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No peace to keep: Darfur in perspective

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No Peace to Keep

Darfur in Perspective

Lee J. M. Seymour

April and May witnessed intensified diplomatic activity around the conflict in Darfur. This culminated in the US government's announcement of new sanctions on the government of Sudan and a push at the Security Council for targeted sanctions and expansion of the existing arms embargo. The measures are intended to coerce the Sudanese government's acceptance of a 23,000-strong African Union and United Nations peacekeeping force for Darfur. But in the absence of a viable peace process there are serious limitations to what the force could achieve. Indeed, the recent focus on intervention in Darfur obscures the larger issues at stake. Foremost among these is the North-South peace process and its centrepiece, the Comprehensive Peace Agreement (CPA). There is real risk that the CPA could collapse, and along with it, the best chance for a durable settlement to Sudan's wars.

International diplomacy around the conflict in Darfur has been intense in recent months. In April, after a delay of more than five months, Sudan's government reluctantly agreed to the "heavy support package" intended to bolster the 7,000-strong African Union force in Darfur with an additional 3,500 personnel, including an attack helicopter component. The deployment is envisioned as the second of three phases towards an eventual hybrid force of 23,000 AU and UN peacekeepers.

Seeking to keep up the pressure, on May 29 US President George W. Bush announced the long-threatened "Plan B" aimed at forcing the Sudanese government to accept the hybrid force in Darfur. The plan consists of the addition of 31 Sudanese

companies to a list of 130 currently barred from the US financial system, a freeze on the assets of three individuals responsible for violence in Darfur, and a push at the Security Council for multilateral sanctions. The United States, United Kingdom and France continue to float the idea of creating a no-fly zone over Darfur and opening up a humanitarian corridor through Chad. There has also been increased pressure on China to exercise its leverage over Sudan's ruling National Congress Party (NCP).

The NCP's concessions in April were welcomed as a rare victory for Western diplomacy in Darfur. However, the episode represents a continuation of worrying trends. Diplomacy towards Sudan has been characterised by posturing and bluffs, a blinkered

focus on details, disorganised and overlapping initiatives, and a disaggregated approach to the country's different conflicts. The current debate needs to reconsider the fundamental limitations of what can be achieved in Darfur and the conflict's place in the broader context of Sudan's multiple wars.

The Diplomacy of Distraction

There is a long-standing pattern in the *pas de deux* between the NCP and the West. In recent years, the NCP's intransigence has led to vocal demands for action from the US and European states. The NCP's response has invariably been symbolic acquiescence, with concessions made in areas of lesser importance to insulate those of greater strategic consequence. Different dossiers, including Darfur, Southern Sudan, oil investment, and counter-terrorism cooperation, are balanced against one another. Divisions among outside actors, such as those between Western states and China, the UN and the AU, and various regional and pan-Arab rivals, are exploited to the full. The NCP's agreements then give way to delays, back-peddling, quibbling over details, and efforts to re-open previous commitments, with officials safe in the knowledge that China forestalls more forceful action at the Security Council. As outside states get lost in the maze of obfuscations, the NCP and its local proxies continue to operate relatively unconstrained.

The months-long debate over the "heavy support package" conforms to this pattern. The NCP's April compromise has deflected mounting international pressure while drawing attention away from the much larger AU-UN hybrid force that remains the ultimate objective. The initial timeline for deployment of the heavy support package given by the AU and UN was January 2007. Even with the NCP's belated acceptance, it will be months before it can deploy.

True to form, acceptance of the package was immediately followed by bureaucratic impediments meant to further delay its

deployment. The recent US sanctions, applied largely in response to the NCP's continued lack of cooperation, have been widely criticized as too little, too late, particularly in the absence of broader multi-lateral efforts. The timing of a new Security Council resolution is to be discussed at the G8 summit in Heiligendamm, however China has reiterated its opposition to new UN sanctions.

Moreover, intense pressure to deploy the hybrid force has taken place in the absence of a realistic concept of operations. The coercive peace enforcement tasks that proponents of intervention envision for the force are unrealistic; there is a consensus among experts that even the proposed force of 23,000 would be unable to protect civilians or disarm militia groups in the absence of a comprehensive cease-fire, let alone without a viable peace process encompassing all the major armed groups. Yet serious efforts to bring about a cease-fire have only recently begun.

