

# **PROSPECTS FOR PEACE IN SUDAN**

## **BRIEFING**

**DECEMBER 1999**

### **Overview**

Events are moving fast, but less has changed than might appear. The events in Khartoum cannot truly be called a 'coup', and any anticipation that President Omer al Bashir is now poised for peace, reconciliation or democracy is based on a speculative and optimistic reading of events. The 'non-coup' is basically more about personalities than policies. As of 17 December, the prospect of a reconciliation between Hassan al Turabi and Sadiq el Mahdi, splitting the NDA, creating a broad-based Islamic state and marginalising the South, has been much reduced. But it is far too early to predict the outcome of the power struggle in Khartoum. There are many other scenarios. For example, even if Bashir prevails, the political price of his victory may be to adopt policies that make peace even more difficult.

Nonetheless there are grounds for cautious optimism that the peace process has begun to move forward, after having been stalled when Hassan al Turabi was ascendant.

Some weeks ago, the November meeting between Sadiq el Mahdi and President Omer al Bashir in Djibouti galvanised the political process. The meeting was a wake-up call to the NDA and IGAD. It laid down a challenge to the peace process: if there are no rapid steps towards a comprehensive peace process, then there will be a narrow reconciliation between the Sudan Government and the Umma and DUP, and that reconciliation could happen fast. The chorus of condemnation from Sudanese political parties that greeted the Sadiq-Bashir meeting should not be taken at face value: there is widespread support for such a process, probably under the auspices of the Libyan-Egyptian initiative (LEI).

The December meeting of the NDA in Kampala took important steps towards meeting that challenge. It was perhaps the most serious, sensitive and positive meeting of the NDA since Asmara in 1995. The SPLM in particular showed political maturity and readiness to work within the framework of the wider NDA, with the compromises that entails. By endorsing the plan to bring the NDA to IGAD, the meeting threw down a challenge to the Sudan Government to accept IGAD as a framework for a comprehensive peace, and a challenge to IGAD member states and the IPF to ensure that the IGAD process moves ahead rapidly. The NDA has shown renewed resolve, but it needs to follow up with rapid action as well.

### **The 'Non-Coup' in Khartoum**

The first thing to say about the 'palace coup' in Khartoum is that it is not a coup at all. It is in the interests of both of the protagonists to call it a coup: Turabi can claim it is unconstitutional, and Bashir can claim it is a new beginning. But it is nothing of the sort, at least not yet. In the

government, army and security forces, exactly the same faces are there. The government has announced no radical new initiatives that would justify even calling it a major political realignment. What has happened is that President Bashir has moved dramatically against his internal rival Dr Hassan al Turabi, using emergency powers. Turabi has initially appeared isolated. His claim that seven government ministers, including the foreign minister Mustafa Osman Ismail, had resigned, was quickly shown to be untrue. (Only one has resigned. Unexpectedly it is Mohamed el Amin Khalifa.) What is different is that there may be an opportunity for a more pragmatic policy, and that Turabi, arguably the single major obstacle to peace, is not in power.

In the short term, Bashir has succeeded, but in the medium and long term there are various scenarios, including the following:

- Turabi will rally his political forces and stage a political comeback.
- The two elements of the NIF could reconcile and rediscover political unity, on some if not all the issues.
- Bashir will be forced into making so many political compromises with his Islamist supporters that his policies are indistinguishable from those of Turabi.
- Violent civil conflict could erupt between the supporters of the two camps.
- A third party could mediate or intervene, introducing new elements—possibly even including more extremist elements.
- The victor in Khartoum's dispute could become overconfident and feel there is no need to compromise with the external opposition.
- The protagonists could seek alliances among the external opposition, each trying to play the 'democratic' card to try to outflank the other (a relatively optimistic scenario).
- The Libyan and Egyptian governments could call for a meeting between the Sudan Government and the NDA, revitalising the north-north reconciliation process in a slightly different format.
- Other options—the unexpected can always happen.

