



Sudan's Tortured Peace Process

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Introduction

As the African Union prepares to convene peace talks on Sudan's Two Areas for the third time in as many months, the stakes for peace are higher than ever. Independent human rights monitors confirm that February 2014 was the deadliest month for the aerial bombardment of civilians in South Kordofan since the current conflict began in 2011.¹ Meanwhile, Darfuris are facing yet another brutal wave of state sponsored Janjaweed violence, which has already led to the displacement of over 215,000 people in the first three months of the year.²

Responses to these developments continue to be counterproductively fragmented. In the Chadian border town, Um Jaras, President Deby hosted a broad spectrum of Darfuri tribal leaders and Sudanese government officials, including President Bashir, on a forum on peace and security in Darfur.³ However, the forum, which concluded with a resolution recommending the complete disarmament of all militias in the region, excluded all of the area's armed factions.⁴ Meanwhile, in Khartoum, the government is stage-managing a "national dialogue" process with around fifty traditional opposition faces, while excluding independent civil society actors and all of the major elements of the armed opposition.⁵ Kept out of both of these processes, the Sudan Revolutionary Front, or SRF, is pushing for an independently facilitated constitutional conference instead.⁶ At the same time, the Sudanese government has been narrowing political space by closing down newspapers, arresting activists, and sentencing rebel leaders to death after trial in absentia.⁷ Citing constraints on free expression, the National Consensus Forces, a coalition of major opposition parties, have refused to participate in the ongoing government-led dialogue process, further reducing the chance of an inclusive discussion.⁸ In the absence of a holistic peace negotiations strategy to tackle all of these issues, the prospects for real progress in Sudan are dim.

Undoubtedly, the parties to Sudan's many conflicts hold starkly different visions for how to move the country forward, particularly on the questions of inclusion and sequencing. For its part, the government prefers to limit participation in the national dialogue on the country's political future and keep discussions with armed actors restricted to security concerns in their areas of operation. The rebel coalition argues that their historically marginalized constituencies deserve a voice in the national

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political debate and that their military leverage entitles them to a place at both tables. Finding it “impossible to bridge the chasm” between these visions, President Mbeki’s panel appealed to the African Union Peace and Security Council, or A.U. PSC, for guidance on how to proceed with negotiations.⁹ In response, both the A.U. PSC and the Commission’s Chairperson, Nkosazana Dlamini Zuma, publicly recognized the need for a more holistic strategy to address Sudan’s wars.¹⁰

In a major step forward and for the first time, Chairperson Zuma met with rebels from the Darfur region to discuss their vision for the way forward on peace talks.¹¹ Despite her recognition of the need for a more holistic approach, it is clear that fears still prevail about losing ground or undermining existing processes being led by President Mbeki on South Kordofan and Blue Niles states, or the Two Areas, and Mohammed Ibn Chambas on Darfur. As a result, although it acknowledged the panel’s mandate over Darfur too, the A.U. PSC’s decision pushed for renewed negotiations on only the Two Areas by the end of April 2014.¹² It set no deadline or target for either the national dialogue process or the Darfur talks. Still, a comprehensive approach that addresses the root causes of Sudan’s wars and marginalization remains the key to unlocking the transformative political change that a broad range of Sudanese constituencies are demanding.

For years, the Enough Project has called on the international community to unite more strategically to this end.¹³ Sudanese civil society organizations and independent international analysts support a comprehensive peace approach as well.¹⁴ In recent communiqués, the African Union and the European Union have also embraced this approach.¹⁵ U.S. officials have expressed support for a more comprehensive approach, but have yet to commit the requisite diplomatic resources to building a broad international coalition in support of a new peace strategy for Sudan.

In their pursuit of region specific ceasefires, both the African Union High-Level Implementation Panel, or AUHIP, and the United Nations have played into the government’s effective strategy of dividing international attentions. Any regionally delimited ceasefire will only serve as a reprieve for the government army in that area, allowing forces to redeploy to another war zone to intensify offensive operations there. For example, in the event of a cessation of hostilities in South Kordofan, Khartoum’s forces could advance in Darfur and support Janjaweed militia units – renamed Rapid Support Forces – to destroy villages perceived to be sympathetic to rebel SRF elements. Attacks on dozens of villages southeast of Nyala and west of el Fashir by the integrated Janjaweed fighters of the Rapid Support Forces have already evidenced this pattern in recent weeks.¹⁶ Just as with any peace process, a humanitarian ceasefire must be comprehensive in order to prevent a respite in one area enabling the armed combatants from engaging in an escalation elsewhere.