Most worrying of all, and largely neglected in current discussions, is that the debate over intervention in Darfur has sidetracked the North-South peace process and implementation of the 2005 Comprehensive Peace Agreement (CPA) (see Daniel P. Sullivan, "The Darfur Conflict and Sudan's Comprehensive Peace Agreement," SWP Comments 11/06, April 2006). The Sudanese government has long sought to compartmentalise the country's different conflicts. As violence in Darfur spun out of control in 2003 and 2004, outside states were pre-occupied with the North-South peace process. Rather than risk jeopardising the historic talks by pushing too hard over Darfur, they acquiesced to its exclusion from the talks and then reluctantly watched as the NCP pursued a military solution to the escalating rebellion.

There is a danger that this mistake is being repeated in reverse. Conditions for achieving a political settlement in Darfur are highly unfavourable. Yet the EU and US are exhausting their limited diplomatic capital on Darfur as the CPA drifts towards

Karte
Sudan



Quelle: United Nations, Department of Peacekeeping Operations, Cartographic Service, April 2007

failure. There is an urgent need to pull back and focus on the bigger picture.

The South, the West, and the East

Sudan's three conflict complexes roughly correspond to the points of the compass,

including Darfur in the west, Southern Sudan, and the East, in addition to a historically significant political opposition in the northern core and its shifting military alliances with peripheral groups. Though they have become increasingly intertwined, these conflicts have specific features. But

their roots can all be traced back to the historic pattern of marginalisation and exploitation of peripheral communities by the central Sudanese state.

Prevailing trends in all of these conflicts leave little room for international complacency. Despite headline-grabbing violence in Darfur, the condition of the North-South peace process is most worrying of all. Because the CPA offers a historic opportunity for remedying patterns of governance that have for so long perpetuated conflict in Sudan, peace is tied to its success.

Threats to the CPA

The CPA is in peril. The landmark agreement of January 2005, signed by the NCP and Sudan Peoples Liberation Movement/Army (SPLM/A), ended the predominantly North-South conflict through power and wealth-sharing, and the promise of national elections and a referendum on self-determination for the South (see Dennis Tull, "Sudan after the Naivasha Peace Agreement: No Champagne Yet," *SWP Comments* 3/05, February 2005).

Threats to the CPA can be seen in a number of areas. Delays in implementing security arrangements pose a prime danger. Force redeployment and the integration of joint military units have been slow. In November 2006, the most serious fighting since the 2002 cease-fire exploded in Malakal between the SPLA and Khartoum-aligned militia, eventually drawing in the Sudanese army and resulting in 300 deaths. Some southern militia previously aligned with Khartoum have been lured into joining the SPLA, but Khartoum continues to arm a number of other groups in violation of the CPA. Border demarcation is another contentious issue, particularly as both sides are reinforcing garrisons along the disputed 1956 border between North and South. More progress has been made in wealth-sharing, however the continued opacity of oil accounts leaves concerns over the equity of distribution.

These problems merge in Abyei—a contested area on the North-South border. Oil-

rich Abyei is subject to a separate protocol to the CPA, administratively part of both North and South until it chooses one or the other in the referendum, though it continues to lack a formal civilian administration. A boundary commission (consisting of five officials appointed by the NCP government, five appointed by the SPLM, and five impartial experts) has demarcated its disputed borders, but these have been drawn too far north for the NCP. The NCP has refused to acknowledge the commission's findings or implement its special administrative status, making Abyei a likely flashpoint.

Optimists can point to a few bright spots in the North-South peace process. The cease-fire commission functioned effectively in preventing the violence in Malakal from spiralling out of control. Much legislation has been enacted, both at the national and regional levels. A new national currency has been introduced in the South. The regional government in Juba has largely been consolidated under SPLM control after much delay, and most state governments in the South are up and running.

However, in its role with the NCP in the Government of National Unity in Khartoum, the SPLM remains very much the junior partner. All the key ministries remain under the control of the NCP, with the exception of the foreign ministry (where the SPLM's Lam Akol has fallen out with powerful colleagues in the movement). The failure of power-sharing at the centre has led the SPLM to engage only half-heartedly in the national government, particularly following the untimely death of SPLM Chairman John Garang in a helicopter crash on July 30, 2005, and the political eclipse of his more moderate NCP counterpart and CPA negotiating partner, Vice President Ali Osman Taha. As a result, the SPLM has been unable to challenge the NCP, not least in managing the conflict in Darfur.

Indeed progress under the CPA has been made largely in areas that do not alter the underlying balance of power. Initial delays

in implementation could plausibly be attributed to insufficient capacity and resources. Now, delays increasingly reflect the NCP's resistance to measures that would fundamentally alter how the country is governed or pave the way for an independent Southern Sudan.