There is wide (but probably not deep) support for Bashir among much of the Sudanese populace, Arab countries, and in some western circles. Bashir is seen as the lesser of two evils. The unpopularity of Hassan al Turabi in Egypt and Libya means that there is an immediate sympathy for anyone who deposes him. But, closer analysis shows that many of Turabi's closest associates over the years, and many senior security officers involved in violent internal and external aspects of his policies, are still in government. Ali Osman Mohamed Taha for example is a major power behind Bashir. Security figures including Nafie Ali Nafie, Ghazi Salah el Din and others are high up in Bashir's regime.

The most persuasive explanation for the action against Turabi is that Bashir, Ali Osman and others were finding Turabi too much of a liability, especially in their dealings with the Arab world. Turabi's lack of discretion and his propensity to make inflammatory statements (notoriously so concerning the Gulf War and Osama bin Laden) were bad enough, but in recent months his arrogance was further undermining his political judgement and alienating his natural supporters. Without intending to abandon Turabi's basic project, his lieutenants are now ditching the pilot. As with all such leadership changes, the results are unpredictable.

The personalisation of the 'Bashir-Turabi dispute' means that there is a tendency to avoid examining the basic issues.

The dispute has undoubtedly weakened the regime. Bashir can play two new cards: he has marginalised Turabi, and he is trying to make a new start. These are weak cards and it speaks much of the weakness of the opposition that even these rather facile excuses seem to resonate in some opposition circles. But it would be a mistake for the NDA to assume that the weakness of the government means either that it is about to collapse, or that this is the moment for the NDA to abandon political work and resume the armed struggle alone.

While instability continues in Khartoum, the Sudan Government will be unable to take serious steps towards peace. This provides a breathing space in which the NDA and IGAD can take the opportunity to catch up. If the removal of Turabi leads to a more pragmatic approach in Khartoum, then it may also improve the chances of peace.

## **The Djibouti Meeting**

The Djibouti meeting displayed Sadiq al Mahdi's political skill. He moved faster than anyone else engaged in the peace process, outflanking both his political rivals in the NDA and IGAD's plans for revitalisation. Given the normally slow pace of action by both the NDA and IGAD, it seemed that Sadiq had made the LEI unstoppable.

Sadiq's meeting was a personal coup for the former prime minister. If we examine the substance of the declaration of principles signed by Foreign Minister Mustafa Ismail and Umma Party Foreign Relations Secretary Mubarak al Fadl al Mahdi (who is also NDA Secretary General), we see that Sadiq has not compromised at all. On the contrary the government has compromised all the way down. The declaration, named 'A Call to the Nation', is similar in many respects to the IGAD DoP—and there is no doubt that it was designed with this in mind, as a response to those who were (and still are) demanding that the Libyan-Egyptian initiative adopts its own DoP. It speaks of a commitment to multi-partyism and to universal conventions of human rights, which would require the Sudan Government to revisit its recent constitution. It includes an unconditional right to self-determination for the South.

The declaration is silent on religion and the state. For Sadiq this silence does not represent a compromise, because he does not believe in a secular state.

As the many critics of the Djibouti declaration quickly pointed out, it is vague on many points. It leaves much work to be done. Sadiq has said as much himself. He has been at pains to point out that it is not an agreement but a declaration of principles—and as such it is no more vague than the IGAD DoP.

## **Motivations and Expectations**

What were the motivations and calculations that led Sadiq el Mahdi to take this step? The first point is that such a meeting had been on the cards for some time. Ever since the April meeting between Sadiq and Turabi in Geneva, it was inevitable that the next step would be some form of more formal rapprochement between the Umma Party and the Government. Some of the other considerations that may have influenced the agenda and substance of the meeting, and its timing, include:

1. For some time, Sadiq has calculated that the struggle for power will be won by political rather than military means. He has believed that the key factors in this struggle will be political mobilisation and tactical political skills within a parliamentary framework. Even if such a framework initially involves major compromises, Sadiq believes that he has the constituency and the political skill to make it work to his advantage in the longer run.
2. The Umma Party has claimed that there are secret negotiations between the DUP and the Sudan Government. Sadiq wanted to keep a step ahead of his rivals in the DUP leadership.
3. Sadiq is fearful of the US agenda, which he sees as unduly slanted in favour of the SPLA and the South. Congressional statements on slavery and the like have encouraged the belief that a settlement in which the US plays a major role will be to the disadvantage of northern Sudan. Some report that Sadiq fears that the next dictatorship in Sudan will be an ‘ethnic dictatorship’, meaning rule by a Southerner. Along with many northern Sudanese he fears that the US is interested in a military solution—which would marginalise the Umma party. In this respect, the timing of the US Foreign Assistance Bill which authorises the US President to give food aid directly to the SPLA could not have been worse. (For most of US policy, the basic problem has been its presentation rather than its substance—all initiatives have been presented as pro-South, even if US policymakers are in fact pro-NDA and pro-unity. Thus Sadiq was able to present the US ‘non-paper’ on the IGAD process, which recommended bringing the NDA to IGAD, but with the SPLM leading the NDA delegation, as a demotion of the northern parties.)

