



A Question of Leadership

Addressing a Dangerous Crisis in Sudan's SPLM-N

By Suliman Baldo

July 2017





Cover: (Top left) Contested SPLM-N Chairman Malik Agar and contested SPLM-N Secretary-General Yasir Arman, Nuba Mountains, March 2017. Photo: Nuba Reports.
(Top right) SPLM-N Interim Chairman Abdel-Aziz El-Hilu. Photo: Nuba Reports.
(Bottom) Ingassana people fleeing areas inhabited by the Uduk people as a result of the ethnic tensions triggered by SPLM-N leadership disputes, June 2017.

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Executive Summary

A worsening recent political divide within the leadership of the Sudan People's Liberation Movement-North (SPLM-N, or "movement"),* traditionally based in South Kordofan and Blue Nile (the "Two Areas"), is increasingly likely to lead to a change of leadership of the movement. Of grave concern, the political divide has already led to violent clashes with strong ethnic undertones between units of the movement's armed wing (the Sudan People's Liberation Army-North, the SPLA-N) in parts of Sudan's Blue Nile state that are controlled by the movement and in camps hosting refugees from Blue Nile just across the border in South Sudan's Upper Nile state.¹ Preexisting ethnic tensions in this area have been exacerbated by the political divisions among top SPLM-N leaders. The leadership paralysis that is cited as both a cause and an effect of the current division, and the risks of further civil strife, are directly impeding the internal crisis and humanitarian response mechanisms, creating a dangerous transient leadership vacuum at the regional and local level. This vacuum is causing community leaders in areas controlled by the movement in Blue Nile state and in the refugee camps to pursue their own initiatives in an effort to calm their constituencies and reassure other nearby communities.

On March 7, 2017, Abdel-Aziz El-Hilu, Deputy Chairman of the SPLM-N, resigned. In his resignation letter, submitted to the regional Nuba Mountains/South Kordofan Liberation Council (NMLC), he cited the SPLM-N's inability to revise and adopt an updated manifesto, constitution, negotiation strategy, and the necessary organizational structures. He also pointed to his growing distrust of SPLM-N Chairman Malik

* The SPLM-N is a key Sudanese armed opposition movement that is part of a broader armed Sudanese opposition coalition.

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Agar and Secretary-General Yasir Arman and to his own responsibility for past failings. The NMLC rejected El-Hilu's resignation, endorsed the reforms El-Hilu recommended, and removed Secretary-General Arman from his position and from leading the SPLM-N team engaged in negotiations with the Sudanese government. Based on the rejection of his resignation, El-Hilu continued to exercise his leadership role quietly behind the scenes.

In the weeks that followed, the SPLM-N went into a gradual downward spiral. The two sides lost confidence in one other, with each challenging the other's legitimacy in making statements or acting on behalf of the SPLM-N. When the NMLC resolved on June 7 to dismiss Chairman Agar, in addition to its earlier firing of Secretary-General Arman, and to appoint El-Hilu as the new chairman, Agar questioned the legality of the process and the decision—which he dismissed as an ethnically motivated “coup d'état.”² El-Hilu did not take up the offer by Agar for the three of them to step down together and task the most senior of the remaining leaders with running the affairs of the movement until the convening of the supreme decision-making body of the movement, the SPLM-N National Liberation Convention. Instead, El-Hilu stated that he would appoint a transitional leadership council that would prepare for the convening of the SPLM-N National Convention. The leadership split widened as each set of leaders ignored the other and continued to issue statements and decisions.

As the strife between the two sides worsened, signs of the growing divisions became more visible at the communal level. Some divisions grew violent in May and June, and constituent support for at least one of the leaders further fragmented.

In addition to triggering ethnic tensions within its army and among its constituents, this SPLM-N leadership crisis has multiple other negative impacts, including the risks of:

- Further undermining an already stalemated two-track peace process with the Sudanese government that is led by the African Union's High-Level Implementation Panel (AUHIP), chaired by former South African President Thabo Mbeki.
- Diverting the movement's attention away from the serious humanitarian crises in some areas under its control.³ A leadership hamstrung by its own disputes has proven unable to negotiate the delivery of acutely-needed medical and humanitarian supplies to people in need.
- Weakening the opposition's unity in pursuing a lasting and just peace and genuine democratic transformation in Sudan. In effect, the SPLM-N's predicament risks contributing to eroding public trust in the Sudan Call alliance of political and armed opposition groups and movements, in which the SPLM-N has a prominent role as the participants largely credited for bringing the alliance together. This brings into question the Sudan Call's ability to stand up to the regime and advance its mission to steer the country toward a just and lasting peace and democratic transformation.
- Weakening the SPLM-N itself and its role in standing for the disenfranchised groups in periphery areas and throughout Sudan.

The ethnic tensions that began to erupt in Blue Nile state and in the refugee camps in South Sudan are at risk of escalating beyond the control of the SPLM-N as a whole if these tensions are not responsibly contained. For all of these risks, it is incumbent on the two sides of the political dispute, their allies in the Sudanese political opposition, and the international community to dedicate more urgent attention and resources than have been dedicated thus far to mitigate this crisis.

International and regional actors with influence in the region should press the two parties to do their utmost to address the risks created by their disputes. Unfortunately, several mediation efforts by the SPLM-N's Sudan Call allies, prominent personalities, civil society groups, and its own members have failed to bridge the differences between the two sides in the dispute. The two sides failed to agree on joint mechanisms to prepare for the convening of an extraordinary session of the National Convention of the SPLM-N that both sides separately recognize is needed to resolve the constitutional, organizational, and strategic matters highlighted by El-Hilu in his resignation letter. Instead, each side went about preparing for the convention independently of one another as shown above.

For its part, the Sudanese government has found in the paralysis of the SPLM-N an excuse to continue the humanitarian blockade that it has maintained on SPLM-N-controlled areas since the resumption of the armed conflict in 2011. The Sudanese government has ordered warplanes and armored vehicles from its usual weapons suppliers and presided over the graduation of thousands of new fighters for its paramilitary forces, namely the infamous Rapid Support Forces (RSF). The RSF is now integrated into the Sudanese national army, possibly in preparation for a resumption of hostilities with the SPLM-N after the conclusion of the current unilateral cessation of hostilities, which the two sides have largely respected, each for their own reasons.

An open-ended leadership crisis within the SPLM-N will prolong the suffering of the populations in Blue Nile and South Kordofan states that have put their faith in the movement to lead their decades-long struggle for an end to the economic, social, and cultural marginalization suffered at the hands of the Sudanese government. Such a leadership crisis would constitute a major obstacle to the just peace and prosperity that the people in these areas have long sought but have yet to achieve.

Most ominously, the discord in the SPLM-N leadership has spilled over into deadly confrontations between supporters and opponents of Chairman Agar in parts of SPLM-N-held areas in Blue Nile and in camps across the border in South Sudan for refugees from Sudan's Blue Nile state. Dozens of people have lost their lives in these clashes.⁴ Also concerning are reports of incidents of intimidation in the Nuba Mountains, the support base of El-Hilu, by those who support El-Hilu against those who support Arman and Agar. Some party members have subsequently left the area. A protracted standstill in the SPLM-N leadership could cause the situation to spiral beyond the control of the leaders, adding to the suffering of the populations that the movement should be supporting and protecting.

While regional mediators and their international backers are ill-placed to mediate internal rifts within one party to the negotiations, they should communicate their concerns about the risks associated with such rifts to the leaders involved and impress upon them the need to avert the worst. Regional and international actors should engage constructively, not remain on the sidelines of this dispute or appear to be siding with one party or the other. Regional and international actors should actively encourage both sides of the SPLM-N divide to agree to address the worsening humanitarian situation in South Kordofan and Blue Nile and mitigate the real risks of escalating ethnic strife resulting from their differences through constructive and collaborative arrangements.

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Ultimately, no lasting solutions to the conflict in the Two Areas is achievable without the Sudanese government agreeing to end the historic economic and political marginalization of Sudan's periphery regions and treating all of its citizens as equals. An opposition that is consumed by its own divisions has even less of a chance to press for such significant concessions from the autocratic regime of President Omar al-Bashir.

Overview

The increasingly apparent divisions among top SPLM-N leaders threaten to divide a movement that has served in recent years as a militarily and politically strong, cohesive, mobilized, formidable core of the Sudanese armed opposition coalition. The SPLM-N has also been a linchpin of the peace negotiations with the Sudanese government. Criticized variously for both conceding too much and too little in these negotiations, the SPLM-N has played a pivotal role for years in organizing and negotiating for opposition interests with the Sudanese government. Any fragmentation within the SPLM-N could reverberate throughout the broader Sudanese armed opposition movement as a whole and severely compromise if not undermine the organized efforts of many groups opposed to the Sudanese government that have come together to coordinate their efforts.

On April 24, 2017, former South African President Thabo Mbeki, head of the African Union's High-Level Implementation Panel (AUHIP), met in Addis Ababa, Ethiopia with an SPLM-N delegation that consisted of Chairman Malik Agar and Secretary-General Yasir Arman with their top aides.

