The Sudan–IGAD Peace Process
Signposts for the way forward

African Security Analysis Programme

ISS Paper 86 • March 2004
Price: R10.00

Introduction

The Intergovernmental Authority on Development (IGAD) Peace Initiative on Sudan appears to be on the verge of achieving what other efforts and processes have failed to do in more than twenty years, namely reaching a signed peace agreement between the Sudan Peoples Liberation Movement/Army (SPLM/A) and the Government of Sudan (GoS). In the euphoria surrounding this anticipated event, however, it must be cautioned that the country is broken. The task of physical reconstruction is enormous while the transitional period will be long and will throw up many problems. In every corner of the country, groups and regions are demanding that their grievances be addressed. In overcoming the first, and arguably most crucial, hurdle of a signed peace agreement, the expectations placed on IGAD by the international community, donors and the Sudanese people to successfully oversee the transitional period, the holding of a vote on self-determination for southern Sudan, and the creation of viable and democratic governments in both south and north Sudan, will be extremely high. There can be no ready-made formula for the way forward. While this paper will emphasise the accomplishments of the IGAD peace process that must serve as a base for the way forward, the tasks of the post-conflict stage are markedly different and demand a different approach than that which proved successful during the first stage. In particular, it will require a shift from the elitism and exclusivity that characterised the first stage to a process informed by transparency and a commitment to democracy.

The paper will begin with a brief overview of the various peace processes that have been taken up during the two decades of Sudan's civil war, culminating in the success of the IGAD Initiative. This serves to identify the key issues that have been considered by peace-makers, the problems encountered, the critical components of the IGAD achievement, and against this background suggest the issues that remain to be confronted. In addition, this overview will illustrate the diverging and sometimes conflicting interests of the large number of individuals, organisations and governments that have taken up peace-making in Sudan and make clear that many of those conflicting interests will continue into the post-conflict transitional period, and must be resolved.

The strength of the IGAD Peace Initiative, particularly during its later stage, has been its clarity in identifying the key issues at the core of the conflict, and then bringing to bear the necessary political and technical resources, including international pressure, specifically that of the United States (US), to encourage the SPLM/A and GoS to make the needed concessions. Crucial and worthy as this achievement is, the IGAD Initiative from the beginning was understood to involve a continuing involvement in Sudan that would not end until the terms of the peace agreement were fulfilled and the necessary stability was achieved, because only then could there be confidence that peace would be secure. And that objective in turn is not realisable unless there are significant and continuing democratic reforms. The Sudanese people must assume increasing and ultimate responsibility for a democratic transformation. The broader international community, and most significantly IGAD, must understand that this objective is an integral part of the peace process and is a core principle of the Machakos Protocol of 20 July 2002.[1]

The strength of the IGAD Peace Initiative, particularly during its later stage, has been its clarity in identifying the key issues at the core of the conflict

It is not difficult to compile a list of tasks for IGAD during the transitional period. What is more challenging is to provide insight into the main tasks, their many dimensions and complexity. This paper will identify, under two main categories, what should be IGAD's major priorities during the transitional period: first, achieving inclusivity in the peace process; and second, rehabilitating Sudan's contentious bilateral relations. Both involve a steady

expansion of democratic power and popular engagement in, and control over, the institutions of governance. It will be argued that without urgent attention to these concerns there is a real danger that the stupendous achievement of a signed agreement between the belligerents could very likely be undermined.

It must be stressed that this is not a technical paper, nor is it a paper written by an insider involved in the negotiations. Nor, given time constraints, is this analysis comprehensive in either its assessment of the varying peace processes, or in its consideration of the main elements that it proposes IGAD focus on in the transitional period. The analysis does not consider issues related to governance, and in particular the governance of southern Sudan, even though these could prove of enormous significance to the outcome of the peace process,[2] but instead focuses on the more narrow political elements of the transitional period. In addition, this paper does not detail what IGAD should do, merely laying out the concerns that must be dealt with during the transitional period. It should also be noted that this report does not consider the obstacles to IGAD's pursuit of the peace process, which one analyst identified as a lack of resources, capacity to implement programs, transparency and coordination, grassroots level participation and democratisation in general, as well as the problems posed by functioning in a region characterised by chronic instability.[3] Instead, this analysis will provide some of the necessary background for IGAD's engagement in the post-conflict stage of the peace process, identify priorities on the way forward, and at all times draw the link between a sustained and expanding peace process and a democratic transformation of Sudan.