For the Sudan Government, the Djibouti meeting and declaration demonstrated several factors:

1. The political priority for the government is rapprochement with the sectarian leadership of the NDA. ‘Peace from Within’ with Southerners is a much lower priority. There is far less government concern about the apparently inexorable disintegration of the 1997 Khartoum Agreement with Riek Machar and other Southern leaders.
2. The government is prepared to compromise on almost all major issues save religion and the state in order to retain a major share in power.
3. The declaration opened the possibility for the Sudan Government to ignore IGAD and outwit the US. (The Government will presumably not formally abandon IGAD but would like to maintain it in its current moribund state.)

After the Kampala meeting of the NDA and Bashir’s move against Turabi, the Djibouti declaration might appear to be part of history. But it would be a mistake to forget it or write it off. The motivations and calculations that underpinned Djibouti still remain fundamentally unchanged, even though the tactical environment is altered and the positions of key players have changed.

## **Initial Response of the NDA**

The NDA predictably condemned the Sadiq-Bashir meeting and its outcome. But it seems likely that for many of the northern parties, the condemnation was not based on a substantive reading of the declaration or an appreciation of the political constraints and opportunities associated with

the initiative. Rather, there was political jealousy: they wished they had done the deal themselves. (In a similar way, the DUP objected to the 1986 Koka Dam agreement and the Umma objected to the 1988 SPLM-DUP ‘November Accords’.)

At a meeting in Cairo two days after Djibouti, NDA members voted to suspend the Mubarak al Fadl, the NDA Secretary General. None of the substantive points were addressed. But—as Mubarak was quick to point out—the meeting had no constitutional status. It was just a meeting of NDA members who happened to be there. A week or so later, Mirghani began to distance himself from the meeting and its statement—a move that did not surprise many.

The DUP opposition to the Djibouti statement is also based on one substantive disagreement—the DUP is not sympathetic to self-determination for the South. But this is not an objection that can be aired too assertively, given the DUP’s signature on the Asmara Declaration and its reliance on the SPLM as an ally to block any unilateral moves by Sadiq. The Egyptian government also shares the same unhappiness with Sadiq—it would have liked to have been part of the initiative, and it does not want to see the term ‘self-determination’ in any declaration of principles.

It is notable that the response of the NDA inside Khartoum was more measured than the response of the external NDA. There was criticism on the procedure, evident distrust of Sadiq, but a recognition that a peaceful solution is the priority. The Union of Sudan African Parties (USAP) also made it clear that it wanted the substantive issues to be addressed by the NDA, and came to Kampala with its homework prepared. (For some delegates from the northern parties it was their first time to read a full text of the IGAD DoP in Arabic, and to become aware that it dealt with a comprehensive solution to the Sudanese conflict and not just the South).

## **The NDA Kampala Meeting**

The NDA meeting in Kampala, 6-11 December, at first looked as though it might witness the terminal disintegration of the Alliance. Almost all delegates arrived angry and bitter, ready for confrontation. Neither Sadiq el Mahdi nor Mubarak al Fadl attended, and the Umma delegates at times looked as though they had come just to seek a way to leave the NDA. Item one on the draft agenda was ‘suspension or dismissal of the Umma Party and the NDA Secretary General’. Subsequent items were concerned with the negotiating positions for peace and the NDA position with respect to IGAD and the LEI.