Conspicuously absent from this and other meetings was Abdel-Aziz El-Hilu, the deputy chairman of the SPLM-N and longtime leader of the Nuba people of the Nuba Mountains in South Kordofan. El-Hilu's resignation from his leadership position in early March placed Sudan's already stalemated peace process, steered by the AUHIP, on a perilous track.

In March, a meeting of the Nuba Mountains/South Kordofan Liberation Council (NMLC), a regional body of the broader SPLM-N institutions, removed from Secretary-General Arman's hands the portfolio of negotiations on behalf of the SPLM-N with the Sudanese government. It was notable and controversial that a regional body would issue a decision about the roles of the broader national leadership. The NMLC then also dismissed Chairman Agar, appointed El-Hilu as chairman in his place in June, and barred both Agar and Arman from returning to SPLM-N-held territories in the Two Areas.

In obvious denial of alarming indicators to the contrary, the chairman and secretary-general sought at the onset of the crisis to reassure international mediators and their home constituencies—those communities in South Kordofan and Blue Nile states, and others throughout Sudan—that the dispute could be addressed within the SPLM-N family. Despite these efforts, the SPLM-N continued its slide into open crisis. The movement risks fracturing if the urgent constitutional, organizational, and strategic issues that El-Hilu has raised are not addressed through profound reforms.

Political paralysis or, at worst, a formal split of the SPLM-N would further complicate a seemingly intractable political and security situation in Sudan. Divisions in the SPLM-N would aggravate the internal

divisions and disputes among feuding factions that affect the pillars of the Sudan Call opposition umbrella movement. Launched with high hopes of unifying the opposition in December 2014, this alliance of political parties, civil society groups aspiring for democratic change, and armed movements also seeking the democratic transformation of governance, in which the SPLM-N is one of the main actors, is routinely rocked by public skirmishes among its members.⁵

Some commentators have expressed hope that the SPLM-N can overcome its internal divisions and emerge profoundly reformed if it can become more inclusive and representative. However, while at one stage the crisis appeared heading to a formal split of the movement, it would appear at this writing that El-Hilu's faction had prevailed and imposed a de facto change of leadership.

While the crisis was unfolding, the two sides appeared oblivious to the worsening humanitarian situation affecting thousands of people living in areas under SPLM-N control. Crippled by their disagreements, they have likewise failed to address the issue of humanitarian access to the areas most affected by food shortages.

These fault lines within the SPLM-N have emerged just as the Sudanese government and ruling National Congress Party (NCP) concluded an elaborately engineered "national dialogue" meant to reinforce the status quo of its total control rather than lay the foundations of genuine governance and security reforms that are necessary if Sudan's chronic political crises and civil wars are to be resolved. The launch of the long-awaited "government of national accord" in mid-May 2017 sealed the process, though many Sudanese people thought the exercise lacked legitimacy. The regime's policy of finalizing the national dialogue before meaningfully engaging all stakeholders risks fatally derailing the negotiation process that the AUHIP has strived to keep on track. In effect, the roadmap to a more inclusive national dialogue is what represents the anchoring point for the AUHIP mediation, and this roadmap provides the basis of the international community's support to the peace process. Meanwhile, the Sudanese government has paid lip service to this process while reinforcing its control and imposition of the conditions it desires on all stakeholders, including the mediation. The failure of the AUHIP in early 2016 to demand that the Sudanese government meet the obligations it signed during the negotiations with the Sudan Call stakeholders gave the impression that the mediation had capitulated to the Sudanese government's agenda.⁶

With such disarray among Sudanese actors, the slow-moving two-track process to end the conflicts in the Two Areas on one track and the conflict in Darfur on the other track appears to be losing the little energy that it retained after 14 rounds of talks since its launch in 2012, with little to show for the effort. Growing tensions within the SPLM-N may permanently derail the process.

Background to the SPLM-N's Divisions

The SPLM-N divisions detailed in greater depth below stem largely from a deep sense of marginalization by particular groups and long-unresolved grievances about deficiencies in representation and participation in the SPLM-N's internal and external decision-making mechanisms. These grievances and

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loss of faith are due partly to the incomplete development and inadequate functioning of overarching institutions that were designed to respond to these expectations about participation and representation, which are seen in some cases as less credible and effective than more localized institutions. The degree to which the SPLM-N leadership divisions are personal and interpersonal has also been closely scrutinized and hotly debated. The effect of these divisions is the same, however: civilians in affected areas have continued to suffer the most, and opportunities for conflict transformation at the local and national levels are undermined.

The SPLM-N represented the northern sector of the southern-led SPLM, founded by John Garang in 1983. During the 23-year civil war from 1983 to 2005, the South Kordofan and Blue Nile regions, where the SPLM-N has a strong following, suffered immensely from political and economic marginalization. These regions were marginalized both when Sudan was united and also after South Sudan's secession. Garang's ideology of a "New Sudan" was based on accommodation of the country's diversity in a secular, democratic, and united Sudan that is based on equal citizenship rights. This vision appealed not only to the marginalized and disfranchised people in Sudan's periphery regions but also to many urban Sudanese people, creating a large constituency for the SPLM and later the SPLM-N that transcended the regional and ethnic divisions of the civil war.

The dramatic internal divisions of the SPLM-N that are playing out have prompted several leading Sudanese opinion writers to argue that the "New Sudan" ideology has died or is at risk of serious regression, much as three decades of corrupt governance has killed Sudan's other dominant ideology, that of the Sudanese Islamist Movement.⁷ The arguments have prompted Yasir Arman to respond that the SPLM-N as a movement is still alive and thriving. He has promised to revive it through the launch of a national movement.⁸ Meanwhile, the Sudanese government has used the argument of the demise of the "New Sudan" ideology to insist that the SPLM-N is no longer relevant.⁹ This is to be expected, as the "New Sudan" ideology represents a real competing challenge to the overarching national project of the Sudanese Islamist Movement which is seeking to unify Sudan under an Islamic and Arabizing identity in an effort it calls the "civilization project."

The SPLM-N Governing Structures

The SPLM-N was intended to serve as a national movement that transcends divisions and represents broad constituencies in multiple areas. The SPLM-N has therefore designed a series of governance institutions (bodies, doctrines, rules, appointments, policies for convening) that cover the movement at a broad level. The movement also has smaller regional institutions, in South Kordofan and Blue Nile, which are modeled after the broader overarching institutions. The development and full instatement of all of these institutions (detailed below) has been hampered for years by the conflict, the leaders' lack of prioritization of the necessary democratization of the movement, and more recently by the deepening political divisions among top SPLM-N leaders.

According to the 2013 SPLM-N Constitution, the National Convention is the highest political, organizational, and legislative body of the movement. The Liberation Council, in turn, is mandated to fully exercise the powers of the movement's National Convention between its meetings, inter alia to oversee the performance of the movement's Leadership Council and its other structures, adopt the annual budget of the movement, and hold its members accountable. This Liberation Council has never been fully instated due to travel, splintering, lack of capacity, or death of the members, along with the subsequent resumption of the war in the Two Areas in 2011.

The SPLM-N's Leadership Council is mandated to implement the SPLM-N's policies, programs, and activities in accordance with the declared objectives and vision of the movement as defined in the SPLM-N Constitution. The Leadership Council oversees the movement's organizational, political, and administrative performance and is also mandated to identify and engage the movement in political alliances and to represent it in political processes and negotiations with other parties, including in the peace process.

One of the Leadership Council's main tasks was to reorganize the SPLM-N and unify its chapters in Blue Nile and South Kordofan states with the chapters in the other states of Sudan. However, according to a prominent SPLM-N member, the Leadership Council has met only once in the last five years.

The higher-level Liberation Council has never been fully appointed and the lower-level Leadership Council has not recently met, creating a structural disconnect among the movement's leadership structure, its highest political, organizational, and legislative body, and its diverse, far-flung constituents.

The SPLM-N Constitution requires the mirroring of these bodies at the regional level, with a general convention (legislative body), a regional liberation council and a leadership council for each region. The SPLM-N Constitution requires these regional bodies to exercise the mandates of the national bodies as they apply at the regional level. The current regional liberation councils for Blue Nile and South Kordofan are reportedly appointed bodies tasked with running the affairs of each region. Equivalent regional councils for the rest of Sudan were never established.¹⁰

The leadership divisions and institutional capacity issues at the national and regional levels have widened the gap between national and regional SPLM-N decision-making and undermined the credibility of the national leadership. This widening gap has heightened the need for institutional reform and better representation which many parties recognize as essential to the movement's integrity and survival.

The current crisis in the SPLM-N erupted publicly when Abdel-Aziz El-Hilu submitted his resignation letter, dated March 7, 2017, to the regional Nuba Mountains/South Kordofan Liberation Council (NMLC), rather than to the overall SPLM-N Leadership Council, underscoring the lack of legitimacy in his view of the latter.