Despite the emerging consensus around the need for a comprehensive negotiations architecture for Sudan, the African Union’s recent decision shows that it remains committed to pushing for progress on the existing process for the Two Areas, leaving

Darfur to its long-collapsed initiative.¹⁷ In the absence of a cohesive strategy, bringing the parties together for more talks could actually be counterproductive. If Sudan is going to find peace, the African Union must demand a holistic, coordinated, and comprehensive approach to the peace process that addresses all of the country's conflicts, and an inclusive national political dialogue. Otherwise, continuing to engage in never-ending fragmented negotiations processes and supporting a superficial "national dialogue" will just further entrench an authoritarian government, deepen the conflicts, and disempower change makers. Still, gridlock related to competing visions for a peace process should not prejudice an immediate and robust international push for a nationwide humanitarian ceasefire. This year's rainy season is beginning early, putting millions at risk of food insecurity.

In order to effectively advance the peace agenda in Sudan, external actors must take four critical steps.

- First, the A.U. PSC should direct the AUHIP to begin working toward the construction of one comprehensive peace process addressing the conflicts and involving the parties in Darfur, South Kordofan, Blue Nile, and eastern Sudan. As part of this, the U.S. and other donors should end all support for the Doha framework for peace in Darfur and the AUHIP's initiative focusing solely on South Kordofan and Blue Nile. Even while this new initiative is being constructed, more can and should be done to coordinate between the ongoing disparate efforts to bring peace to Sudan, including possibly co-locating talks at the same venue to increase cross-cutting discussions, especially on pressing questions of humanitarian access.
- Second, the U.S. should redouble its diplomatic efforts around the construction of an international coalition willing to push for a comprehensive peace process. In order to achieve that objective, a much larger investment in diplomacy in Sudan must be made by the U.S. The current U.S. envoy for the Sudan's, Donald Booth, is understandably focused for the most part on the escalating war in South Sudan. Sudan needs its own U.S. envoy or deputy of ambassadorial rank to carry out the intensive multilateral diplomacy required for building a new peace process.
- Third, the U.S. Congress should pass a measure to allow capacity building support to Sudan's armed opposition as it transforms itself into a political party and increase support to Sudan's civil society notwithstanding any legal restrictions.
- Fourth, the U.S. should lead diplomatic efforts in the preparation of focused incentives and pressures which could be deployed in support of a comprehensive peace initiative. These efforts could include targeted sanctions and restrictions on Sudan's lucrative gold trade or clear statements on debt relief.

Hurdles for a Comprehensive Approach

A central impediment to a comprehensive solution has been the segmented parameters of the current negotiations, which fail to reflect the interconnected nature of the conflicts demanding mediation. U.N. Security Council Resolution 2046 requires the Sudanese government and Sudan People's Liberation Movement-North, or SPLM-N, to reach a "negotiated settlement," based on a June 28, 2011, agreement that addresses political and security conditions in Blue Nile and South Kordofan states.¹⁸ That resolution makes no mention of Darfur. This artificial division has compartmentalized the way both the international community and regional organizations address Sudan's conflicts. In reality, Sudan's two conflict zones *de facto* merged when the SPLM-N and Darfuri groups joined one alliance – the Sudan Revolutionary Forces – and promised one vision for resolving the conflict. A further peace deal for eastern Sudan has largely gone unimplemented.¹⁹ There too, the causes of the conflict are very similar to those in the other warring regions.

The international community has done little to reject this stove-piping of the various conflicts, despite the fact that it plays straight into Khartoum's divide-and-conquer strategy. While there has been some commendable *ad hoc* coordination between efforts, it is becoming increasingly clear that continuing to support the Qatari-led efforts on Darfur is counterproductive. Some have argued that supporting the Darfur Regional Authority or the Doha process' internal consultations for Darfur offer attractive openings to engage in the troubled region. This only undermines the push for a real solution forged through a holistic, coordinated, and comprehensive approach.