Fortunately, wiser counsel prevailed. The main sessions of the meeting were postponed while substantive issues were discussed discreetly between the parties and important political compromises were hammered out. The key meetings were with the SPLM leadership and the NDA Chairman. A five-person committee hastily put together by the NDA played a crucial role in mediating these discussions. The agenda was revised and the position of the Umma Party was discussed last. The meeting became the most substantive, sensitive and significant NDA meeting since Asmara in 1995. The meeting was also significant for the participation of a four-person delegation from the NDA inside Khartoum (headed by Abdel Rahman Nugudalla) which was an influential voice for moderation and NDA unity.

The final communique included the following:

1. The NDA adopted a negotiating position for peace talks based on the Asmara Declaration, the IGAD DoP, the memorandum of the NDA inside and other NDA statements.

2. The NDA called on IGAD and its member states to accept the NDA as a full negotiating partner at IGAD. Though the SPLM may head the delegation, the NDA demanded to participate fully in all meetings.
3. The NDA called on IGAD to coopt Libya and Egypt as participants in the peace process. An NDA delegation is to go to both countries to explain the position.
4. The NDA stressed the importance of a single negotiating forum, thus rejecting the mediation offers from South Africa and Nigeria. But the meeting did not agree to freeze the LEI, which therefore remains alive.
5. The Djibouti 'Call of the Nation' was rejected as short of a comprehensive agreement, and procedurally wrong in that it was the initiative of one party only. The NDA Secretary General was reprimanded.

The most important outcomes are therefore:

1. The NDA is intact. The Umma Party still retains its position in the NDA and Mubarak al Fadl al Mahdi remains Secretary General. (Though it is possible that the Umma leadership may decide to quit because its freedom of manoeuvre is much limited.)
2. The NDA has reaffirmed the IGAD DoP including self-determination and the separation of religion and the state.
3. The NDA has stalled on its engagement with the LEI, until it is clear whether the NDA will be given a position in IGAD. If the answer is no, then the NDA has kept open its option to resume with the LEI, presenting its negotiating position adopted in Kampala.
4. The SPLM has tied itself to a common negotiating platform with the NDA. Its first-choice scenario, of blocking the LEI while also keeping IGAD for itself, has been abandoned. In making these compromises, the SPLM has shown more political maturity and strategic thinking than ever before. We must wait to see if the SPLM will insist on its confederal proposal and 1997 new map as part of the NDA position, in contradiction to the Asmara Declaration

The NDA also sent a coded warning to the US. Some members of the NDA are deeply distrustful of the US agenda, while those that are more sympathetic to the US's stated positions are frustrated by the US's inability to deliver on its promises, and the tendency for US policy initiatives to backfire in favour of Khartoum. The NDA accepted the invitation of US Assistant Secretary of State Susan Rice to a meeting in February 2000, but said that the venue was subject to consultation.

The non-coup took place in Khartoum after the close of the NDA meeting. This did not allow the NDA to respond collectively. However it is worth noting that:

- The unexpected unity and agreement on a common negotiating position has in Kampala has left the NDA well-placed to respond to the challenge of the non-coup. The NDA is less vulnerable to splits than at any time in the recent past.
- The immediate response of the NDA including the SPLM and the NDA in Khartoum was to say nothing, on the grounds that any statement from the NDA or SPLM would only help unite Bashir and Turabi.
- The strongest card of the NDA is a focus on the issues. The entire political discourse in Khartoum is based on personalities. The NDA can set the political agenda by focussing on

issues. The NDA inside has a particular role to play in this. (The distance between the NDA inside and Ghazi Suleiman was illustrated by the latter's readiness to make public comments.)

- Similarly, the strongest card of the SPLM is to insist that if the government has anything new to offer, it should come and formally table it at IGAD.
- Some countries, particularly Egypt and Libya, may press their favoured Sudanese parties (particularly the DUP) to return to Khartoum and strengthen Bashir's hand. For example they may call for a meeting between Bashir and the NDA. Having adopted a common negotiating position and a common forum (IGAD), the NDA is well-placed to use such a meeting to state its preconditions for peace talks.

## **Challenges for the IGAD Peace Process**

In the immediate aftermath of Djibouti, it appeared that the 'NDA to IGAD' option was dead and the LEI was unstoppable. This outcome is still a distinct possibility. But the Kampala meeting of the NDA has given IGAD some breathing space. It is now important for rapid progress to be made on several issues.

