

# Prospects for Peace in Sudan

## Briefing: April 2007

(focusing on Darfur)

### Overview

1. The prospects for a formally negotiated agreement to resolve the conflict in Darfur are remote. The political alignment is unfavourable for the warring parties to consider a settlement seriously and there is no credible international strategy to achieve peace.
2. For a robust political settlement in Darfur, the following conditions are needed:
  - a. The GoS must decide that it is ready to make the necessary political sacrifices and take the necessary risks to achieve a new negotiation process rather than continuing to manage the crisis in its current manner.
  - b. The non-signatory armed movements must achieve cohesion and a common negotiating platform.
  - c. Chadian president Idriss Deby must have sufficient confidence that his own political future is secure that he can definitively withdraw support to armed movements in Darfur.
  - d. The non-signatory armed movements must have confidence that the CPA implementation is progressing smoothly and therefore that it is worth their while joining in.
  - e. The AU must regain its damaged credibility with the non-signatories as an impartial potential mediator.
  - f. The US must make a peace settlement the priority and cease directing the greater part of its political and diplomatic energies into tangential issues such as UN troops or sanctions.
3. None of the above conditions are either in place now or likely to be in place in the immediate future. The most realistic assessment is that it will be several years before the political alignment is as good as it was in 2005 or early 2006, and that it is only through full-time and energetic political engagement by an international mediation team over this time period that there is a chance of achieving a negotiated settlement.
4. The international community cannot match the resources and determination which the NCP, Chad and Eritrea have each devoted to their engagement in Darfur. This takes the form of crisis management through retail politics—buying the Darfurian elites one by one. The SPLM initiative is currently only a good intention.

5. There is one opportunity for the AU and UN to take the political initiative, which is through unilaterally proposing a major substantive revision to the DPA. It is a gamble but it is clear that business as usual is doomed to failure.

### **NCP Strategy**

6. The NCP strategy might be termed “retail politics.” Its approach is to co-opt the Darfurian elites on an individual basis by offering them positions in the government and money, while preventing them from forming a cohesive bloc with real power within the government.

7. In recent months this approach means that the majority of posts provided for in the DPA have been filled, often with individuals nominated by, and thus answerable to, the NCP, rather than nominees of the SLM-Minawi. Minawi rejects the groups that came to Khartoum under the “Declaration of Commitment” but has been unable to prevent the NCP from dealing with them. The precise formula varies from case to case. The most senior positions are filled by weak individuals, are not provided with resources, or remained locked in an impasse. Thus for example, SLA commander Abul Gassim Imam has been appointed Wali of West Darfur. He has no significant political constituency and real power is exercised by his deputy who is from the NCP. The two most important posts in the TDRA (besides the Chairperson) are the Commissioner for Rehabilitation and Development and for Security Arrangements Implementation. The former post has been filled by Ibrahim Madibo, who is highly competent but lacks a strong constituency, and who has not yet been able to open a bank account. The latter post, also reserved for a nominee of the movements, has been filled on the orders of the President by Gen. Mohamed al Dabi, against the wishes of Minawi, who does not accept him but cannot displace him.

8. The absence of a tough and impartial referee—the non-functioning of the Darfur assessment and evaluation commission—means that the NCP is getting away with implementing those aspects of the DPA that it likes and ignoring the others.

9. The central government strategy for governing the country’s peripheries has long been to support local client potentates, rewarding them with money, prestige and impunity for whatever agenda they may wish to pursue in their locality. Those who do not cooperate are pursued militarily by the armed forces and are disadvantaged vis-à-vis their local rivals, whose militia win government support. This strategy will be pursued systematically and patiently with the non-signatories until they submit. Meanwhile, the GoS signature on the DPA will be used to de-legitimize any remaining opposition so that the targets of any ongoing military actions are described as “outlaws.”

10. This strategy extends over Sudan’s international borders. For ten years, Idriss Deby was a Khartoum-sponsored potentate and after he failed to fulfill the terms of his deal with the GoS in 2004, he has been suffering the consequences. The GoS is attempting to establish the same relationship with Eritrea. The direct military strategy against the non-

signatories having failed last year, the GoS is trying to manage them through co-opting their external sponsors.

