

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

JANUARY 2000

Overview

At the Millennium, Sudan has passed a watershed. Nobody seriously disputes that the Sudanese conflict will now be settled at the conference table. The vigour of the Egyptian initiative for seeking a settlement, and the high degree of consensus in support of it among the leadership of the sectarian parties in the NDA, is giving practical shape to the north-north reconciliation, which has been on the cards for a year. But the Egyptians are finding the job more difficult than they anticipated. The immediate challenge is with IGAD: if there is no substantial progress towards a comprehensive settlement at IGAD in the coming weeks, then a more piecemeal north-north reconciliation is likely.

The Egyptian Push

Ramadhan (9 December-7 January) witnessed a concerted attempt by the Egyptian Government to seize the initiative and find a quick route to a settlement in Sudan. The Egyptians had prepared their ground well.

1. The Egyptian Government likes to deal with a single, strong military figure in Khartoum. It has decided that it can live with an Islamist government in Sudan, provided that the latter is not directly bent on destabilising Egypt. The Egyptians see General Bashir as such a figure. They are hostile to Dr Hassan al Turabi, who personifies all that they fear. Implicitly or explicitly, they indicated to Gen. Bashir that if he removed Dr Turabi from a position of power, they would overlook the fact that many of Turabi's acolytes (including men responsible for posing serious security threats to Egypt) remained in government. When Bashir declared the State of Emergency, Egypt immediately responded with a diplomatic offensive on behalf of Bashir, aimed at the Arab world, Europe and the U.S.
2. The leader of the DUP and NDA Chairman, Mulana Mohamed Osman al Mirghani is a close ally of Egypt and has proved himself ready to cooperate closely with almost all aspects of the Egyptian initiative.
3. The Egyptian Government coordinated with the Libyan Government in order to ensure that Sadiq el Mahdi and the Umma Party leadership were travelling in the same direction.
4. The Egyptians have both a Plan A and a Plan B.
 - a) Plan A is for a settlement at IGAD, with Egypt playing a major role, formally as a member of the IGAD Partners Forum but informally as guarantor of the roles of Gen.

Bashir and the northern sectarian parties especially the DUP. Most crucially, Egypt also sees itself as the guarantor of Sudanese territorial unity.

- b) Plan B is for an Egyptian-mediated national reconciliation conference, which can be activated at short notice should Plan A fail.

In terms of its interests in Sudan, it is likely that Egypt prefers Plan B, because this increases Egyptian influence and cements the possibility of a deal that excludes self-determination. But, in view of Egypt's wider strategic interests, Plan A also has its attractions.

Egypt's unilateral initiative (Plan B) suffered a setback at the NDA Conference in Kampala in December, in which the NDA adopted a common negotiating position (based on the Asmara Declaration and IGAD DoP), expressed its preference for a single negotiating forum (IGAD, with full NDA representation), and mandated its chairman (Mohamed Osman al Mirghani) to obtain consent and support from Egypt, Libya and the IGAD member states. However, no sooner had Mirghani returned to Cairo (in the wake of the 12 December non-coup) than he began to indicate his preference for a national reconciliation conference with no preconditions attached—even bypassing the NDA's standing procedure for forming a committee to develop the NDA's negotiating position. This set alarm bells ringing throughout the NDA, with the result that the Egyptian unilateral initiative began to lose momentum.

1. The SPLM leadership expressed its clear hostility to any such unilateral move by Egypt. This was an issue on which the SPLM leadership and wider Southern opinion were wholly united, because the Egyptian proposal omitted any mention of self-determination for the South.
2. The DUP itself was plunged into a crisis. In the wake of the November meeting in Djibouti between Sadiq el Mahdi and Gen Bashir, Mirghani had sponsored a meeting in which the DUP (represented by Dr Farouk Ahmed Adam) moved a motion to suspend the NDA Secretary General Mubarak al Mahdi, who had accompanied Sadiq in Djibouti and signed the agreement. Later, Mirghani distanced himself from this meeting, causing a rift with Dr Farouk, who publicly criticised his former party leader and in doing so attracted considerable support. At such a moment, the absence of a DUP party infrastructure became painfully apparent.
3. The DUP internal crisis threatened to pass the initiative back to Sadiq el Mahdi and the Umma Party—who have been active in mobilising their constituency and preparing politically for a return to Sudan. Egypt has a long history of discomfort with Sadiq el Mahdi's leadership in Sudan and would not be happy to see him as the principal beneficiary of an Egyptian-led peace initiative.
4. While some European countries have become distinctly more sympathetic to the Sudan Government since Bashir's move against Turabi, they are also committed to the IGAD process. The U.S. has shown no noticeable move from its position of unqualified opposition to the Bashir government, despite the entreaties of the Egyptians.