Lastly, the outbreak of a famine in Darfur, said to rival that of 1988, and the dislocation of upwards of half a million people, both a result of an insurrection launched by the Sudan Liberation Movement/Army (SLM/A), together with the increased military activities by the non-SPLA components of the National Democratic Alliance (NDA) in eastern Sudan over the past few months, should be considered a wake-up call and makes clear the multifaceted threat facing Sudan. Moreover, these politico–military struggles, which are a direct product of the progress in the IGAD peace process, make clear the need to move quickly to establish democratic and legitimate institutions of governance that alone can defuse these and other crises that may erupt.

Review of peace-making efforts

The SPLM/A insurrection broke out in 1983. With support from the Eastern Bloc and neighbouring countries it quickly became a national crisis. However, the Nimeiri regime was slow to appreciate its significance and the war proved a major cause of its removal by a popular revolt two years later. The incoming Transitional Military Council appealed to the SPLM/A and its leader, Dr John Garang, to join the government and resolve their grievances peacefully. Crucially, however, the Transitional Military Council was not prepared to accept the SPLM/A as a national party with an agenda for reconstructing the entire country, nor did it agree to the movement's demands to freeze the Shari'ah laws introduced by Nimeiri, end defence agreements with Arab countries and hold a constitutional conference.

The next internal effort at peace-building took place in a meeting between the National Salvation Alliance (the umbrella organisation of the parties that overthrew the Nimeiri regime) and the SPLM/A in March 1986 at Koka Dam in Ethiopia, when agreement was reached on all the SPLM/A's demands. Unfortunately the refusal of key major parties—notably the Democratic Unionist Party (DUP) and the National Islamic Front (NIF)—to participate in the discussions undermined the achievements of Koka Dam. In July, after the holding of national elections, the Umma Party leader and Prime Minister, Sadiq Al-Mahdi, met the SPLM/A leader, John Garang, and agreed to the Koka Dam recommendations and the meeting "ended in a note of guided hope",[4] but these hopes were not realised.

Arguably the best prospect of ending the war, before the IGAD achievements at Machakos, was the DUP–SPLM/A agreement reached by their respective leaders, Osman Al-Mirghani and John Garang, in November 1988. This agreement essentially affirmed all the SPLM/A's demands, including the holding of a constitutional conference. However, faced with dissent in his ruling party, and the opposition of the NIF which was part of the coalition government, Sadiq did not, or could not, implement the DUP–SPLM/A accord. Nonetheless, given enormous popular sentiment for peace and the formation of an Umma–DUP coalition government that did not include the NIF, the National Assembly endorsed the agreement on 3 April 1989.[5]

Significantly, however, the agreement was strongly opposed by the NIF, which then left the government. As arrangements for the constitutional conference proceeded, a group of army officers with ties to the NIF—and led by Lt-General Omar Al-Bashir, the current President of Sudan—seized power. This action not only dealt a death blow to the DUP–SPLM/A accord, but effectively ended internal Sudanese efforts at peace-making. As a result, subsequent peace initiatives were to be dominated by the regional and international communities. Moreover, the 1991 overthrow of the regime of Mengistu Haile Mariam in Ethiopia—the SPLM/A's foremost foreign supporter—and a schism within the rebel movement that led to the defection of Dr Riek Machar and his Nuer followers in the same year seriously weakened the SPLM/A. That confluence of

events led the Government of Sudan to increasingly look to a military victory, and not peace negotiations, to bring the conflict to an end.