In essence, El-Hilu blamed Chairman Agar and Secretary-General Arman for failing to oversee the adoption of a manifesto for the movement and for persuading the Leadership Council in a 2013 meeting to adopt a constitution for the movement in the absence of the guiding ideological principles that a manifesto would have provided. El-Hilu also accused Arman and Agar of failing to develop the SPLM-N's institutional structures following the independence of South Sudan in 2011. According to El-Hilu, Agar and Arman also mismanaged the negotiation process with the Sudanese government by weakening the demands of the SPLM-N.¹¹

In his letter, El-Hilu expressed despair at the Sudanese government's record of reneging on its obligations in one peace agreement after another. He recommended that the regional Nuba Mountains/South Kordofan Liberation Council (NMLC) advocate for self-determination as an inherent right for the Nuba people in any future negotiations—but only as a last resort if the Sudanese government does not recognize and respect the rights of marginalized people to equal citizenship in Sudan, a fair share of the national wealth, and political representation. As another safety valve, El-Hilu also argued that the SPLM-N should insist on keeping its army standing for 20 years after any agreement, until the Nuba people can verify Khartoum's compliance with the full terms of any new peace agreement.

El-Hilu explained in a subsequent interview what his call for self-determination meant: “The SPLM-N calls for voluntary unity or unity by choice as a principle. In this context, the demand for self-determination is a conditional sentence, either for the [realization of a] new secular democratic, unified Sudan or self-determination. But those who are biased have stripped the sentence of its conditionality, and thus are attacking it out of context...and unfortunately they are many. Some of them are even connected with the project for a new Sudan.”¹²

As a member of the SPLM-N’s leadership, El-Hilu has borne an equal share of responsibility for the serious organizational failures and the lack of consensus with the movement’s negotiation’s strategy. This reality likely led, in part, to his resignation.

In response to El-Hilu’s resignation letter, presented in absentia, the Nuba Mountains/South Kordofan Liberation Council convened an emergency meeting that lasted nearly three weeks (March 6 to 25). In its final communiqué, the NMLC endorsed El-Hilu’s positions and rejected his resignation. The NMLC withdrew its support from Secretary-General Arman and removed him from the leadership of the SPLM-N’s negotiations team, while also demanding the self-determination El-Hilu advocated for the Nuba Mountains.¹³

The NMLC called for the convening, within two months, of an emergency session of the SPLM-N National Convention in order to adopt a new manifesto and constitution and elect a new National Liberation Council. El-Hilu cited the absence or inadequacy of these framing documents and governing bodies, in addition to his distrust of Agar and Arman, as the motivation for his resignation. The NMLC appears to have fully sided with El-Hilu.

By mid-March, Chairman Agar confirmed to the media that his deputy had indeed resigned.¹⁴ On March 25, Agar and Arman arrived in Kauda, viewed as the capital of the “liberated areas” in the Nuba Mountains, accompanied by other members of the SPLM-N’s contested National Leadership Council. They met with the SPLM-N’s Military Chief of Staff Jagoud Makwar, other senior officers, and the SPLM-N-appointed governors of South Kordofan and Blue Nile states.

The leaders issued a detailed statement on April 3 that documented the outcome of their meetings. Arguing that the NMLC is an appointed regional body mandated to discuss only the affairs of the region and not national issues, the statement considered the resolutions of the NMLC—including its dismissal of Secretary-General Arman—null and void. Paradoxically, while challenging the legitimacy of the NMLC, the National Leadership Council nonetheless agreed with the key central resolution of the NMLC: to defer the resolution of the organizational and strategic issues that El-Hilu’s letter raised to an extraordinary national convention to be convened within a few months.¹⁵

Despite this initial disposition to resolve the issues through dialogue and consensus, the two factions rapidly dug in their heels, with Agar and Arman insisting that they are the legitimate leaders and only decisions taken by them should be considered as those of the SPLM-N. Acting on this basis, the National Leadership Council in its April 3 statement declared that the SPLM-N will open a new war front in Darfur.¹⁶ El-Hilu later ridiculed this call to arms as proof of the disarray of the group, stating “this is misplaced propaganda because the opening of military fronts doesn’t happen through press releases.”¹⁷

An Ominous Spiral

These developments collectively raised fears that the SPLM-N was on the verge of an open crisis. However, any crisis may also offer an opportunity for the SPLM-N to confront its shortcomings and structural weakness to pursue renewal and revival. Several indicators suggest a peaceful settlement of this internal leadership crisis is still possible, contrary to what happened to the sister SPLM in South Sudan, when former Vice President Riek Machar challenged the leadership of President Salva Kiir.

First, El-Hilu resigned after stating his differences with the other members of the leadership in a letter to a collective leadership body rather than resorting to violence. However, El-Hilu's choices might have been limited as he was no longer active in the military wing of the SPLM-N (the SPLA-N) and was residing outside the SPLM-N areas in Sudan after leaving his SPLA-N chief of staff position in 2015. Second, while El-Hilu intended for his letter to remain confidential, its leak to the media broadened the debate, forcing other members of the leadership to publicly state their approach to resolving the issues.¹⁸ Third, all leaders seem to agree that the planned session of the SPLM-N National Convention is the venue in which to revise and finalize the SPLM-N's organizational documents and governing structures.

Several indicators suggest a peaceful settlement of the SPLM-N's internal leadership crisis is still possible.

While the three factors collectively suggest a peaceful outcome may be possible, there are contrary indications of a worsening crisis that could lead the SPLM-N to the precipice of more direct outright internal conflicts aggravated by ethnic and regional factors.

In an early attempt to preempt this outcome, the Leadership Council led by Malik Agar unilaterally set up multiple committees to prepare for the SPLM-N National Convention. These committees included one committee on constitutional and political issues chaired by Agar, which was to review existing drafts of the SPLM-N manifesto and the SPLM-N Constitution. The SPLM-N national-level Leadership Council that Agar and Arman control also set up a committee to raise the resources needed for the convention.¹⁹

At the same time, reports pointed to preparations taking place in April and May in the camp led by El-Hilu to form its own separate preparatory committees for the SPLM-N National Convention. Limiting his communication to the closest aides since his resignation triggered the crisis, El-Hilu has worked quietly to convene a follow-up meeting of the Nuba Mountains/South Kordofan Liberation Council (NMLC), which ultimately took place on June 6 in the "liberated areas" in the Nuba Mountains, again in the absence of El-Hilu. The order of business for the meeting included the nomination of a "transitional leadership" to replace the triumvirate and to advance the preparations for the National Convention session.²⁰

With evidence of the widening rift barely hidden, in an obvious attempt to preempt the conclusions of the NMLC's meeting scheduled for the days after, Malik Agar sent a confidential letter dated June 5 to the civil administration and military leaders of the movement in the Two Areas and to the heads of the movement's external offices. In this letter he warned that the convening of another meeting of the NMLC would be illegal, and he said that doing so would tear apart the SPLM-N and its army (the SPLA-N).²¹ Speaking in his name and that of Secretary-General Arman, Chairman Agar invited Deputy Chairman El-Hilu to join them in recognizing the need for a "transitional leadership" group to make preparations for

the general National Convention session. Agar said he and Arman on their end had offered the chief of staff and his deputy for operations, as the next top-ranking officials of the movement, together with one of the movement's civilian leaders the positions respectively of chairman, deputy chairman and secretary-general, but all three had declined, insisting that the leadership resolve its differences. Other members of the Leadership Council would not be affected, according to Agar's proposal.

Agar's letter refuted the call for self-determination championed by El-Hilu, among others, because it would, according to him, prolong the war and isolate the Two Areas from the broader struggle for democratic change of which it is part at the national level. Agar's letter argued for self-rule as a more realistic and attainable goal for the movements, and it clarified the positions of the negotiation team on the issue of integration of the SPLM-N's army which he saw as a gradual process that should occur after a political agreement has been reached and after evidence of the political agreement's implementation was verified over time.

Regardless, the June 6 meeting of the NMLC issued a final communiqué that not only dismissed Chairman Agar and replaced him with El-Hilu but also barred him and Secretary-General Arman from accessing areas held by the SPLM-N. Resolutions number 3 and 4, both dated June 7, justified these measures by Chairman Agar's refusal to accept the council's earlier resolutions and his alleged responsibility for the ethnic fighting that occurred in Blue Nile state and in refugee camps in South Sudan.²²

El-Hilu accepted the outcome of the meeting, and he described his overall role as transitional in the lead-up to the convening of the National Convention—in that he would engage the necessary preparations for the convention.²³ To soften the blow on his former peers, he recognized their historic contributions to the struggle and gracefully offered that they could attend the convention and be eligible as other members to leadership positions.²⁴

As could be expected, Chairman Agar and Secretary-General Arman challenged the standing of the NMLC to take such decisions, and described the entire episode as nothing more than a coup driven by narrow ethnic motivations. Clearly unsettled by the barring of their access to the Two Areas, they suggested that they will call on other SPLM-N members throughout Sudan who still believe in the "New Sudan" cause to join them in relaunching the movement to pursue that goal. A campaign soon followed on social media to give a broader audience to their call for the rejection of what they described as a coup d'état and for revival of the movement.



A poster announcing preparations to launch a new movement around the Sudan Call ideology, led by Malik Agar.