Any pretence of making unity attractive to Southerners is going up in the flames of Darfur and is daily undermined by the government's lack of enthusiasm for power-sharing with the SPLM in the national government. There are also legitimate concerns about the willingness of SPLM leader Salva Kiir and President Bashir to hold free and fair elections. Securing votes in Darfur in order to maintain power in national elections was a central motivation for the concessions the NCP government made in the peace talks over the conflict in Darfur. Continued violence there has left this strategy in shambles, increasing the regime's aversion to elections that would threaten its grip on power. In this way, among others, continued violence in Darfur threatens the CPA; reciprocally, scepticism about the future of the CPA makes peace even harder to attain in Darfur.

Darfur Enters a New Phase

The besieged African Union Mission in Sudan (AMIS), supported by the UN, NATO, and the EU, can do little to prevent violence against civilians. Its primary task is to implement the moribund Darfur Peace Agreement (DPA) (see Sebastian Wadle, *Die African Mission in Sudan*, SWP-Aktuell 39/06, August 2006), signed by the government and a single Sudan Liberation Army (SLA) faction under intense international pressure in May 2006. By all accounts, the agreement came agonisingly close to meeting the demands of other rebel factions. But since last year, a number of factors have made it increasingly irrelevant, including shifting alliances, the emergence of new players, fissures amongst the rebels, and widespread opposition to the agreement among Darfurians.

These obstacles have led some troop-contributing countries to threaten withdrawal. Senegal and Rwanda have raised hard questions about the utility of an under-funded mission unable to fulfil its mandate due to government interference, rebel intransigence, and increasing insecurity. Even assuming that enough troops can be found, and that the NCP does not change its mind over the deployment of the force enablers in the heavy support package, it will be months before peacekeepers can deploy in sufficient numbers.

More fundamentally, in the face of so many well-armed spoilers, any mission can accomplish little in the absence of a comprehensive cease-fire as the first step towards an inclusive peace agreement. But conditions are discouraging. The NCP continues to divide its opposition in Darfur. It has manipulated the DPA to cement a fissure among the rebels while attempting to turn the agreement's international guarantors into its unlikely allies against the non-signatory rebel groups. Moreover, the government has repeatedly obstructed efforts towards unity amongst disparate rebel factions, even pre-emptively bombing meeting sites of SLA commanders conferences meant to define a common position ahead of new peace talks.

New political alignments have emerged in Darfur, but none overcomes the worrying tendencies towards fragmentation among the rebels that are a primary obstacle to brokering a new settlement. The SLA remains more divided than ever, and the Justice and Equality Movement's (JEM) efforts to build the National Redemption Front (NRF) into a political alliance have fallen behind its gains on the military front. With international support, the government of Southern Sudan has taken the lead in trying to bring Darfur's rebels together. But the SPLM claims that the earliest a conference of rebel groups could take place in Juba is July.

On the government side, NCP control over the *janjaweed* has become even shakier and infighting amongst government-allied

Arab militias has increased. A bloc of more powerful Arab tribes that had previously remained neutral is gravitating towards the rebels. Meanwhile, the recent military efforts of the NCP and its proxies have failed to decisively reverse rebel gains.

A proxy war between Chad and Sudan has intensified the violence in Darfur, as well as across the border in Chad and the Central African Republic. After initially siding with the Sudanese government, Chad's President, Idriss Déby, lent his support to Darfur's rebels. In response, the NCP has sought to deny rebels the use of rear-bases in eastern Chad by sowing disorder there, even going so far as to support rebels trying to overthrow the Déby government with an assault on the capital, N'Djamena, in April 2006. The recent success of competing Libyan and Saudi efforts to mediate a solution to the conflict between Chad and Sudan is one of the few welcome developments around the conflict in Darfur, but it has not yet yielded results on the ground.

Given the limitations of the current peacekeeping force and the poor conditions for peacemaking more generally, the international community remains behind the curve in trying to prevent another rush of violence in Darfur.

Peace in the East?

Prospects are better in the East. Last October, Eastern Front rebels and the government signed the Eastern Sudan Peace Agreement in the Eritrean capital, Asmara. The settlement is encouraging, particularly given earlier fears that eastern Sudan was headed the way of Darfur.

The terms of the agreement provide the rebels several government posts and parliamentary seats in Khartoum and three eastern states, in addition to funds for regional development. In exchange for demobilisation, the Eastern Front can become a political party that runs in national elections.