Neither the mediation nor invested stakeholders have worked with other governments to build multilateral leverage as a source of pressure on the negotiating parties. Without that influence and new ideas, talks have completely stagnated. This vacuum has repeatedly allowed both the Sudanese government and armed opposition groups to politicize discussions of life-saving humanitarian aid.²⁰ This cannot continue. As violence in Darfur intensifies and food insecurity in South Kordofan and Blue Nile deepens, leaders must prioritize humanitarian aid.²¹ During the latest round of talks, the African Union mediation, and subsequently the A.U. PSC, relied on the almost two year old and never implemented Tripartite Agreement as the foundation for humanitarian discussions.²² While the rebel coalition argued that the humanitarian issue should be treated as an emergency, requiring facilitation of access while talks continued on the more intractable political and security issues, the mediation refused to accept that premise. Instead, it pointed to the Tripartite Agreement as sufficient basis and allowed the government to condition a humanitarian cessation of hostilities on progress on the other tracks. Since each party holds a different understanding of the content of the Tripartite Agreement and the documents were signed separately, it provides a poor basis for further negotiations.

This is not a new phenomenon. In fact, in Sudan, the AUHIP has repeatedly repackaged old agreements and repurposed them as if new. The A.U. mediation has

revised the June 2011 agreements and presented it as a new proposal, notwithstanding the fact that the Sudanese government had previously signed and then reneged on that very text.²³ Then, when the government submitted its own proposal, it borrowed substantially from that same A.U. proposal.

For its part, the rebel Sudan Revolutionary Front is conflicted. It demands a comprehensive approach to conflict resolution, through which all of the regional conflicts— with their similar root causes—are addressed together in an inclusive process. Still, since there is no other vehicle for negotiations, the armed opposition continue to participate in talks on the Two Areas through the SPLM-N. In an attempt to bridge this tension, during the latest round of talks, the SPLM-N attempted to move the focus away from a push on the Two Areas.²⁴ The SPLM-N invited civil society and representatives from Darfur and other marginalized areas to join its delegation in Addis Ababa. Independent experts representing a wide spectrum of Sudanese perspectives were also invited to join the SPLM-N delegation, including Belghis Badir and Khalid al-Tigani al-Nour. Nonetheless, the Sudanese government argued that even with these supplementary delegates, the armed opposition did not have the right to negotiate “comprehensively” on behalf of the entire country.²⁵

High Stakes for Civilians

The stakes for peace in Sudan are high as atrocities mount across Sudan’s conflict-affected areas. A particularly vicious recent bout of violence has devastated and displaced civilians across Sudan’s periphery since the fall of 2013.²⁶ Sudanese forces have recently launched heavy air strikes and ground attacks on civilian areas in Darfur and South Kordofan.²⁷

Violent attacks on civilian targets by both sides continued in South Kordofan state amid the peace talks between the SPLM-N and the Sudanese government from mid-January until mid-February.²⁸ In Darfur, Janjaweed attacks have led to the displacement of over 215,000 people since the beginning of the year. This new displacement comes on the heels of almost half a million people being newly displaced during 2013.²⁹ Today some 2.365 million people are internally displaced within government-held areas of Sudan,³⁰ and another 800,000 displaced or conflict-affected civilians in South Kordofan and Blue Nile states lack access to humanitarian aid.³¹ Four million in Sudan face “emergency level” food insecurity this year.³² There are 641,400 Sudanese refugees in neighboring countries,³³ and many have come under attack.³⁴ With the rainy season fast approaching, millions of displaced people in Sudan need help immediately. Amid mounting humanitarian concerns, the government of Sudan forced the International Committee of the Red Cross to suspend its activities and has also closed down the operations of ACTED, a French relief organization operating in Darfur.³⁵

Many hoped that the urgent needs of so many civilians and the weight of international obligation would prompt the Sudanese government and the SPLM-N to reach an agreement on humanitarian matters when they met in Addis Ababa. Both sides

acknowledged the importance of providing humanitarian assistance to those in need.³⁶ There was even a nascent hope that peace talks could yield more than a humanitarian solution and lay groundwork for political recognition by Sudan's government for the country's armed opposition. Despite all this, no progress was made.