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In an early analysis of the crisis, Sudanese scholar and blogger Magdi el-Gizouli predicted that the growing divide would ultimately be decided by where the SPLM-N's army would lean with its support.²⁵ Following a meeting of SPLA-N commanders on June 15-16, the army's chief of staff issued a statement endorsing the resolutions of the NMLC, acknowledging El-Hilu as chairman of the SPLM-N and general commander of its army,²⁶ and calling for the SPLM-N National Convention to convene within a month. The statement called on El-Hilu to return to the headquarters of the movement in the Nuba Mountains, considered to be the SPLA-N's First Front, within 10 days to address the situation on the ground and contain the risks of further violence in Blue Nile state.

A statement dated June 18 that contested Chairman Agar issued in response to the army commanders' unambiguous decision first commended the "positive outcomes" of their meeting, the most important of which was the army's continued unity despite the political leadership's turmoil. Speaking in his own name and on behalf of Arman, Agar said the "negative aspects" of the SPLA-N's meeting included its backing the coup led by El-Hilu, and implicitly empowering the Nuba Mountains region to decide on the future of the movement, to the exclusion of other regions and chapters of the movement.²⁷

A significant passage in the June 18 statement by Agar states "we will contact all comrades who reject the coup to launch a new march to rebuild a movement based on the vision of new Sudan for all Sudanese willing to join. (We will also undertake) a comprehensive and complete review and critical evaluation of our experience, including of our means of struggle..."²⁸ For the SPLM-N's watchers, the cautious language was meant to prepare for a public launch of an SPLM-N faction that would stay clear of the self-determination demand and might even be inclined to rely solely on political action rather than armed struggle to achieve its goals.

The June 18 statement from Agar would suggest that the divide among the leaders had all but been settled. The loss of support of the SPLA-N generals in the Nuba Mountains, as well as their weakening hold on local constituencies in Blue Nile, has evidently led the Agar and Arman side to weigh the possibility of launching a political platform. The dispute appears to have been settled with El-Hilu assuming temporary

The biggest hurdle facing the convening is...how to be genuinely "national" and represent interests from multiple areas.

leadership of the SPLM/A-N and as such controlling the processes leading to the convening of the SPLM-N National Convention. However, it is concerning that the time frame the two sides had separately suggested for convening the National Convention, where their competing strategies for the movement were in principle to be decided, is unrealistic and elapsing. For example, convening the meeting within a month, as demanded by the military commanders who met in Kauda in mid-June, is clearly unrealistic.

Beyond the logistics and substantive preparations, the convening of the SPLM-N National Convention will require representation of multiple far-flung constituencies, not only from South Kordofan and Blue Nile, but also from communities living abroad and those who live in Sudanese government-controlled areas. The Sudanese government is unlikely to allow SPLM-N members, of whom there are many in government-controlled areas, to attend a political forum organized by an armed opposition movement. The biggest hurdle facing the convening is therefore how to be genuinely "national" and represent interests from multiple areas. Relevant to this is

the demand included in the final communiqué from the NMLC meeting that calls for fair representation of the Nuba people in consideration of their sacrifices in the history and process of armed struggle.²⁹

If these issues remain unresolved, the date of the convention is destined to keep slipping, holding hostage not only the peace process but also the communities in South Kordofan and Blue Nile states that desperately need humanitarian assistance.

Impacts of the SPLM-N Crisis

Divisions in the SPLM-N leadership are creating a real risk of ethnic polarization and violent intercommunal conflict that have already materialized in areas controlled by the movement in Blue Nile state and in refugee camps across the border in South Sudan. The divisions are harming efforts to get humanitarian aid to populations that urgently need support. These divisions are undermining the prospects for the peaceful transformation of Sudan's many conflicts (at both the local and national levels) and for peaceful democratic transformation in Sudan. Left unaddressed, these divisions will continue to exacerbate the military dynamics and postures in Sudan's conflict zones. These alarming trends increase the urgency for all stakeholders, first and foremost the SPLM-N's leaders, to address these divisions.

Risks of Escalation of Ethnic Confrontations in SPLM-N Areas?

The SPLM-N's divisions have already triggered deadly violence between the SPLM-N's army units in Blue Nile state that support opposite sides of the divide. Incidents of ethnically driven infighting among refugees using traditional weapons occurred; dozens of people were killed and injured, and thousands fled the camps to seek protection. The violence continued intermittently through July and remained to be contained at this writing, with real prospects for it to escalate if left unaddressed. This volatile situation calls for urgent and coordinated interventions by all stakeholders to reverse the current trends.

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Ethnic tensions that were simmering just below the surface in SPLM-N-held areas of Blue Nile state and in the camps for refugees across the border in South Sudan erupted under the pressures generated by the leadership divisions. Many communities in the area face extreme hardships and have been forcibly displaced from their homes by the war. Desperation is increasing with the lack of prospects for attaining peace at the national level that would allow them to return to their ordinary life. Ethnic favoritism that the SPLM-N reportedly practiced in Blue Nile state under Agar limits access to opportunity and representation and factors heavily in appointments to senior positions in the civil and military structures, which further exacerbates these social tensions.

As the dispute between the two competing SPLM-N factions continues to unfold, freezing the much-needed actions for steering the affairs of the movement as a whole and subjecting the wellbeing of population in its areas to added stresses, ethnic tensions have grown.

Statements coming from the SPLM-N areas in Blue Nile foreshadowed where brewing tensions could lead if the dispute is not rapidly contained. Starting in March, a number of conflicting statements have been exchanged by SPLM-N factions in Blue Nile state, both supporting and opposing the SPLM-N national-level Leadership Council led by Agar. Fractures along tribal lines have emerged between commanders and political leaders loyal to Agar and hailing from the Ingassana people, and other supporters of rival commanders who belong to other ethnic groups, including the Uduk people. These fractures will deepen further if left unaddressed. There are also reports alleging intimidation in the Nuba Mountains of those suspected of supporting Agar and Arman, causing the flight of several SPLM-N cadres from the region.³⁰

Ominously, the Doro camp in South Sudan for refugees from Sudan witnessed heightened ethnic tensions that led to deadly confrontations as a direct result of repeated attempts by security forces loyal to General Ahmed Oumda, commander of the SPLA-N in the second front and nephew of Malik Agar, who was widely believed to be acting under orders from Malik Agar, to arrest outspoken politicians who had criticized Yasir Arman and supported self-determination in statements to the local and online media in Sudan, and who happened to be of Uduk ethnic origin. A first incident occurred on May 6, and another one occurred on May 22. While the first attempt was rapidly defused, the second led to heavy fighting between dissident SPLA-N soldiers who were protecting the Uduk politicians and the security forces loyal to Commander Ahmed Oumda. The confrontations between the two sides spilled over into clashes among the refugees with divisions along ethnic lines. The fighting involved the use of traditional weapons, and some 35 refugees were killed in Doro camp alone.³¹ In the following weeks, more fighting occurred among the refugees in Gendrassa, Kaya, and Yusuf Batil camps, mostly driven by people seeking to avenge earlier killings but with the use of indiscriminate violence. According to UNHCR figures, updated in May 2017, the four camps shelter a total of 139,424 refugees. In the wake of this violence, the refugees began to self-segregate by ethnic identity in the camps. According to eyewitness reports, the Ingassana people have been congregating in Yusuf Batil (41,979), Kaya (25,828), and Gendrassa (18,012) camps, where the Ingassana people already represent a majority. Ingassana people have left Doro camp (53,605), which is home to people from other ethnic groups.³²

Many refugees fled to the bush and to the protection of South Sudan's army for safety.³³ A statement from the office of Agar dated May 28 denounced opponents who the statement alleged were seeking to undermine the unity of the SPLM-N by manipulating ethnicity and inciting ethnic divisions among the refugees and the movement's army (SPLA-N). Accusing these opponents of attempting a political and military coup, the statement said the agitators were acting in support of the call for self-determination issued earlier by the Nuba Mountains/South Kordofan Liberation Council (NMLC). In seeking to split the SPLM-N, these opponents were also doing the Sudanese government's bidding, the statement charged.³⁴

Despite severe capacity and resource limitations, it is reassuring that local civil society groups and the civil administration have independently responded to the situation by launching community-level dialogues and peace initiatives that appear to have reversed the trend toward ethnic confrontations in the area but not that of ethnic polarization and separation. Decisions and messages from both Agar and Oumda in the wake of the incidents are reinforcing the push for reconciliation rather than continued intercommunal tension and distrust.

Local civil society groups and the civil administration have independently responded to the situation by launching community-level dialogues and peace initiatives.

In a strong statement dated June 14, which he addressed to the SPLM-N military, civil administration, traditional leaders and civil society groups, Agar called for an end to the violence. He also tasked a committee led by Zaid Issa Zaid, the governor of SPLM-N areas in Blue Nile, to investigate the violence, determine the responsibilities of SPLA-N fighters involved in it, and to identify and provide for the humanitarian needs of the victims of the violence.³⁵ While claiming that he could prevail in the battleground, Commander El-Oumda nonetheless offered a truce to the dissident soldiers and politicians that his soldiers have been fighting in a public statement dated June 22. Significantly, he described the infighting as an “absurd war,” and he called for reconciliation.³⁶ His opponents claimed that the reconciliatory offer came only after they had prevailed militarily.