As a result, the Egyptian hope for a rapid north-south reconciliation in late January or February 2000, has proved over-optimistic. The timetable has slipped. An indication of this is the creation of a monthly forum in which the Egyptian and Libyan foreign ministers will meet to discuss the Sudanese peace process. The unilateral Plan B is by no means dead and may become the leading peace process at any point.

It is important to examine Egypt's wider interests in Plan A (IGAD), and its strategy for approaching IGAD.

1. Egypt is keen to maintain its close cooperation with the U.S. and although it is ready if necessary to act on Sudan contrary to stated U.S. policy, it will do so only with reluctance.
2. Egypt is also keen to be perceived as a cooperative partner by the European IGAD partners. One reason for this is that Egypt sees itself as a strategic intermediary between Europe and sub-Saharan Africa. Later in 2000, Egypt is hosting a key EU meeting on new modalities of assistance to Africa.
3. Egypt has wider interests in the Horn of Africa which are best pursued by maintaining influence at IGAD.

The Egyptian strategy includes forming an 'African Partners of IGAD Forum' that includes South Africa and Nigeria. This African IGAD Partners Forum will be resolutely anti-secessionist. (The Nigerians in particular are determinedly pro-unity and President Obasanjo would be very reluctant to be associated with any settlement in Sudan that involved the separation of the South.) Egypt hopes that, while the northern sectarian parties in the NDA will see the Arab countries as their guarantors when they return to Sudan, the SPLM will see the African IGAD partners as guarantors of the Southern interest within a united Sudan.

The SPLM leadership has formally welcomed the idea of the African IGAD Partners, especially welcoming a South African role.

President Bashir remains an Islamist

President Bashir has been making very contradictory and confusing statements. On the one hand he is keen to stress his Islamist credentials and his commitment to the NIF's 'civilisation project.' Islamic law remains on the statute books and there is not the slightest indication that the current government intends to remove it, or even to open up the question of its removal as a subject of discussion.

On the other hand, the government is talking openly of dismantling the 'tawali' laws created by Dr Turabi, and replacing them with a complete multi-party system. This would neatly outflank Turabi's attempts to portray himself as a democrat wronged by a military dictator (an attempt that carried little conviction anyway). It would also open the door to the Umma and DUP.

The question is not one of Gen Bashir's intentions, but his capacity. Cynics who argue that Bashir is playing a game in order to retain power are certainly correct. Bashir will become neither a democrat nor a secularist. His current position and strategy can only be understood when his weakness is acknowledged. Internally, Bashir needs to placate the Islamists, who are a powerful and well-organised force. He is therefore required to renew his commitment to the Islamist project, and indulge in much Islamist rhetoric. He finds this easy to do because he has been doing it for more than a decade and he fully believes in it. But he also knows that the Islamist power base, as it exists in Sudan at present, is not enough to maintain him in power. Some rapprochement is needed with the opposition, hence the attempts to entice back the sectarian parties. This is an inherently risky strategy for the NIF, because the sectarian parties are much more comfortable with electoral politics, because their constituencies are relatively stable

and numerous. Some of the sectarian leaders may personally prefer to enter into a coalition with the NIF leadership including Gen Bashir, but their own power base depends on the logic of electoral mobilisation, and the electorate may deliver a different verdict.