Out of fear that the SPLM/A was on the verge of collapse, and because of the importance of the issues of race, religion and self-determination that were at the core of the Sudan dispute, Nigerian President Ibrahim Babangida took the lead in holding peace talks in the Nigerian capital, Abuja, in May–June 1992. With a weakened rebel movement represented by factions led by Dr Riek and Dr John, an increasingly confident Government of Sudan delegation espoused majority rule, which, it held, meant that the constitution should be based on Shari'ah, although the south could be exempt from the *hudud* (code of Islamic punishments). Both factions of the SPLM/A pressed for a secular democratic system and the right of the south to a referendum on self-determination. Khartoum rejected secularism and would not countenance the proposed referendum. The talks rapidly collapsed.

Almost a year passed before Babangida called for a second round of talks at Abuja, by which time the SPLM/A was weaker militarily. With very little change, Khartoum proposed power-sharing and balanced development, rejected secession, and proposed a constitution that did not refer to Islam as the state religion and exempted the south from certain provisions of Shari'ah. The SPLM/A rejected Khartoum's federalist approach and called for a confederation and a secular, democratic "New Sudan". If this objective was not achievable, the SPLM/A said, then the south and the "marginalised territories" (the Nuba Mountains and Southern Blue Nile), together with Abiyei, should have a vote on confederation or separation. There were other differences between the parties, but the critical issues of the separation of state and religion and self-determination proved conclusive in causing the collapse of the negotiations.

In the wake of the failed Nigerian initiative, and perhaps out of fear that the 18,000 US troops in Somalia in the early 1990s could carry out a similar operation in Sudan, the GoS proposed that the IGADD take up the peace process

In the wake of the failed Nigerian initiative, and perhaps out of fear that the 18,000 US troops in Somalia in the early 1990s could carry out a similar operation in Sudan, the GoS proposed that the Inter-Governmental Authority on Drought and Desertification (IGADD, the forerunner of today's IGAD) take up the peace process. The countries of IGAD had a clear interest in containing Sudan's civil war and stopping the spread of political Islam, and with the elevation of President Isaias Afewerki of Eritrea and Prime Minister Meles Zenawi of Ethiopia to power, the organisation had two particularly competent and dynamic leaders ready to assume the task.[6] In response, IGADD established a Standing Committee on Peace in Sudan in early 1994 and in March peace negotiations were officially launched in Nairobi. Once again, however, the issue of self-determination brought the first round of talks to a rapid end.

A second set of negotiations a few weeks later looked as if they would collapse in like manner, but at this point the IGADD mediators presented the belligerents with a Declaration of Principles (DoP). The DoP included a number of provisions relating to human rights that have never been the subject of much dispute, but it also held that the unity of Sudan be given priority, that the social and political system be secular and democratic, and resources be equitably shared. In the absence of agreement on these principles, it suggested that the south would have the right to self-determination through a referendum. While the SPLM/A fully endorsed the DoP, the GoS predictably could not accept the south's right to self-determination, nor the activist role of the mediators. Again, the positions of the belligerents were clear and apparently irreconcilable. The peace talks were officially adjourned but, effectively, they had collapsed.

In response to the failure, the SPLM/A and the government turned their energies to fighting political and military battles, and positioning themselves for what would inevitably be another encounter at the negotiating table. The Khartoum government focused on reaching an internal peace agreement with the South Sudan Independence Movement of Riek Machar (this was to subsequently take form as the 1997 Khartoum Peace Agreement), and defeating the SPLM/A militarily, which appeared to be a realisable objective in the circumstances. The SPLM/A built up its relations with the NDA, a loose grouping of northern opposition forces, as a means to bring further pressure to bear on the government and gain acceptance from parties, which arguably represented the majority of the Sudanese people. For its part, IGAD turned its attention to gaining western material and political support, and this eventually took the form of the IGAD Partners' Forum (IPF). It further endeavoured to ensure that efforts would be coordinated and that other peace processes would not be endorsed by the international community. At the same time and in response to what was held to be an Islamist threat to their sovereignty, Ethiopia, Eritrea and Uganda stepped up significantly their military assistance to the SPLM/A, and by late 1995 were sending their armed forces into Sudan.