### *1. Action by the NDA including SPLM.*

The NDA needs to maintain the momentum of Kampala. This requires work on both the common negotiating position and the peace forum.

- (i) There is need for developing the substance of the NDA negotiating position. Much hard work remains to be done on the details, including all the familiar issues of interim arrangements, the Nuba Mountains and Southern Blue Nile, the referendum protocol, etc. This work can begin immediately, even before the NDA nominates its delegation to IGAD (currently scheduled for the next Leadership Council meeting on 4 March).
- (ii) The NDA has deputed its chairman to meet with all IGAD heads of state to ask for representation as a full participant at IGAD. There may be procedural formalities that need to be completed before this request can be considered (e.g. a formal letter from the SPLM). Such formalities should be completed without delay. The NDA chairman should be encouraged to make the appropriate visits without delay.
- (iii) The NDA has assigned its chairman to form a committee, including NDA representatives both inside and outside, to travel to Libya and Egypt and explain the NDA common negotiating position on peace. This should happen without delay. The non-coup in Khartoum should not affect this.

### *2. IGAD Member States and Partners.*

- (i) The Sudan Government is currently weak. The opportunity should therefore be taken to push it to agree to full NDA participation in IGAD. IGAD Member States and Partners can use various means to achieve Khartoum's consent.

- (ii) Recent events have made it clear that it is vital for the IPF to have regular, formal contact with the NDA, to ensure that there are no misunderstandings, and that the NDA is fully appraised of their thinking. This is particularly the case for the US. The planned US-NDA meeting can be a vehicle for this. Internal coordination of policy within Washington would also be helpful to the Sudanese peace process.

### 3. *Libya and Egypt*

A big challenge is finding the right role for Sudan's north African neighbours. There needs to be:

- (i) A means whereby Egypt can accept the IGAD DoP and the primacy of the IGAD countries in the Sudan peace process. Egypt has always been loath to take second place to any other external power concerning Sudan. The NDA delegation visit to Cairo will be a key event. Generosity from the IGAD member states will also be important.
- (ii) A means of involvement of Libya in IGAD. Libya has energy, money and interest in Sudan, and cannot be excluded. US opposition to any role for Libya would be a mistake. A European member of the IPF should take the lead in formally engaging with Libya.

### 4. *IGAD Secretariat*

The IGAD process must regain some credibility. The strength of IGAD is that it is addressing the issues. IGAD should push this.

- (i) IGAD needs to have both a high-level meeting with substantial progress, and detailed attention to the specific issues of the committees' work.
- (ii) If there is no substantial progress at IGAD by the time of the planned 4 March NDA leadership council meeting, then it is probable that the northern parties will opt for the LEI.

While the Kampala meeting has reunited the NDA, this unity will last only as long as progress is made in the IGAD process. In many quarters, the fear remains that IGAD is a cover for an agenda for continued war. Should IGAD stall, the incentives for major players to jump out will be great.

## **Conclusion**

The non-coup in Sudan has been a boon to the media and to political pundits and conspiracy theorists. It has not fundamentally changed the situation: the military-Islamist coalition is still in power in Khartoum, and the basic issues of peace, democracy, human rights and self-determination have not changed in the slightest. But neither can the non-coup's implications be ignored: it creates openings (or illusions of openings) that may be used to push certain agendas.

There are grounds for cautious optimism that the non-coup will work to the advantage of the peace process. The removal of Turabi as a major actor is certainly positive (if it persists). A



weaker Khartoum is more likely to make the requisite concessions. Bashir has opportunities for a more pragmatic approach, should he have the opportunity and inclination to take them.

The non-coup comes at a good time for the NDA, which is unexpectedly united following the Kampala meeting. A fortnight before, Sadiq el Mahdi had thrown down a challenge to the NDA, IGAD and the IPF including the US. His message was: match my seriousness about peace. To the surprise of many, the NDA rose to the challenge, and drew up a united position for negotiating the substance of peace, and agreed that it should send a joint delegation to IGAD.

Now, responsibility falls upon the IGAD member states, the IGAD secretariat, and the IGAD partners to facilitate the NDA's entry to IGAD. The non-coup and subsequent weakness of the Bashir government provides an opportunity for pushing on the substance of peace and common agreement on IGAD as the forum.