11. As far as the GoS—NCP operators and security chiefs—are concerned, the strategy of containing Darfur through striking individual deals is working. The fact that this will not lead to a robust settlement is, to them, irrelevant—those problems are kicked down the road to several years in the future, by which time many things could have happened.

12. The main implementer of the GoS retail politics is Majzoub al Khalifa. He has political rivals inside the GoS who would rather see different approaches, but none is powerful enough to remove the other, and none is strong or courageous enough to make the political sacrifices necessary to achieve real peace. Minawi has been reduced to a cipher. His one political card is to resign and discredit the DPA but despite his political humiliation and violent attacks on his supporters both in Darfur and Khartoum he does not seem ready to contemplate this step.

### **Cohesion of the Movements**

13. Efforts to unite the non-signatory movements have not succeeded. There is powerful grassroots sentiment in favour of unifying the SLM, and the G-19 has gained respect because it has rejected both Khartoum and Chad-NRF. They are still endeavouring to hold their commanders' conference. If this finally goes ahead, it is possible that a majority of commanders will create a unified structure and will be ready to engage in talks. A successful commanders' conference could introduce a new dynamic to Darfur, giving confidence to the non-signatory SLA. However, the GoS, the Chad-Eritrea-NRF grouping and Abdel Wahid (in exile in Paris) are all working hard to undermine this potential.

14. The Eritreans have made sustained attempts to reunite the non-signatories under the NRF umbrella. They are not trusted by the non-signatories, many of whom turned around after entering Chad to meet with the Eritreans and instead went back to Darfur. Most of the fighters who accompanied Adam Bakheit to Chad have reportedly deserted him. Even Sharif Harir has declared himself to be SLA. The NRF consists now of little more than JEM and Ahmed Diraige. Realizing this, Deby is ready to play both sides—he is also tacitly endorsing the G-19-led commanders' conference, contrary to the wishes of the Eritreans.

15. The emergence of Saleh Mohamed “Abu Sura” and his inter-ethnic militia in West Darfur is causing most concern to the GoS. This has sufficiently good links with pro-GoS militia that it can move in and out of government garrisons at will. If this does represent, as some suggest, the beginning of the large-scale mobilization of Darfur's Arabs as an anti-government force, a new reality will emerge. An opposition group in west Kordofan known as Shamama (based among the Misiriya Arabs) has also caused concern and the GoS has cracked down on it. Shamama has been non-violent thus far but recourse to armed rebellion cannot be ruled out. There is sharp dissension within the NCP in south

and west Kordofan which has led to violent incidents. The situation in western Kordofan is extremely inflammable with all the warning signs for conflict flashing.

16. The NRF position on new negotiations is to return to the July 2005 Declaration of Principles and start again from the sixth round of Abuja. This position may soften but it may also harden. The SLA-non-signatories have yet to adopt a position but it is unlikely to be to accept the DPA without significant revision. An addendum or additional protocol with only minor amendments is no longer acceptable. The international community seems constantly to be proposing solutions that might have worked six or eight months ago. Bolder steps would now be needed.

17. Abdel Wahid al Nur is using his cash and his new status as a celebrity in France to create more confusion and dissension among the SLA.

18. The military balance in Darfur is hard to judge. But the military confidence of the SLA-non-signatories should not be under-estimated. They have the capability to escalate the conflict.

### **Regional Factors**

19. Sudan, Eritrea and Libya are united only by their common opposition to international involvement in Darfur. Chad has mixed views on this. None of these governments trusts the other and each one of them is playing a double game with the potential of double-crossing the other.

20. The GoS has failed to remove Deby but has succeeded in making him sufficiently nervous that he may be ready to strike a deal. Deby wants Khartoum's cooperation and so has played along with the Eritrean strategy. But he also cannot control the majority of the SLA commanders, which means that neither Eritrea nor Khartoum find him a reliable interlocutor.

21. Following the Eastern Sudan Peace Agreement, Asmara has become a quasi-client of Khartoum. Sudan has alleviated Eritrea's desperate economic plight and given it leverage in the region following its defeat in Somalia. Asmara has promised to deliver the NRF to Khartoum. Part of the deal was the deployment of Eritrean troops on the Sudan-Chad border to stop infiltration, and thus protect Deby. For this reason, Deby decided to reject UN troops for Chad.