Divergent Incentives for Peace

Most importantly, stalled talks on the country's conflict areas will allow the government to completely capture the ongoing "national dialogue" process in Khartoum. Already, President Bashir's regime is courting familiar opposition faces to join its ranks. Meanwhile, independent civil society actors are being excluded and activists are being targeted for arrest. As a consequence, the national dialogue process represents another avatar of the Government of Sudan's long-standing divide-and-conquer strategy.

The Sudanese government's dry season offensive, though called successful by authorities,³⁷ has taken a toll on its forces, particularly in the South Kordofan border area.³⁸ At the end of the fighting, South Kordofan Governor Adam al-Faki claimed that rebels control only three of the state's 17 localities.³⁹ Costly military campaigns that account for as much as 70 percent of the national budget⁴⁰ have added to the heavy economic pressures Khartoum faces with lost oil revenues from South Sudan⁴¹ and other troubled macroeconomic indicators, including double-digit inflation.⁴²

These pressures have affected Sudan's political scene, where Sudan's ruling National Congress Party, or NCP, has undergone significant reshuffling and seen the departure of several key figures.⁴³ Furthermore, Musa Hilal, a notorious Janjaweed fighter, has now mobilized his substantial forces against government forces at the state level in a bold power play in North Darfur.⁴⁴ Some believe that the NCP's calls for a broad national political dialogue in Sudan came in response to multiple political and social pressures. Optimists suggest that these mounting pressures signal the potential for growing recognition of Sudan's armed opposition. Now, South Sudan's internal conflict is increasingly regionalized, presenting an additional concern. Both Ugandan forces and members of the Darfuri rebel Justice and Equality Movement are actively engaged in that theater of operation, fighting alongside the South Sudanese army loyal to President Kiir.⁴⁵ This only further complicates the threats to Khartoum's broader interests.

In their retreat from the South Kordofan battlefield, the Janjaweed Rapid Support Forces left a trail of death and destruction in all localities where they passed. They set up camp near Al-Obeid, capital of North Kordofan state, and refused to leave until the governor, Ahmed Haroun, indicted by the ICC for his role in setting up the Janjaweed militias and overseeing their mass killings of civilians in Darfur at the peak of the genocide in 2003-2004, paid them salaries and blood money for their dead.⁴⁶ During the standoff that followed, the Rapid Support Forces terrorized the city inhabitants, raping and killing traders who demanded that they pay for goods and services.⁴⁷ With

public anger dangerously threatening to explode, Haroun paid the integrated Janjaweed a reported bounty of three million U.S. dollars, to be collected in South Darfur.⁴⁸ Shortly after their arrival in South Darfur, the Rapid Support Forces unleashed the widespread atrocity crimes against civilians described above.⁴⁹ The government now acknowledges the integrated Janjaweed as part of the command structure of the SAF and the National Intelligence and Security Services. As a consequence, Ahmed Haroun was forced to issue a startling public apology to the citizens of North Kordofan for the atrocities his former and current henchmen committed in North Kordofan.⁵⁰

The SPLM-N also has interests that could lead negotiators to give ground in upcoming talks with Khartoum. The rebel coalition faces heavy local and international pressure to prioritize an agreement for humanitarian access in the areas under their control. As part of the Sudan Revolutionary Forces rebel alliance, however, SPLM-N negotiators represent the broader interests of other stakeholders in the coalition, including groups from Darfur who seek humanitarian access for people in urgent need in their areas too. The tension in peace talks between the interests and representation of SPLM-N and the broader rebel coalition affects the negotiating dynamics on all conflict-affected areas.⁵¹ Discussions on humanitarian access extend easily to security interests in a multi-front war, since rebels hold stronger swathes of territory in South Kordofan but don't try to maintain control in either Blue Nile or Darfur.