It came as no surprise to watchers of the SPLM-N that the confrontations in Blue Nile state and refugee camps rapidly acquired an ethnic dimension. The SPLM-N administration is highly militarized in Blue Nile. Powerful political and armed leaders from different groups have strong ethnic identities and strong connection to constituents who share those identities. These connections can quickly become polarized, militarized, and mobilized in times of tension. The Blue Nile region also has weaker civil structures that if stronger could have helped in mitigating the risks of a spillover of the leadership crisis into communal fighting, as has happened in the Doro camp in late May and with the earlier incidents to which Chairman Agar’s letter alluded.

For the moment, the SPLM-N seems to have avoided worst-case scenario of an implosion similar to the one that the original SPLM in South Sudan has suffered as a result of the power struggles among its leaders which have unleashed waves of ethnically driven mass killings and other atrocity crimes.

At this writing, it appears that General Ahmed El-Oumda has been pushed out of SPLM-N areas in Blue Nile state and is reported to be in Maban county in South Sudan. As a result of this episode, it would appear unlikely that the Uduk and other groups would agree to see Agar and El-Oumda in the leadership of the movement, while different constituencies appear to be solidly backing El-Hilu in the Nuba Mountains. There are currently no indications of how Agar and El-Oumda would respond to these political and military setbacks. Given their responses to the May interethnic confrontations, it seems unlikely that they would resort to mobilizing for renewed support on an ethnic basis, as this would only deepen the divisions that have already formed, while what is needed is swift action to heal these rifts and reassure the communities as they have both publicly acknowledged.

On the other hand, those supporting El-Hilu in Blue Nile state represent a wide range of groups with multiple intersecting ethnic and religious affiliations. While they appear to be politically united in their rejection of Agar’s leadership, several of the groups are said to be less inclined to support self-determination as an aim of the movement’s struggle in their area. All, however, would support solutions that would once and for all address the root causes of the conflict and guarantee them full citizenship that accommodates their diversity.

The fragile and tense situation prevailing in Blue Nile and the refugee camps could lend itself to exploitation by Khartoum in its persistent quest to weaken the SPLM-N and diminish its political relevance and military capacities. It is likely that Khartoum would seek to attack the weakest link in the new power configuration in the SPLM-N by undermining the support base of El-Hilu in Blue Nile. Khartoum could do this by exploiting the differences in motivations and expectations of the pro-El-Hilu groups in Blue Nile, which would only further exacerbate ethnic tensions and divisions in the region.

Humanitarian Consequences

SPLM-N divisions are also directly harming the efforts needed to get humanitarian aid to populations that urgently need support in SPLM-N-held areas and nearby locations.

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In the midst of this political turmoil, the SPLM-N's relief arm, the Sudan Relief and Rehabilitation Agency (SRRA), issued on March 11 an urgent appeal for food aid to the estimated 21,000 inhabitants of three villages in the Nuba Mountains. According to the statement, some 40 percent of the inhabitants were already reduced to survival on tree leaves and roots due to serious food shortages resulting from failed rains and aggravated by the flight of villagers from their homes and farms in the face of repeated government attacks during the prior planting season. Occurring just before the onset of the rainy season, the food shortages would make the "hunger gap"—the period between planting (June to September) and harvest (November to May)—much longer than usual, increasing the vulnerability of these populations.³⁷

The Famine Early Warning Systems Network (FEWSNet), a network of partners that provide analysis and early warnings on food insecurity, offered an equally grim forecast for SPLM-N areas for the period from June to September 2017: "By March/April 2017, food insecurity among [internally displaced people - IDPs] and poor residents in SPLM-N areas of South Kordofan and new IDPs in parts of Jabal Mara in Darfur has already deteriorated to Crisis (IPC Phase 3) and is likely to deteriorate to Emergency (IPC Phase 4) by May/June through September 2017 due to displacement, restrictions on movement and trade flows, and limited access to normal livelihoods activities."³⁸

Seemingly oblivious to these warnings, the SPLM-N factions went about discussing the humanitarian agenda as one that primarily concerns negotiations with the Sudanese government rather than a situation requiring exceptional and urgent interventions on the ground to spare the lives and improve the wellbeing of populations that are the SPLM-N's responsibility.

Following the submission of his resignation letter, El-Hilu minimized his contacts with the media and mediators. But on March 22, several newspapers and websites reported that the NMLC and El-Hilu had accepted a long-discussed U.S. humanitarian proposal (see annex below) and were asking for an amendment to include an access point in a neighboring country for the evacuation of critical medical cases³⁹—a position which is identical to that of the other faction.

In the absence of indications to the contrary, it appears that Agar and Arman did not discuss with the NMLC the mechanisms needed for moving forward on the humanitarian proposal, an issue on which the

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two sides agree. Agar and Arman had limited room to maneuver when they traveled to Addis Ababa in late April to make firm commitments on behalf of the SPLM-N as a whole on the measures needed to address the critical humanitarian situation in SPLM-N areas. This was again underscored by their letter to the AUHIP during a July meeting described below.

Amid the range of political and operational constraints and complexities, the outcome remains the same: populations urgently needing humanitarian supplies are not receiving them and consequently risk dying of hunger and preventable diseases.⁴⁰ The longer the SPLM-N's political divisions hamper its operational effectiveness, the higher the risk that the populations in SPLM-N controlled areas will lose faith in the movement's ability to provide what they urgently need, support them, and credibly advocate in their interest.

Effects On the AUHIP-led Peace Negotiations

Divisions within the SPLM-N leadership are directly undermining the movement's own position in peace negotiations with the Sudanese government while also complicating its ability to lead in advocating for broad Sudanese armed opposition interests as well. The SPLM-N rift is also giving the Sudanese government cover and an excuse to delay and potentially exploit these divisions to its advantage in a negotiation process that needs to be inclusive and comprehensive in order to be truly effective.

Following the late March visit to Kauda by Agar and Arman, the Nuba Mountains/South Kordofan Liberation Council (NMLC) said that the two factions had agreed to "freeze the negotiations [facilitated by the AUHIP] until the completion of the internal house arrangements and the convening of the extraordinary national conference." The NMLC also declared that it would not recognize any agreements reached at talks held before that point.⁴¹

Constrained by this tough position, the contested SPLM-N leadership asked the AUHIP mediation during its April 24 meeting in Addis Ababa with President Mbeki to postpone until July the call for any new negotiations between the government and its armed and political opposition movements allied under the Sudan Call umbrella. The SPLM-N leaders requested the delay to give themselves time to resolve the internal rift, and to allow for further consultations between the AUHIP and the joint Sudan Call alliance.⁴²

Malik Agar and Yasir Arman returned to Addis Ababa in early July, and they met on July 4 with the AUHIP, the U.N. Secretary General's Special Envoy to Sudan and South Sudan, and other peace envoys attending the African Union's annual assembly of heads of state. In a letter addressed to the AUHIP and in a public statement, the Agar and Arman delegation stated that they considered the political track of the negotiation with the Sudanese government null and void, given Khartoum's conclusion of its unilateral and controlled "national dialogue." The Agar and Arman delegation called for and outlined a new political process that should serve as the basis for the negotiations moving forward. Reflecting the quandary in which the SPLM-N divisions have left the movement and the constituencies it should represent and protect, the Agar and Arman letter acknowledged the urgency of the continued engagement on the humanitarian negotiations and offered in light of the leadership divisions to return to the table either as a unified delegation of the two factions with one position on humanitarian access, two delegations with a jointly agreed position, or two delegations with two different positions on how to ensure humanitarian access to populations in need in SPLM-N areas.⁴³

It was not clear whether the faction led by Malik Agar had in fact discussed these proposals with the camp led by El-Hilu before offering them to the AUHIP. On the other hand, the wide coverage the delegation provided to the local media and online platforms of its meetings suggests that Malik Agar and Yasir Arman would seek to capitalize on the political alliances, foreign offices, media relations, and interactions with the mediators and the international community—which they have monopolized—as a valuable strategic asset to use in staging a political comeback against El-Hilu. The latter has a reputation from the first war of the 1980s and during the current armed conflict of reclusiveness and dedication to building the movement’s army, civil administration, and public services at the local level, particularly in the Nuba Mountains area, while shunning media exposure and interactions with regional and international actors.

However, having led the leadership change within the movement, El-Hilu and the camp he represents cannot afford to be unheard or unseen at the regional and international levels.

The disagreements within the SPLM-N on the strategic aims of the armed struggle and its negotiation position have slowed to a crawl the already stalemated two-track peace process.

As this episode illustrates, the disagreements within the SPLM-N on the strategic aims of the armed struggle and its negotiation position have slowed to a crawl the already stalemated two-track peace process, particularly after the mixed signals from the July visit to Addis Ababa by Malik Agar and Yasir Arman in the absence of representatives of the other camp.