22. Eritrea's strategy has not worked. The SLM commanders do not trust Eritrea after their bad experiences there and did not cooperate. Eritrea's alternatives are (a) to pursue the SPLM-announced meeting in Juba and (b) to re-arm the NRF and dispatch them into Darfur to show their relevance, after which it could then try again to reunite them. This is a risky strategy. Although the Eritrean initiative cannot now succeed, it is unlikely that either Asmara or Khartoum will admit this for some time.

23. Eritrea co-opted First Vice President Salva Kiir into following its strategy on the basis of long-standing Eritrea-SPLA links. Kiir's visit to Chad on March 19-21 proved an embarrassment for him and the Eritreans as the commanders were not available for him to meet. Kiir was poorly advised in making this trip and its unfortunate consequence might be that he feels that Darfur is too complicated and uncertain to warrant any more investment of time and effort. The SPLM is handicapped by its failure to institutionalize its Darfur strategy which has been handled entirely by individuals acting on their own. For the above reasons it is most unlikely that the SPLM's announcement of a meeting of the non-signatories in Juba in April will actually happen.

24. There is in fact no SPLM initiative, just an announcement (almost certainly at Eritrean prompting) and good intentions. If the Juba meeting does go ahead, it is possible (but far from certain) that an initiative will emerge from that. Hard work is needed within the SPLM if the initiative is to materialize.

### **CPA Implementation**

25. The CPA is attractive to Darfurians only insofar as they have confidence that the CPA is being faithfully implemented. Recent events have continued to undermine confidence in the CPA.

26. The principal partners in the GoNU do not trust each other. Both parties are preparing for the possibility of future hostilities. The SPLA is building up its armed forces to deter any attempts to interfere in the 2011 referendum while the NCP is working hard to prevent the referendum being held or its outcome respected. Each is storing up allegations that can be made to discredit the other. The NCP's strongest card is to call for accountability for the sums transferred to the GoSS under the wealth-sharing provisions of the CPA.

27. Parliamentary legislation on CPA-related matters has fallen well behind schedule. The national security bill/act has yet to be presented. It will be further delayed in the next parliamentary session by long debates on the ICC, UN Commission on Human Rights report and other matters. The Abyei Boundary Commission report is the most likely reason for CPA implementation to be deadlocked. The March deadline for resolving this will pass without agreement. The preconditions for fair elections do not yet exist. For the elections to be held, the census is needed, and for the census, demarcation of the north-south boundary is needed. The latter is extremely politically sensitive and it is unrealistic to expect it to be completed by the end of 2007. The political parties act insists that only parties committed to the CPA can contest elections. While common commitment to the fundamentals of the CPA is important for political stability, this runs the risk of pushing many parties to boycott the elections and thereby undermine their credibility.

28. Throughout the Abuja talks, most of the movements' delegates persisted in seeing the CPA as a ceiling on their aspirations rather than as a mechanism for national democratization and transformation. That attitude persists among Darfurians in general.

## **Mediation Credibility**

29. The AU's standing among Darfurians is low and can fall further. For many Darfurians, AMIS is seen as both partisan and ineffective.

30. The CFC remains paralyzed and with little credibility. The proposal to readmit the non-signatories has not moved, in part due to objections from the GoS and SLM-Minawi and in part due to excessive demands for sectoral representation by the NRF. The AU could cut through this with its own proposals but has not had the leadership, energy or political backing to do so. The AU could also increase its credibility by making public statements about the responsibility for ceasefire violations—about 75% of which are due to SAF, pro-government militia and SLA-Minawi.

31. The AU's role as implementer of the DPA has tarnished its standing. Most of the DPA provisions have not been implemented and the AU has ended up implicitly rubber-stamping NCP decisions. For example there has been no challenge to the position of Gen. al Dabi in the Darfur Security Arrangements Implementation Commission. The AU's association with the implementation of the DPA compromises its position with the non-signatories.

32. It is difficult for the AU to be the custodian of the DPA and also the mediator with the non-signatories who are demanding significant revisions to the DPA. There is an intrinsic incompatibility between these roles. While the signatory groups fear that they will lose their current gains if there is a new deal, the non-signatories fear that there is nothing left for them to take.

33. The AU has an immense asset that it has not used: the GoS cannot expel it without suffering disproportionate political damage. The AU has often hesitated to call the bluff of the GoS. The moment for using this political capital may be approaching.