Most importantly, the SRF rebel coalition desires greater national and international recognition as political contenders in Sudan. Peace with Khartoum shows the international community that Sudan's armed opposition can prioritize the needs of people in rebel-held areas. This interest in political recognition has drawn rebels to the negotiating table, but it also affected the viability of talks because the Sudanese government has resisted discussions and interests that extend beyond conditions in the Two Areas. This interest is only complicated by the government's insistence that groups carrying weapons cannot participate in the national dialogue.

Sudan's acutely vulnerable civilians who live in precarious conditions will pay the highest price for the failure of this peace process. In a bitter conflict for which so many innocent people have paid the ultimate price, Sudanese civilians now need their leaders to prioritize the security and humanitarian needs of the people. Sudanese civilians also need the international community's support in pressing Sudanese leaders to adopt comprehensive approaches for humanitarian matters and political processes.

Recommendations

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- Fourth, the U.S. should lead diplomatic efforts in the preparation of focused incentives and pressures, which could be deployed on the combatant forces to push them towards concessions necessary for a comprehensive peace initiative. These efforts could include targeted sanctions and restrictions on Sudan's lucrative gold trade or clear statements on debt relief.

Endnotes

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- ¹⁴ The diverse voices that support adoption of a comprehensive approach include the Sudan Democracy First Group, International Crisis Group, former Special Envoy for Sudan and South Sudan Princeton Lyman, United States Institute of Peace expert Jon Temin, the Sudanese National Ummah Party's Mubarak Al-Fadil Al-Mahdi, Sudan's grassroots Girifna movement, the Sudan People's Liberation Movement –North, or SPLM-N, SPLM-N's Secretary General Yasir Arman, non-signatory Darfuri rebel movements, a group of 50 Sudanese civil society leaders who signed a letter to the A.U. Peace and Security Council in March 2014, a group of 70 Sudan experts, diaspora activists and human rights groups that signed a July 2013 letter to the U.N. Security Council, and 120 African civil society organizations that wrote a May 2013 letter to the African Union. Princeton Lyman and Jon Temin, "Pathway to National Dialogue in Sudan" (Washington: United States Institute of Peace, 2013), available at <http://www.usip.org/sites/default/files/PB155.pdf>; Sudan Tribune, "Opposition figure calls for international support to comprehensive process in Sudan," September 7, 2013, available at <http://www.sudantribune.com/spip.php?article43819>; Girifna, "Doha Donors' Conference Must Seek Comprehensive Solutions," April 8, 2013, available at <http://www.girifna.com/8226>; Sudan Tribune, "SPLM-N, Ethiopian PM discuss peace in S. Kordofan and Blue Nile," August 3, 2013, available at <http://www.sudantribune.com/spip.php?article47526>; African Union - United Nations Mission in Darfur, "Outcome Statement on the Consultations in Arusha," Press release, August 27, 2013, available at <http://unamid.unmissions.org/Default.aspx?tabid=11027&ctl=Details&mid=14214&ItemID=22606&language=en-US>; Sudan Tribune, "Civil society groups call on AUPSC to support holistic peace in Sudan," March 10, 2014, available at <http://www.sudantribune.com/spip.php?article50253>; Sudan Tribune, "Experts and human rights groups support comprehensive solution in Sudan," July 24, 2013, available at <http://www.sudantribune.com/spip.php?article47383>; International Refugee Rights Initiative, "50th anniversary of African unity a chance to make history on Sudan," May 22, 2013, available at <http://www.refugee-rights.org/Focus%20on%20Africa/Darfur/05.22.13AUMakeHistory.html>.
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³⁸ Independent and non-government accounts suggest the Sudanese military campaign backfired, with government forces losing territory, troops, military vehicles, and other resources, particularly in the battle of Trogi, or Toroje. See Nuba Reports, “SRF Repel SAF attack, hold road to South Sudan,” January 6, 2014, available at <http://nubareports.org/srf-repel-saf-attack-hold-road-to-south-sudan/>; Radio Dabanga, “Rebels claim victory over army convoy in South Kordofan,” January 5, 2014, available at <https://www.radiodabanga.org/node/63460>. For additional detailed accounts of the incident in Trogi provided by the SRF of seized materiel see Radio Dabanga, “Military convoys destroyed in South Kordofan’: Revolutionary Front,” January 6, 2014, available at <https://www.radiodabanga.org/node/63526>.