Events appear to be proving the head of the AUHIP liaison office in Khartoum right when he suggested to the local media at the onset of the leadership crisis that the mediation would wait for the SPLM-N to sort out its internal affairs before resuming the talks.⁴⁴

Shortly after the outcome of the meeting of the Nuba Mountains/South Kordofan Liberation Council (NMLC) became public, Sudanese Foreign Minister Ibrahim Gandour stated the obvious when he noted, “the (SPLM-N’s) split into two factions would negatively affect the negotiation process because negotiating with a unified movement is better than negotiating with a divided group.”⁴⁵ Armed movements and political parties allied with the SPLM-N under the Sudan Call banner concurred in separate statements.⁴⁶

Military Fallouts

The SPLM-N leadership rift is exacerbating the unease and uncertainty with the current military dynamics and postures in Sudan’s conflict zones. The division among SPLM-N leaders creates a military vulnerability for the Sudanese armed opposition as a whole, as different armed opposition contingents try to coordinate their efforts and unify against the main adversary: the Sudanese government.

With the exception of isolated incidents of tit-for-tat skirmishes, the war fronts in Blue Nile and South Kordofan states have remained eerily silent for nearly a year due mainly to separate but concurrent unilateral cessations of hostilities that the government and the SPLM-N have declared and abided by, each for their own reasons.⁴⁷ Reinforcing a deceptive environment of calm, the government, SPLM-N, and Darfur movements, have exchanged prisoners of war, indicating a welcome willingness to de-escalate if there is mutual interest in doing so.⁴⁸

In January 2017, the Sudanese government renewed for another six months a unilateral cessation of hostilities arrangement that it had first announced in June 2016, following fierce fighting in South Kordofan and Blue Nile in which government forces made some gains.⁴⁹ Accordingly, the Sudanese government held back its annual dry season offensive of 2016, giving local populations in Blue Nile and South Kordofan a welcome reprieve from ground attacks.⁵⁰ However, Sudan's air force continued nightly flyovers in the Two Areas during the lull, reminding the populations of its presence, and of its deadly bombings of their fields and villages during past fighting seasons. The terrorizing effects of these civilian bombings were clearly intended to erode the ability of the local populations in areas under SPLM-N control to feed themselves, as the raids targeted their farms, livestock, and food stocks.⁵¹ In well-documented incidents, the Sudanese Air Force also bombed some of the few schools and hospitals that continued to serve the populations living in SPLM-N-held areas.⁵²

On July 2, the Sudanese government again extended the unilateral agreement.⁵³ The Sudanese government's newfound restraint is meant to persuade the Trump administration to permanently lift the U.S. economic sanctions on Sudan that the outgoing Obama administration suspended in January.⁵⁴ But contrary to the spirit behind suspending sanctions, the regime is on a shopping spree for weapons that its own Military Industrial Corporation does not produce. The government ordered 170 Russian T-72 tanks from Moscow in September 2016.⁵⁵ In February 2017, the Sudanese government placed an order for six Chinese FTC-2000 trainer jets.⁵⁶ A month later, it confirmed the purchases of 35 Sukhoi-35 fighter jets from Russia.⁵⁷

In another layer of the military buildup, Sudanese President Omar al-Bashir presided over the graduation on May 15, 2017 of a class of 11,428 new fighters of the abusive militia known as the Rapid Support Forces (RSF), pledging in his speech to soon crush the rebellion. According to media reports, the RSF also inducted another 5,097 new fighters trained in Sennar, North Darfur, and South Darfur.⁵⁸ President al-Bashir celebrated what he considered to be the achievements of the RSF in counterinsurgency and combatting human trafficking and drug smuggling. He also tasked the RSF with ending the recurrent intertribal conflicts, which are a direct spillover from the government's own policies of militarizing the tribes.⁵⁹

The SPLM-N has abided by its own unilateral ceasefire, likely in an effort to regain some international support after the backlash that resulted from its stance on the U.S. proposal for facilitating humanitarian deliveries to the Two Areas. But despite the de-escalation gestures between the two parties over the last few months, the Sudanese government may be biding its time, hoping U.S. sanctions are permanently lifted, at which point it may then be emboldened to launch a major offensive against SPLM-N strongholds with less reason to fear repercussions. Mindful of this, the SPLM-N had also continued recruiting and training new fighters.⁶⁰

However, despite the temptation for Khartoum to use the current turmoil within the SPLM-N to its advantage, the future military actions of the government will likely remain predicated on the progress of its ongoing dialogue with the U.S. government as Khartoum seeks the permanent lifting of U.S. sanctions. Sudan will likely also continue to seek the U.S. lifting of Sudan's designation as a state sponsor of terrorism, a step that would remove, among other things, the prohibition on the U.S. government voting in favor of debt relief for Sudan.

The vested interest of the government of Sudan in obtaining the repeal of its designation as a state sponsor of terrorism offers the United States and other regional and international actors exceptional

leverage to persuade Khartoum to seek sustainable solutions for the country's decades-long deadly conflicts by compromising with its armed and political oppositions instead of pursuing opportunistic military solutions as it has consistently done for the last three decades. To this end, the Enough Project has called, in a recent policy brief, for the launch of a new track of engagement focused on peace and human rights, in the context of the ongoing five-track process of U.S.-Sudan engagement involving the decision about the future of U.S. sanctions on Sudan.⁶¹

Conclusion

The current divisions in the SPLM-N have triggered ethnically driven confrontations among refugees from Blue Nile state in which dozens of people were killed and injured and thousands have temporarily fled the camps fearing for their lives. In the same SPLM-N areas, the movement's army is at risk of splitting along ethnic lines, as some of its units have fought each other and some were involved in attacks against civilians. These developments heighten the urgency for all stakeholders to step in energetically to mitigate the risks to civilians from the fallout of the divisions and to ensure that a united SPLM-N returns to the arduous task of proactive engagement in the search for peaceful transformation of conflicts in Sudan and democratic transition of governance in the country.

With the appropriate interventions from actors with influence on the divided leadership and their constituencies, the fractured leadership can manage its internal differences constructively in ways that would spare their constituencies the worst risks and avoid the derailment of conflict transformation and democratization efforts in which they have invested their energies, however imperfectly, for the better parts of their lives.

To reverse the current trends and increase the chances for positive outcomes from this crisis, the following needs to happen:

To the fractured leadership:

- Instruct all forces under your command to immediately stop the violence in all areas, including the Nuba Mountains, Blue Nile state, and the refugee camps in South Sudan.
- Launch immediate investigations into reported incidents of attacks on civilians in SPLM-N areas to identify those responsible for such attacks and to hold perpetrators accountable.
- Authorize independent human rights investigations into the violence.
- Authorize unfettered humanitarian access to areas under your control to conduct needs assessments and to identify, with local humanitarian actors, the mechanisms for the delivery of aid to those most in need.
- Facilitate the work of local initiatives for community peace building that have independently helped to contain the escalation of violence in the refugee camps and SPLM-N areas in Blue Nile and which are helping to maintain societal peace in the Nuba Mountains.

To those working to address the underlying political issues:

The convening of the SPLM-N National Convention to resolve the constitutional and institutional issues at the origin of the recent tensions should aim to result in the following:

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- The adoption of an SPLM-N manifesto with a clear vision, mission, and objectives.
- An agreement on a revised SPLM-N Constitution.
- The reconstitution of the SPLM-N's governing bodies and clarification of their respective mandates.
- The adoption of a document or statement outlining strategy and tactics on multiple issues, including self-rule and self-determination.
- An agreement on a strategy for the humanitarian negotiations.
- Last, but not least, the mandating of an independent investigation into the deadly violence that occurred following the leadership dispute, and holding those responsible for it to account.

To regional and international actors:

- Engage constructively with multiple parties to the divisions; do not remain on the sidelines in this crisis.
- Support local peacemaking efforts by civil society groups in the Two Areas.
- Actively encourage both SPLM-N factions to resolve their differences peacefully.
- Consider providing logistical support if asked to enable the timely convening of the SPLM-N National Convention.
- Promote leadership that responds to and represents broad constituent interests.
- Assist humanitarian actors present in the Two Areas in addressing the urgent humanitarian needs of populations affected by the recent violence and reported shortages of food and medical supplies.

Annex: Proposals and Negotiations Over Humanitarian Access to the Two Areas

The aim of the U.S. humanitarian proposal, first presented to the SPLM-N in November 2016 by Ambassador Donald Booth, the U.S. Special Envoy to Sudan and South Sudan under the Obama administration, was to offer a solution to the deadlocked negotiations between the Sudanese government and SPLM-N that prevented the two from signing on to a “draft cessation of hostilities agreement” presented to them by the AUHIP on August 16, 2016. During earlier phases of the negotiations, the SPLM-N had insisted that all humanitarian deliveries to its areas come from or through neighboring countries. The Sudanese government strongly objected to this proposal, viewing this proposed measure as an infringement on sovereignty. Pressures by the mediation and peace envoys on both parties succeeded in persuading the SPLM-N to agree to receive 80 percent of deliveries from Sudanese government-held areas, and 20 percent of deliveries from Assosa, in neighboring Ethiopia. Despite the concession, the Sudanese government refused to soften its stance, offering as its only concession the condition that any such supplies would still have to be flown or driven to a location in Sudan for inspection and approval in order to proceed to SPLM-N areas. Because the two parties could not reconcile their positions, the cessation of hostilities agreement essentially by default became hostage to their disagreement.