## **UN Troops and Sanctions**

34. The diversity of international policy objectives on Sudan stands in the way of achieving any one of the aims. During 2005-06, the twin aims of achieving a DPA and bringing the UN to Darfur ended up canceling each other out and neither has been achieved. The GoS did not initially have a deliberate strategy of seeking endless confrontation on the UN troops issue, but as soon as it realized that it could (a) call the bluff of the UN and US and (b) consume almost all the energy of the international community on this issue, it has decided to keep the question burning and unresolved, and tie up the UN and US on a tangential issue while it proceeds with its political strategy for Darfur. The issue of the AU-UN hybrid force, initially seen as a compromise, has become another liability. The best option would be to abandon it altogether and instead focus on building up AMIS and the CFC. However, now that it has become a question of political virility in Washington DC and New York this is difficult.

35. A useful exercise would be to explain what any UN force would actually do, in order to inform the Darfurian population that it would not meet the popular expectation of a NATO invasion force to drive out the Sudan army and Janjaweed. The GoS knows this well but it is a cheap win for President Bashir to be seen to stand up to the US dispatch of troops, so he will continue to do so. He is also concerned about keeping militants within the NCP loyal and preventing them defecting to the PCP.

36. Sanctions are similarly a distraction from the main issue. No-one expects sanctions to have a significant impact but the proposal of sanctions is consuming limited diplomatic and political energies.

### **Strategic Choices**

37. The international community is capable of successfully pursuing at most one major policy objective in Sudan at any one time. Success also demands that this objective be pursued in a coordinated and systematic way over several years. The mixture of policy objectives over the last three years—including supporting the CPA, obtaining the DPA, and bringing UN troops to Darfur—has been too much to handle.

38. One strategic option is to pursue new set of peace talks for Darfur. To follow the normal sequence of actions for such talks—agreeing on the parties to be represented, the mediator, the format, etc—would take an international consensus, sustained effort and at least a year's work—probably more. At present, the GoS has no reason to agree to any such proposal. Despite their recent failure in Chad, the Eritreans will persist in trying to deliver some of the Darfur rebels to a peace agreement, and Khartoum would prefer to deal with regional rather than international intermediaries for a peace process.

39. If the commanders' conference introduces a new dynamic and the rebellion broadens to include Arab groups and scores some military victories then the GoS may be ready to agree to a new round of negotiations. Responding to this new dynamic would probably require a major rethinking of the peace process, because of the groups involved and the possible expansion of the theatre of conflict to include Kordofan. For the AU to pursue this credibly would entail a major investment of time and a formal abandonment of efforts to implement the DPA. For the international community to support such an effort effectively would entail making peace the policy priority, which in turn would entail accepting that the effort to bring the UN to Darfur has become a futile and counterproductive exercise.

40. The AU and UN cannot currently complete with the resources, energy and dedication with which the NCP and Eritreans are pursuing their approach to winning over the non-signatory rebels. If the AU and UN are to pursue a new round of negotiations they need to make a high level political commitment and invest resources to match.

41. A second strategic option is to focus on making Sudan's current agreements—the CPA and the DPA—work. For the CPA, the main concern should be the probable national crisis in Sudan should the CPA falter. For the DPA, the main objectives would

be making the key political institutions (most importantly the Transitional Darfur Regional Authority) function, beginning processes of transferring resources to the region for compensation, relief and rehabilitation, and drawing up and implementing a new security plan. Implicitly, this is tantamount to admitting that the NCP has politically won over Darfur and working to try to make the NCP strategy inclusive and humane.

42. A third option is to take a dramatic step to change the nature of the game. This would try to short-circuit the normal steps for negotiating a deal, and instead consist of the AU and UN jointly presenting a new set of proposals to the parties. These proposals would need to be sufficiently bold and consistent with the movements' core political demands to be assured of acclaim from Darfurians in general and support from the movements. The GoS would surely reject them initially. However, this would refocus international attention on the political issues at stake in Darfur and challenge the GoS to cede to reasonable political demands. This would be a gamble but it might just succeed.

43. The current international strategy of confronting and coercing Khartoum on the issue of UN troops is unlikely to achieve its stated aim. As it locks the international community into a protracted stalemate, any other strategic objectives will not be achieved either.

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