The Diarchic Model

In these circumstances, the concept of a ‘diarchic’ power structure is emerging. A diarchic system is a compromise between military and civilian rule. The military, perhaps associated with a powerful party, plays a dominant role in politics, ensuring stability and minimal change in government. Civilian politicians can rise within the dominant party. There is also a multi-party system, with smaller parties contesting elections and winning some seats, enjoying civil and political rights, but unable to wield real power.

Instances of diarchic systems include Turkey, Uganda and of course Egypt. It is likely that Egypt sees the Sudanese army and National Congress, the latter in coalition with the DUP and Umma, as the central pillars of a diarchy. It is interesting that in a paper presented to the February 1999 conference, ‘Human rights in the transition in Sudan,’ Sadiq el Mahdi also explored the possibilities of a diarchic system. While he did not settle on any single preferred formula for the relations between military and civil politics, he painted the diarchic option in favourable colours—preferable to military rule, and more realistic than the mature democratic option of a professional non-political army under civilian command and the ‘Costa Rican’ option of abolishing the army altogether.

NDA Challenges

The readiness of the NDA leadership to hold out the possibility of a major compromise with the NIF has shocked many of the more radical elements in the NDA (including some members of the DUP and Umma themselves). In a striking interview on Al Gezira TV, Mirghani said it was not in the Sudanese nature to take advantage of the internal quarrel within the NIF. The NDA has now a Chairman and a Secretary General who are ready to speak to the Government of Sudan without the prior agreement of the Alliance, but who hardly speak to one another.

There is little doubt that the Umma Party is preparing for a gradual return to Sudan. The Sudan Government has offered to return the former Umma Party headquarters to the party, for use as political offices. The Umma leadership has named its delegation to return to Khartoum to resume political activities. It will be headed by Dr Omer Nur el Daim, Umma Party Secretary General.

Remarkably, the dissension in the NDA does not mean that the Alliance will disintegrate or abandon its basic negotiating position. The Umma leadership, which is furthest along the road of reconciliation with Bashir, recognises the importance of a comprehensive settlement (witness the substance of the Djibouti ‘Call of the Nation’, which addressed a wide range of issues including self-determination for the South and the status of minorities). The DUP leader, who seems less concerned with a comprehensive settlement, needs the NDA because his personal position crucially relies on his continued chairmanship of the Alliance.

The NDA still has opportunities to sustain its unity around a common negotiating position.

1. The Leadership Council meeting, initially scheduled for early March, may be brought forward to assist with naming delegates for the Libyan-Egyptian Initiative. This can reaffirm the positions adopted in Kampala.
2. The NDA Congress scheduled for 26 March can be an opportunity to address the major issues again.
3. The deference shown to the NDA inside Sudan by the external NDA is an encouraging sign. The delegates from the NDA in Khartoum played a positive role in Kampala.
4. The second conference, 'human rights in the transition in Sudan', scheduled for March or April, will be an opportunity for the NDA to address a wider range of issues than those normally raised in NDA political fora.

Much responsibility falls on the SPLA/M to play a constructive role. The SPLM opposition to a partial deal under Egyptian auspices or a no-preconditions national conference remains an important incentive towards a comprehensive deal, but only if the SPLM can cooperate closely with the northern NDA parties in developing the negotiating position at IGAD. There are signs that this strategic cooperation still falls short of what is required. At the Rumbek meeting of the SPLM National Liberation Council in December, the SPLM continued much as before, concerned primarily with its internal reorganisation. There was little liaison between SPLM and NDA northern parties on negotiating positions in advance of the 15 January IGAD meeting.

Most, but not all, of the NDA parties acknowledge that the war can no longer be expected to result in a victory. Increasingly, NDA members recognise the fruits will go to those who are politically mobilised, and the real political struggle will begin *after* the settlement is made.