In 1997, regional isolation, the military engagement of the neighbouring countries, SPLM/A victories in the field, and a new pragmatism in Khartoum convinced the NIF to return to the bargaining table and accept the DoP as a basis for negotiations. However, the

outbreak of the Ethiopian–Eritrean war in May 1998 markedly decreased regional pressure on the government of Sudan and the IGAD Peace Initiative began to falter. Without sustained military pressure the IGAD sponsored talks at Lake Bogoria, Kenya in October 2000 followed the same route to failure as many before it. It was becoming increasingly clear to both the IGAD mediators and the IPF that outside support and pressure, ideally led by the US, would be necessary if the peace process was not to come to a complete halt. In response to the perceived weaknesses of the IGAD Initiative a number of other peace efforts also took form at this time.

Foremost in this light was the Joint Libyan and Egyptian Initiative (JLEI), which was concerned with the lack of northern opposition participation in the IGAD efforts, uneasy at apparent African domination of the peace process, and upset at the lack of a formalised role for Egypt in the negotiations, given its considerable interests in Sudan. Lastly, and probably most importantly, this initiative also reflected opposition by Libya and Egypt to the concept of self-determination for southern Sudan, which was seen as a threat to Cairo's access to the waters of the Nile, which flow through southern Sudan. Khartoum unreservedly agreed to the JLEI principles, which were expressed in a DoP, and the SPLM/A accepted them in principle, but made clear that it wanted the document revised to include self-determination, secularism and coordination of the JLEI with the IGAD peace process. Although the JLEI largely withered, it represented a strong statement of Egyptian fears about Sudanese self-determination, as well as the need to bring the northern opposition forces into the peace process. It also made clear that the engagement of Libya and particularly Egypt, which has the closest relations with Sudan and the most significant interests in the country and the peace process, should not be overlooked.

With the NDA based in Eritrea and given the latter's major interest in the Sudan peace process, Asmara repeatedly attempted to initiate negotiations between the NDA and Khartoum. However, the weakness of the (non-SPLM/A) NDA forces and the international legitimacy given to the IGAD peace process meant that the Eritreans made little progress. Nonetheless, any comprehensive peace agreement must at some point include the opposition northern armed groups and the interests and grievances that they reflect. Further, the security of the peace process also depends on a marked improvement in the bilateral relations between Sudan and Eritrea.

Out of fear of the imminent collapse of the IGAD peace process and for the same reasons that stimulated its earlier efforts, Nigeria again attempted to promote a peace process. In the event, these efforts came to naught, but they did make clear that the issues at the heart of the conflict—religion, race and regional disparities within a state—have resonance far beyond the country's borders. Moreover, the focus of these efforts, like those of Eritrea, and in distinction to IGAD, was an inclusive process that involved the engagement of the major political forces of the north and the south.

All of these interventions suggested a growing lack of confidence with the IGAD peace process. Although the IGAD Peace Initiative had some genuine accomplishments—a well-thought-out DoP, workable relations with the belligerents, an institutional focus in the Sudan Secretariat, and international legitimacy—it had become apparent to most analysts and the belligerents by late 2001 that the process needed invigoration, and this could only come through international engagement led by the US.

Many point to the terrorist attack on 11 September 2001 to explain heightened US interest in Sudan, but if nothing else, the American bombing of the Al-Shiffa Pharmaceutical Plant in August 2000 on the basis of faulty intelligence information that it was producing chemical weapons, makes clear an earlier interest, and one that focused on the connections between Khartoum and Islamist terrorism. Moreover, it must be stressed that President George W Bush appointed special peace envoy, Senator Danforth, five days before the 11 September attack, thus demonstrating US commitment in the Sudan peace process. Interest in Sudan by a number of key constituencies—the Congressional Black Caucus, the influential Christian right, liberals, human rights activists, American humanitarian agencies, and the oil lobby upset at being denied entry into the potentially lucrative Sudan market—combined with heightened concerns about international terrorism after 11 September, all contributed to the increased engagement of the US in Sudan. Indeed, US engagement in Sudan steadily increased from President Clinton's Executive Order of November 1997 which imposed comprehensive trade and economic sanctions, through to the Sudan Peace Act of October 2002 which stipulates further sanctions if the GoS was found to be not participating in the peace negotiations in good faith. Further pressure was brought to bear by Sudan being identified as one of seven countries on a State Department list of state sponsors of terrorism. While some have questioned the timing, ethics and one-sided American pressure on the GoS, there is little doubt that collectively these measures sent a powerful message to the government, and their removal an equally powerful impetus to bring the war to an end.

