chair of the CFC and JC.

26. It is important to begin work on the DDDC. But it is even more important to get the DDDC formula right. It must be inclusive and must obtain genuine confidence of all Darfurians. Special efforts need to be made to bring Darfurian Arabs into the process. It can begin on a small, local scale before reaching its full complement. For the DDDC to work, security must be assured across Darfur and there must be an opportunity for all groups—including non-signatory parties—to be represented.

27. The initiation of the DDDC preparatory work is being held up because the preferred candidate for the task refuses to take the job if he is required to report to the Special Representative.

### **The UN Transition**

28. The prospects for President Bashir agreeing to a UN force in Darfur are still uncertain. The two main motives for this are:

- a. The fear that the South will vote for independence in five years' time; the need to keep all options open for responding to this (including military); and hence the importance of not having a Chapter VII UN force deployed in Sudan.
- b. The fear that a UN force will be mandated to apprehend and arrest individuals indicted by the ICC.

29. The second fear can readily be removed from the equation. A UN force could be given a mandate that explicitly excludes arresting any individual indicted by the ICC.

Staff of the ICC, who do not want the Court to be an actual or perceived obstacle to UN deployment, have privately said they would agree with this.

30. The AU is in full agreement with the transition to the UN and this is the one area in which AU and UN are cooperating well. However, the immediate challenge is UN-AU cooperation in the implementation of the DPA. At the most senior level of both organizations, cooperation is good. But in the field, it is very different. The perception on both sides is that the AU is failing (or being so starved of resources that failure is inevitable), and the UN wants to distance itself from this. From the UN point of view this is of course very short-sighted, as the UN would then face the perils of inheriting a mess.

### **Scenarios for Deterioration**

31. The possibility of the breakdown of the AU mission should not be overlooked. It is possible that the AU may be forced to withdraw before a replacement UN force is deployed. If AMIS withdraws and there is no UN force, the GoS has indicated it will deploy the Sudan Armed Forces. The GoS has proposed deploying the Joint Integrated Units, but the SPLA does not support this and in any case JIUs do not yet exist in a form that could be deployed. AMIS withdrawal without a handover would also render void the structures for CFC and JC in the DPA. It would be necessary to negotiate new ceasefire and security arrangements provisions.

32. A second gloomy scenario is that AMIS may be drawn into an ongoing conflict in such a way that its integrity is fatally compromised. If Darfurians come to see AMIS as a belligerent, this will not only paralyze AMIS but will also greatly complicate the situation for any incoming UN force. In particular, it will make it difficult to draw UN troops from the same countries that have contributed troops to AMIS (the preferred option). The key to preventing this is strong AU leadership (Special Representative and Force Commander) and functioning CFC and JC.

33. Other scenarios for deterioration also warrant consideration. There is a risk of generalized insecurity in several parts of Darfur where there are inter-tribal disputes that could get out of hand. In certain places SLA-Minawi commanders, now finding themselves “on the same side” as the Janjaweed and Military Intelligence, may collaborate with the latter in pillaging civilians. The wars in eastern Chad and northern CAR may generate refugee flows and return of Darfurian refugees. Perhaps most dangerously, ethnic violence could erupt in IDP camps.

### **Center-Periphery Political Bargaining and its Implications**

34. Most recent analyses of Sudan’s conflicts stress ethnic and other identity factors. An older tradition in Sudanese political science stresses the nature of central and peripheral elites. (See briefing for March.) According to this analysis, the prevailing pattern of Sudanese politics is a series of coalitions among powerful central elite blocs, with members of provincial elites (from the South, west and east) unable to do more than attach themselves to one or other of these blocs or seek support from a foreign

government. The real, underlying pattern of politics played out in the Abuja negotiations was a continuation of this, in which each of the Movement leaders sought the most suitable patron in central government, while also seeking either direct support or cast-iron guarantees from regional governments, the international community and the U.S.

35. There is no sign that this political behaviour will change during the implementation of the DPA. Minawi is trying to walk a tightrope between co-optation by Khartoum and the pressures and promises of the U.S. Abdel Rahman Musa may well be succumbing to the NCP. The SLA-AS/Unity grouping will face the same dilemmas. Unity among these Darfurian groups is likely to remain elusive.

36. A second lesson to be drawn is that the piecemeal approach to ending Sudan's conflicts—first South, then Darfur, next east—reinforces rather than challenges this pattern of politics. It reinforces Khartoum's approach which is to see each peace agreement as a means of containing a troublesome periphery rather than part of a process of national transformation.

37. A wider lesson is that mediating an end to an internal conflict—typically marked by sharp power asymmetry—demands analysis from comparative politics rather than international relations. The Abuja peace process was designed on a template derived from inter-state negotiations, which assumes that each party can act as a cohesive bloc vis-à-vis its adversary, and that the aim of both sides is to achieve a text that reflects an agreed compromise. In conditions of domestic political bargaining, in which each party is in fact a coalition, this model may not hold. The demands of negotiating an end to these conflicts also require particular kinds of mediation skills, which the roster of retired diplomats and generals who are commonly rolled out for these tasks typically do not possess. The UN is currently establishing a Mediation Support Unit, which would do well to benefit from careful comparative analysis of the strategies of mediating conflicts such as Darfur and the skill sets and other preconditions for making these exercises successful. Given that international partners, especially the U.S., play increasingly important roles in such mediations, it would also be worthwhile for the State Department to assess how these peace processes function and how best they can be supported.

## **Next Steps**

38. The combination of Minawi's visit to Washington DC—and his commitment to broadening the base of the DPA—and the belated move against Abdel Wahid by his commanders, gives new life to the DPA. The opportunity must be seized as it will not come again if it is passed over. With the AU incapable of moving adroitly on this (and lacking credibility with many), the lead should be taken by the U.S. with specific tasks assigned to other partners including the UN, UK and Norway. Abdel Shafi must be handled with sensitivity to allow him to establish his credentials and consolidate his position. If he and his group are handled well, then we can be confident that they will at minimum help stabilize the security situation in Darfur and at best, rapidly join the DPA and thereby bring sufficient political backing to make the DPA truly workable.

39. No peacekeeping force could create security and sustainable peace in Darfur under the current conditions of distrust and political breakdown. But the AU's inertia runs the risk of wrecking even the modest prospects for progress. AMIS's standing is now so low that most people believe that the mission can do nothing except hang on until a UN force arrives. But this must not be an excuse for failing to make the CFC and JC work and not launching the DDDC process. A competent Special Representative is needed. This decision can only be made at the highest level of the AU is required which in turn demands coordinated pressure from the U.S. and other international partners.