Southern Consensus

The last 12 months have seen the development of a remarkable and practical consensus across all Southern forces about the outlines, and in some cases the details, of a workable peace agreement. This consensus is informed by a spirit of Southern nationalism, a profound war-weariness, and a readiness to discuss issues that were formerly taboo. Key events in this development were:

1. The February 1999 Kampala conference on human rights in the transition, at which the practicalities of self-determination were discussed, for the first time, including the components of a referendum protocol;
2. The April 1999 New Sudan Judicial Conference, in which these discussions were taken a stage further in the presence of the SPLM Chairman;
3. The USAP-Southern elders meeting in Geneva in July, convened by Abel Alier following his peace initiative three months earlier, in which a broader spectrum of Southern parties took responsibility for developing the substance of the proposal;
4. The October 1999 USAP meeting in Mukono, Uganda, in which the SPLM participated as observers, and further details were added to the peace proposal. USAP and SPLM set up a joint committee to work on details for peace proposals;

5. The call by Bona Malwal for a Southern Conference to address all Southern issues. This has not been organised but has generated much discussion, with most views consonant with the positions developed by USAP and Abel Alier;
6. The 29 December Memorandum presented to Gen. Bashir by representatives of all major Southern forces inside Sudan, including the Southern Forum in the National Congress, the USDF and USAP. Abel Alier chose to sign as an independent national figure. The demands made converged closely with the USAP Mukono Declaration.

The SPLM leadership has been monitoring these developments. It is supportive of the USAP initiatives and broadly sympathetic to Abel Alier. It is suspicious of other Southern groupings including Bona Malwal and the political leaders of Southern armed groups in Khartoum.

The emergent Southern position is that the South, within the borders of 1-1-56, including Abyei, is entitled to the right of self-determination, following an interim period of no more than two years, during which the South is under Southern administration. The referendum should include the options of unity and separation. It should be organised by an independent referendum commission with international observers. Details for security, administration, rehabilitation and the return and resettlement of refugees and IDPs are to be worked out.

There is little doubt that this position commands majority support within the Southern ranks of the SPLM. The SPLM leadership is hesitant on two main issues:

- (a) the position is silent on state and religion in northern Sudan, which is still a prime concern for the SPLM as a national movement;
- (b) there is a risk that this position will split the Nuba and Southern Blue Nile forces off from the Southern forces in the SPLA, dividing the command structure of movement and leaving the Nuba and Southern Blue Nile politically exposed within a northern Sudanese entity.

Unfortunately, the weakness of political coordination between the SPLM and northern NDA parties has left the SPLM leadership without a strong political base from which to insist on these issues, should it be confronted with a proposed deal that provides for the South only. The SPLM leadership may not be able to indefinitely continue to say no to a deal that is acceptable to the South, but solely to the South.

It is significant that the Southern forces in Khartoum and USAP outside have kept open the option of the Libyan-Egyptian Initiative, while expressing their clear preference for a settlement at IGAD. This is a warning shot for IGAD.

There is also a Southern consensus that the Nuba and Southern Blue Nile peoples are entitled to a deal on the same terms. This is very largely what the Nuba want, as reflected in the outcomes of a series of consultations held by Nuba groupings inside and in the diaspora. (The Southern Blue Nile peoples are not sufficiently politically organised to have a forum in which a common view can be developed.)

Last Chance for the IGAD Peace Process?

It is remarkable that the IGAD peace process has survived as long as it has. The main reason is that it suited the interests of both parties to continue fighting, and the presence of the (essentially inoperative) IGAD forum was a means of fending off other peace initiatives. The situation has

now changed, with the Libyan-Egyptian Initiative as a serious competitor should IGAD fail to make substantial progress.

For the Sudan Government, one of the advantages of the IGAD process in recent years was that the SPLM did not put forward concrete and detailed proposals for a settlement. The Sudan Government could therefore portray itself as more favourable to a peace deal. The readiness of the Government to make a deal with the Umma and DUP places a big responsibility on the SPLM. Now it must challenge the Sudan Government by forwarding concrete proposals, in line with the NDA position, for a comprehensive deal. If the government agrees, there is the basis for a settlement. If the government rebuffs the proposals, it will be difficult for the northern NDA parties to make bilateral deals with Khartoum, after their common negotiating position has been rejected at IGAD.

The IGAD meeting in Nairobi that opened on 15 January (and which is continuing as this briefing is written) is perhaps the most important meeting of the IGAD peace process to date. The next briefing in this series will be an assessment of the outcome and implications of this IGAD meeting.