The proposal put forward by Ambassador Booth offered that the U.S. government act as a “third party,” once the SPLM-N and Sudanese government agree to and sign the AUHIP’s cessation of hostilities agreement, to deliver from government-held areas limited medical supplies determined by needs

assessments conducted by the United Nations, directly to SPLM-N areas in Blue Nile and South Kordofan states. The proposal also specified that the distribution of supplies and the monitoring and evaluation of the intervention would be conducted with the participation of representatives of the affected populations.⁶²

In two meetings held in Paris on January 16 and 17 with the SPLM-N, the U.S. envoy and his team, USAID representatives, and the Sudan peace envoys of France, Norway, and Britain, the SPLM-N insisted that the Sudanese government allow for the use of an access point in Assosa, Ethiopia for the evacuation of critical medical cases and to allow leaders to travel to peace talks from the SPLM-N enclaves that are surrounded by Sudanese government-controlled territory. The SPLM-N's rationale in insisting on the Assosa access point for humanitarian supplies was that it did not want the Sudanese government to have full control of all humanitarian aid reaching SPLM-N-held areas, based on the Sudanese government's record of manipulating food aid in the past.⁶³ For its part, the Sudanese government argues that the SPLM-N would divert any food aid to supply its troops. The introduction of a third party to serve as the distributor of the most critical medical and immunization supplies should have been sufficient to allay the concerns of both parties, but so far this has yet to happen. The Sudanese government has insisted all along that it had accepted the U.S. proposal and that the SPLM-N must also accept it without condition.⁶⁴ The issue remains unresolved.

A couple of days after the disappointing outcome of the Paris meeting, and with two days to spare before the end of his mandate, Ambassador Booth harshly criticized the SPLM-N in a public event at the U.S. Institute of Peace for what he saw as their rejection of the U.S. proposal. He said, "This is a huge missed opportunity to advance peace negotiations, and to help the people that [the SPLM-N] claim to be fighting for. So, even as we hold the [Sudanese] government to its commitment to peace, we must also demand that the opposition set aside personal political ambitions and put their people first."⁶⁵ Booth's suggestion that the personal political ambitions of SPLM-N leaders trumped the needs of the people prompted the SPLM-N to issue strong denials and to reiterate its willingness, first expressed in the Paris meeting, to work with the new Trump administration to finalize the agreement on humanitarian deliveries.⁶⁶

As these discussions took place during the waning days of the Obama administration, and with the continuing delays under the Trump administration in filling vital vacancies in the State Department, including that of a special envoy to help revive the faltering peace processes in Sudan and South Sudan, the discussions resumed in late April under the auspices of the director of the Office of the Special Envoy in the Addis Ababa.⁶⁷ A statement by the SPLM-N's spokesperson for the peace process, Mubarak Ardol, suggests that these meetings were inconclusive: "the two sides," he said, "agreed to continue the discussion and to tackle in depth the issues that have been raised by the Movement."⁶⁸

Endnotes

¹ Nuba Reports, “Internal SPLM-N disputes affect Blue Nile and refugee camp,” June 1, 2017, available at <https://nubareports.org/sudan-insider-internal-splm-n-disputes-affect-blue-nile-refugee-camp/>; Radio Tamazuj, “Violent brawl leaves 20 dead at Gendrasa camp in Maban,” May 26, 2017, available at <https://radiotamazuj.org/en/news/article/violent-brawl-leaves-20-dead-at-gendrasa-camp-in-maban>; Eye Radio, “Refugees flee from Maban due to communal violence,” May 31, 2017, available at <http://www.eyeradio.org/unhcr-violence-forced-refugees-flee-camps-maban/>.

² Sudan Tribune, “SPLM-N RIFT: Agar rejects al-Hilu’s ‘coup’, renews calls for temporary leadership,” June 9, 2017, available at <http://www.sudantribune.com/spip.php?article62684>.

³ Recent reports detailing these urgent and worsening humanitarian conditions include: The Sudan Consortium, “Human Rights Update: March - May 2017,” June 29, 2017 available at http://www.sudanconsortium.org/darfur_consortium_actions/reports/2017/HR%20Update%20for%20March-May%202017%20-%20FINAL.pdf; Human Rights Watch, “‘No Control, No Choice’: Lack of Access to Reproductive Healthcare in Sudan’s Rebel-Held South Kordofan,” May 22, 2017, available at <https://www.hrw.org/report/2017/05/22/no-control-no-choice/lack-access-reproductive-healthcare-sudans-rebel-held>; Yosra Akasha, “South Kordofan and Blue Nile, the Sudanese border regions caught between drought and war,” Media Diversified, May 15, 2017, available at <https://mediadiversified.org/2017/05/15/south-kordofan-and-blue-nile-the-sudanese-border-regions-caught-between-drought-and-war/>; Food Security Monitoring Unit (FSMU) for Blue Nile and South Kordofan States, “Reporting Period: April 2017: In South Kordofan, “Food security is worse than ever before, Households rely on extreme coping strategies to survive,” on file with Enough; South Kordofan Blue Nile Coordination Unit, “SKBN CU Humanitarian Update,” March 2017, on file with Enough. Food Security Monitoring Unit for Blue Nile and South Kordofan States, “In South Kordofan: ‘Food security is worse than ever before’: Households rely on extreme coping strategies to survive,” April 2017, on file with Enough. Just one excerpt from this most recent FSMU report provides a snapshot detailing the urgency with specifics: “Food and water insecurity is dire, according to focus group discussion (FGD) participants, and is expected to worsen in the months leading up to the jibraka harvests in August. ‘About 150-200 people come every day to our offices to beg for food,’ said an administrator who represents an IDP population in Dallami County. In Heiban County, an administrator said, ‘We have never seen such [a bad food security] situation.... The lack of water added to the suffering of the people and now the situation is miserable beyond description.’ While the effects of the poor harvest and high prices were evident throughout the region, they were most dramatic in areas outside of the main population centers and among IDPs. In some payams, there were reports of residents scavenging wild fruits, roots and leaves as their main mechanism for survival. Though unconfirmed by the FSMU, local leaders and administrators also reported several cases of malnutrition, some of which resulted in child deaths. Many FGD participants forecast ‘catastrophe’ in the coming months, and suggested that hunger will lead to population upheaval” (p. 5).

⁴ Sudan Relief & Rehabilitation Agency (SRRA), “Humanitarian Situation In Blue Nile,” June 21, 2017, on file with Enough; U.N. High Commissioner for Refugees, “South Sudan Situation: Regional Update, 16-31 May 2017,” pp. 1, 2, available at <http://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR%20Regional%20Update%20on%20South%20Sudan%20Situation%20-%202016-31%20May%202017.pdf>.

⁵ The National Umma Party (NUP) of former Prime Minister Sadiq al-Mahdi, the Sudanese Congress Party (SCP) and a grouping of smaller parties, in addition to the Civil Society Initiative (SCI) represent the political arm of the Sudan Call. Launched in Addis Ababa in December 2014, the Sudan Call included under its umbrella the Sudan Revolutionary Front (SRF), an alliance that armed groups opposed to the Sudanese government formed in 2011. The SRF consists mainly of the SPLM-N and three other armed groups from the Darfur region: the Justice and Equality Movement (JEM) and the Sudan Liberation Movement/Minni Minawi and Abdel Wahid al-Nur factions (SLM-MM and SLM-AW respectively). However, disputes between the SPLM-N and the Darfur armed movements