³⁹ Sudan Tribune, “Military campaign in South Kordofan coming to end: SAF,” January 30, 2014, available at <http://www.sudantribune.com/spip.php?article49768>.

⁴⁰ Wars across Sudan’s periphery have reportedly cost the government as much as 70 percent of the national budget, and the government now struggles to maintain patronage networks with government-allied militias in areas like Darfur. See Katrina Manson, “Sudan: Rage against the regime: Economic problems and fears for its southern neighbour are destabilising Omar al-Bashir’s rule,” *Financial Times*, January 15, 2014, available at <http://www.ft.com/cms/s/0/8a16b73e-7dca-11e3-95dd-00144feabdc0.html#axzz2x6jCaO7M>.

⁴¹ Khartoum had reached an agreement with Juba to accelerate payment of \$3.6 billion in oil revenues to offset other losses of revenue. However, this deal preceded the outbreak of violence in mid-December in South Sudan that has continued to affect key oil-producing Unity and Upper Nile states. Control of oil fields and effect on the flow of oil remains uncertain as clashes unfold. See International Monetary Fund, “Sudan: Selected Issues,” October 2013, pp. 3, 21, 23, available at <http://www.imf.org/external/pubs/ft/scr/2013/cr13320.pdf>. The IMF estimated these fees would provide the Sudanese government with approximately \$1.4 billion in revenues in 2014. Sudan Tribune, “Sudan projected to receive \$1.4 billion from Juba in 2014: IMF,” November 6, 2013, available at <http://www.sudantribune.com/spip.php?article48703>.

⁴² Inflation exceeded 42 percent in December, according to the Central Bureau of Statistics in Sudan. The Sudanese central bank is printing money that subsidizes crude oil and pays for gold, some of it mined in Darfur, with those revenues going to the federal budget deficit. In 2013 Sudan carried an international debt estimated at \$44.7 billion—86 percent of its gross domestic product. See Sudan Tribune, “Sudan’s inflation rate on the rise,” December 9, 2013, available at <http://www.sudantribune.com/spip.php?article49116>; Katrina Manson, “Sudan: Rage against the regime: Economic problems and fears for its southern neighbour are destabilising Omar al-Bashir’s rule;” International Monetary Fund, “Sudan: 2013 Article IV Consultation,” October 2013, p. 6, available at <http://www.imf.org/external/pubs/ft/scr/2013/cr13317.pdf>.

⁴³ In a move interpreted by many as an effort to address strong internal party disagreements, Sudanese President Omar al-Bashir removed several long-standing, powerful NCP leaders, including Ali Osman Taha and Nafie Ali Nafie from their government positions on December 8, 2013. A new parliamentary speaker and vice-speaker were also appointed, and the NCP made other internal leadership changes soon after. Recent months have seen the defections of influential Darfuri leader Musa Hilal and former presidential adviser, Ghazi Salah Al-Deen Al-Attabani.

⁴⁴ Omer Ismail and Jacinth Planer, “Forgotten Wars: Sudan’s Periphery Smolders with Focus on South Sudan;” Akshaya Kumar and Jacinth Planer, “The Forgotten Genocidal War in Darfur Revealed in New Satellite Photos.”

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- ⁵¹ One SPLM-N memo emphasizes the importance of prioritizing humanitarian access in South Kordofan and Blue Nile states over other political and security arrangements, and recommends a cessation of hostilities to allow humanitarian aid to reach those in need. SPLM-N, “Background Memo on Humanitarian Situation in Nuba Mountains/South Kordofan and Blue Nile,” February 7, 2014, available at <http://www.scribd.com/doc/205768839/Background-Memo-on-Humanitarian-Situation-in-Nuba-Mountains-South-Kordofan-and-Blue-Nile>.

Enough is a project of the Center for American Progress to end genocide and crimes against humanity. Founded in 2007, Enough focuses on the crises in Sudan, South Sudan, eastern Congo, and areas affected by the Lord's Resistance Army. Enough conducts intensive field research, develops practical policies to address these crises, and shares sensible tools to empower citizens and groups working for change. To learn more about Enough and what you can do to help, go to www.enoughproject.org.