The insurgency in the East drew on Eritrean support and sanctuary (as have rebels

in Darfur and the South). The peace agreement thus benefited from a rapprochement between Asmara and Khartoum and the SPLA's withdrawal from the area under the redeployment provisions of the CPA, both of which put pressure on the Eastern Front rebels for a deal. But neither détente between Sudan and Eritrea, nor the CPA will necessarily hold. Most worrying is the absence of provisions for international monitoring of the agreement, in part a consequence of the preoccupation with crisis management in Darfur.

The incipient peace process in the East usefully bolsters the CPA as a path to national transformation. But the process is conditional on progress towards elections and meaningful political competition at the centre, meaning that is likely to come up against the same limits on power-sharing that have led the government to stall implementation of the CPA.

The Way Forward

In recent months, diplomacy has revolved around the divisive question of intervention in Darfur. The emergence of powerful domestic lobbies for action in Darfur, particularly the Save Darfur Coalition in the US, has increased the pressure on leaders for hard rhetoric. But talk of coercive intervention has not contributed to the search for a settlement. Instead, these largely empty threats have aroused suspicions in Khartoum about a western agenda of regime change while encouraging rebel groups to hold out for a better deal. The question of intervention has also divided the US and the EU from the Arab League, China, and regional states that share an interest in defusing tensions in Darfur. Shifting the discussion from intervention to the search for a political settlement might help bridge this rift.

In 2004, the AU deployed into Darfur without a comprehensive settlement that was perceived as legitimate by major parties and the local population. To prevent a repeat of this mistake, the intense efforts

to deploy the 20,000-strong hybrid force need to be accompanied by the hard diplomatic work of brokering a political settlement.

A first step here is a coherent negotiating position amongst disparate rebel groups. Efforts towards a unified position amongst SLA commanders, and between the SLA and JEM, should be supported as a necessary step towards a comprehensive ceasefire. At the very least, the ten-or-so major rebel factions could be consolidated into a more manageable number for negotiations. An inclusive process would also have to encompass Arab tribes aligned with the *janjaweed*, as unpalatable as this may be.

The cross-border dimensions of Darfur's conflict, particularly in Chad and the Central African Republic, require a regional solution that has been largely absent. Greater pressure should be brought to bear on the governments of Sudan and Chad for easing tensions, building on the momentum generated by recent Libyan, Saudi, and AU initiatives.

Another priority is the coordination of proliferating mediation attempts, each representing a different set of interests and focussed on a different dimension of the conflict. Multiple venues encourage forum shopping, diffuse international pressure, and impede progress. There is an urgent need for a streamlined mediation process, including coordination between regional players—including Chad, Libya and Eritrea—and a broader set of states with leverage, such as the US and EU, China, the Arab League, and the AU and UN. Dysfunctional competition between the AU and UN also needs to be managed.

The focus on sanctions and intervention has divided the US and the EU from a number of regional states and China. Looking beyond these issues towards a political settlement might help bridge this rift. Though China can be expected to frustrate efforts towards more forceful action, Beijing shares an interest with Western powers in preventing another serious escalation of the violence.

Efforts around Darfur also need to be placed in the broader national context. Over the past year, Darfur has dominated international efforts, to little effect. This imbalance should be corrected. For too long the NCP government and the SPLM have been allowed to avoid the hard compromises upon which the CPA's success depends. The weaknesses in power-sharing at the national level means that the new political dispensation it promises for the entire Sudan, rather than just Southerners, has been illusory.

Solving the impasse between Darfur's rebel groups and the NCP may well involve revisiting the power-sharing provisions of the CPA. The NCP and the SPLM both resisted this during peace talks in Abuja last year. Now, however, the SPLM has acknowledged the grave danger that continued violence in Darfur poses to the CPA. As a result, it has begun to assert itself in Darfur. This has further compounded tensions between the NCP and SPLM, with the relationship between the two already at its lowest point in years.

International pressure is required to manage growing hostility. Both sides will need a push to move CPA implementation forward in sensitive areas such as Abyei, security arrangements, and preparations for national elections. Perhaps more than any other aspect of the CPA, elections underscore the close links between events in Darfur and the CPA. Peace in Darfur threatens the NCP's grip in power by forcing it to stand in elections against a staunch opposition in Darfur with links to the SPLM and northern opposition parties. But the *status quo* provides a pretext for delaying elections, or even cancelling them altogether, potentially precipitating a national crisis that could derail peace processes in the South and East.

The linkages between Sudan's conflicts point towards a diplomatic approach that pushes for a political solution to the conflict in Darfur while revitalising the CPA. Without some success on these fronts in the coming months, an escalation of vio-

lence in Darfur is a real possibility, with implications for Chad and the Central African Republic. The CPA would also be at risk, raising the prospect of a renewed North-South war between armies flush with weapons.

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