- ²⁵ Magdi el-Gizouli (in Arabic), "The right of the SPLM-N to self-determination," StillSUDAN blog, April 19, 2017, available at <https://stillsudan.blogspot.ch/2017/?m=0>.
- ²⁶ Received from reliable sources via social media; the statement is on file.
- ²⁷ Malik Agar statement, in Arabic, June 18, 2017, on file with Enough.
- ²⁸ Unofficial translation of Malik Agar statement, in Arabic, June 18, 2017, on file with Enough.
- ²⁹ SudanView (in Arabic), "The final communiqué of the NMLC meeting," March 25, 2017, available at <http://sudanview.com/2017/03/25/البيان-الختامى-لإجتماعات-مجلس-تحرير-مجلس-لإجتماعات-البيان>.
- ³⁰ Telephone interviews and monitoring of social media by the Enough Project.
- ³¹ Radio Tamazuj, "Death toll rises to 35 in Maban fight" May 30, 2017, available at <https://radiotamazuj.org/en/news/article/death-toll-rises-to-35-in-maban-fight>.
- ³² Data from the camps from U.N. High Commission for Refugees, "South Sudan situation, refugees in South Sudan," May 2017, available at <http://data.unhcr.org/SouthSudan/region.php?id=25>.
- ³³ Ibid.
- ³⁴ Sudan Tribune, "SPLM-N accuses internal group of leading 'political and military coup,'" May 28, 2017, available at <http://www.sudantribune.com/spip.php?article62587>.
- ³⁵ Sudan Tribune (in Arabic), "Agar calls for stemming the sources of the tribal violence in Blue Nile," June 14, 2017, available at http://www.sudantribune.net/spip.php?iframe&page=imprimable&id_article=17633.
- ³⁶ Statement received via social media from SPLM-N communications officers, on file.
- ³⁷ Nuba Mountains Solidarity Abroad, "Food shortage in Kau and Warne-Nuba Mountains," March 11, 2017, available at <http://www.nubamountains.org/2017/03/11/famine-inkaow-nyaro-nuba-mountains/>.
- ³⁸ Famine Early Warning Systems Network (FEWSNet), "Food Security Outlook Update: Food security continues to deteriorate in South Kordofan and Jebel Marra," April 2017, available at <http://www.fews.net/east-africa/sudan/food-security-outlook-update/april-2017>.
- ³⁹ El-Sayha (in Arabic), "El-Hilu accepts US proposal, pending amendments," March 22, 2017, available at <https://www.assayha.net/play.php?catsmktba=17625>.
- ⁴⁰ South Kordofan Blue Nile Coordination Unit (SKBNCU), "SKBN CU Humanitarian Update: February 2017," pp. 2, 5, on file with Enough; South Kordofan Blue Nile Coordination Unit (SKBNCU), "SKBNCU Humanitarian Update: November 2016- January 2017," p. 6, on file with Enough.
- ⁴¹ Sudan People's Liberation Movement-North, Nuba Mountains Region/South Kordofan, Regional Liberation Council, public statement dated April 10, 2017, on file with author.
- ⁴² The SPLM-N Nuba Mountains/South Kordofan Liberation Council first affirmed that position in a statement dated April 6, 2017, on file with author.
- ⁴³ Sudan Tribune, "SPLMN-Agar proposes to negotiate new framework for peace in Sudan," July 5, 2017, available at <http://www.sudantribune.com/spip.php?article62913>.
- ⁴⁴ Sout al-Hamish (in Arabic), "Nuba Mountains Regional Liberation Council: no negotiations with the regime before the convening of the national convention."
- ⁴⁵ Sudan Tribune, "Government says SPLM-N rift affects efforts for peace in Sudan, as opposition calls to end it," March 27, 2017, available at <http://www.sudantribune.com/spip.php?article62025>.
- ⁴⁶ Ibid. Sudan Tribune, "Government says SPLM-N rift affects efforts for peace in Sudan, as opposition calls to end it."
- ⁴⁷ Nuba Reports, "SAF and SPLM-N trade ceasefire breach accusations," February 28, 2017, available at <https://nubareports.org/sudan-inside-saf-and-spla-n-trade-ceasefire-breach-accusations/>.
- ⁴⁸ In effect, the SPLM-N and the Darfur movements have in recent months released dozens of government soldiers they had captured over the last few years. These releases had prompted the government to reciprocate by releasing some fighters of the Darfur armed movements, although it has yet to release some high profile SPLM-A fighters and cadres and to pardon death sentences its courts had issued against the SPLM leadership.
- ⁴⁹ Reuters, "Sudan extends ceasefire by six months," January 15, 2017, available at <http://af.reuters.com/article/sudanNews/idAFL5N1F50DZ>. See also Nuba Reports, "Politics of a ceasefire," July 1, 2017, available at <https://nubareports.org/sudan-insider-the-politics-of-a-ceasefire-nuba-refugees-consider-next-move-civil-society-facing-death-penalty/>.

⁵⁰ The Sudan Consortium, “Human Rights Update: March - May 2017,” June 29, 2017; Food Security Monitoring Unit (FSMU) for Blue Nile and South Kordofan States, “Reporting Period: April 2017: In South Kordofan, “Food security is worse than ever before, Households rely on extreme coping strategies to survive”; South Kordofan Blue Nile Coordination Unit, “SKBN CU Humanitarian Update,” March 2017; Sudan Relief & Rehabilitation Agency (SRRA), “Humanitarian Situation In Blue Nile,” June 21, 2017.

⁵¹ For recent accounts see Nuba Reports, “Signs of War Resume in the Nuba Mountains,” November 26, 2016, available at <https://nubareports.org/signs-of-war-resume-in-the-nuba-mountains/>; Nuba Reports, “Lingering conflict in the Nuba Mountains,” August 9, 2016, available at <https://nubareports.org/sudan-insider-lingering-conflict-in-nuba-mts-peace-talks-in-addis-ababa-saudi-arabia-sudan-south-sudan-crisis-and-the-nuba-mts/>; Nuba Reports, “Sudan Call Prepare to Sign Peace Roadmap, Warplanes Fly in Nuba,” August 8, 2016, available at <https://nubareports.org/sudan-call-prepare-to-sign-peace-roadmap-warplanes-fly-in-nuba/>; Tom Rhodes, “The Sudanese government’s war of attrition in South Kordofan,” Integrated Regional Information Networks (IRIN), July 27, 2016, available at <https://www.irinnews.org/feature/2016/07/27/food-frontlines>.

⁵² Amnesty International, “Sudan: Don’t We Matter? Four Years of Unrelenting Attacks Against Civilians in Sudan’s South Kordofan State” (London: August 2015), available at <https://www.amnesty.org/en/documents/afr54/2162/2015/en/>.

⁵³ Reuters, “Sudan extends ceasefire ahead of expected lifting of U.S. trade embargo,” July 2, 2017, available at <http://www.reuters.com/article/us-sudan-ceasefire-idUSKBN19N0TQ?il=0>.

⁵⁴ President Obama’s executive order mandating the measure conditioned the permanent lifting of the sanctions on an evaluation, to be submitted to his successor by July 2017, of Sudan’s compliance with the terms set forth in five tracks it agreed to with the US government in the second half of 2016. These tracks are: (1) cooperation on counterterrorism; (2) cooperation in countering the Lord’s Resistance Army (LRA); (3) commitment to a cessation of hostilities in Sudan’s conflict areas; (4) ending support to South Sudanese armed opposition actors; and (5) providing humanitarian access to populations in need.

⁵⁵ Defense Aerospace, “Sudan to get 170 Russian T-72 tanks,” September 21, 2016, available at http://www.defense-aerospace.com/articles-view/release/3/177245/sudan-to-soon-receive-170-russian-t_72-tanks.html.

⁵⁶ African Aerospace Online News Service, “Sudan orders six Chinese-made FTC-2000 trainer jets,” February 28, 2017, available at <http://www.africanaerospace.aero/sudan-orders-six-chinese-made-ftc-2000-trainer-jets.html>.

⁵⁷ APA News, “Sudan buys 35 fighter jets from Russia,” March 28, 2017, available at <http://apanews.net/en/news/sudan-buys-35-fighter-jets-from-russia>.

⁵⁸ Al-Taghyeer (in Arabic), “The Rapid Support Forces celebrates the graduation of 16,000 fighters in May,” May 11, 2017, available at <https://www.altaghyeer.info/السرعة-الجنجويد-تحتفل-بتخريج-16-ال>.

⁵⁹ Sudan Tribune, “Sudanese president vows to crush rebellion soon,” May 13, 2017, available at <http://www.sudantribune.com/spip.php?article62447>.

⁶⁰ Sudan Tribune (in Arabic), “The SPLM-N insists on comprehensive peace, and says it is standing firm in the face of conspiracies,” April 17, 2017, available at http://www.sudantribune.net/spip.php?iframe&page=imprimable&id_article=17121.

⁶¹ The Enough Project, “The Missing Track: The case for a new policy framework between the United States and Sudan” (Washington: June 2017), available at <https://enoughproject.org/policy-briefs/the-missing-track>.

⁶² “Concept note for United States to provide direct humanitarian assistance to SPLM areas of control in South Kordofan and Blue Nile states,” on file with Enough.

⁶³ “SPLM-N denies rejection of U.S. humanitarian proposition,” Sudan Tribune, 20 January, 2017, here: <http://www.sudantribune.com/spip.php?article61442>.

⁶⁴ Sudan Tribune, “Sudan says SPLM-N must accept U.S. proposal without conditions,” March 14, 2017, available at <http://www.sudantribune.com/spip.php?article61875>.

⁶⁵ U.S. Institute of Peace, “U.S. Special Envoy Speaks on Sudan and South Sudan, Amb. Donald Booth on the U.S. Role in Seeking an End to Violence,” January 18, 2017, Washington, DC, time codes 27:50-28:11, available at <https://www.usip.org/events/us-special-envoy-speaks-sudan-and-south-sudan>.

⁶⁶ Sudan Tribune, “SPLM-N denies rejection of U.S. humanitarian proposition.”

⁶⁷ Sudan Tribune, "SPLM-N, U.S. officials discuss ways to reshape humanitarian proposal," April 28, 2017, available at https://www.sudantribune.com/spip.php?iframe&page=imprimable&id_article=62317.

⁶⁸ Ibid.