Against this background, Danforth proposed a series of confidence-building measures, comprising a cease-fire in the Nuba Mountains, zones and times of tranquillity in which vaccinations and other humanitarian interventions could be carried out, a commission to report on the issue of slavery, and an end to attacks on civilian targets—all of which achieved some, but not complete, compliance.[7] Whether or not these measures increased mutual

confidence between the government and the SPLM/A is questionable, but they did suggest that there could be movement in the Sudan peace process. Probably more importantly, neither party wanted to run foul of the US, particularly given its increased interest in security after 11 September and its demonstrated willingness to use military force in the pursuit of its perceived security interests. Despite such unilateral actions and appeals from various sources to formulate their own peace initiatives, the US administration repeatedly made it clear that it supported regional efforts led by IGAD. And there can be little doubt that the support of the UK, Norway and Italy, led by the US, breathed life into the faltering IGAD peace process, and their sustained engagement proved critical to the breakthrough of the Machakos Protocol and the continuing progress since then.

Expanding the peace process – Part I: From within Sudan

Expanding the Sudan peace process to insulate it against implosion must proceed in both the internal and external spheres. Internally this involves the democratic project of bringing more Sudanese actors into the process, gaining their input, acquiring their consent, making them partners in the effort, bringing them benefits, and expecting obligations, of which the principal one is their commitment to realising the stipulations of the final peace agreement. For IGAD it means a marked change in philosophy and direction from that of the first stage, which can be characterised as secretive, elite driven, narrowly focused, and which pointedly ignored the issue of human rights, to the next stage where transparency, engaging the large mass of Sudanese, and vastly expanding the focus and direction of the peace initiative, must set the tone. At the external or regional level the objectives are similar, and are based on the assumption that stable regional relations are a prerequisite of internal stability, and that the pursuit of foreign relations must reflect the broad interests of the Sudanese people. Indeed, the engagement of IGAD countries in the peace process is based on the understood link between instability in Sudan and unstable relations between the countries of the region.

Expanding the Sudan peace process to insulate it against implosion must proceed in both the internal and external spheres

The challenge of an inclusive peace process

From its beginnings in the early 1990s the IGAD Peace Initiative has been narrowly focused on the SPLM/A and the GoS. While the NDA, other political groups in both the north and south of the country, and civil society organisations, have repeatedly requested formal or observer status in the negotiations, they have without exception been rebuffed. Although both the SPLM/A and the GoS have at times appeared sympathetic to the demands of these groups, it is also clear that in the end they did not want them at the bargaining table, and that included their closest allies. The only exception, and it is noteworthy, is the participation of a senior official from the South Sudan Defence Force (SSDF), who took part in two rounds of negotiations on security arrangements as a member of the GoS team, but representing the SSDF. Significantly, however, this official was not invited to the final round in late September 2003 when an agreement on security arrangements was reached. The IGAD mediators and the official observers from Britain, the US, Norway, Italy, the United Nations (UN) and the African Union have all (and particularly the first four observers) at varying times come under intense pressure to both accept other observers (notably Egypt, the Arab League and France) and broaden the scope of the talks. They have, however, been adamant that the negotiations be restricted to the above western states, together with the UN and the African Union, and that the belligerents include only the SPLM/A and the GoS. (As this paper is being finalised the Arab League has been granted observer status in the negotiations.)

Increasingly, however, in the final stages of the negotiations all the participants appeared to become aware that for a peace settlement to achieve acceptance and legitimacy, it needed the support of the Sudanese public. In other words, the democratic imperative is assuming increasing importance. And with that in mind the SPLM/A began to respond to demands of southern civil society and to attempt to allay the fears of the NDA that its interests were not being considered in the negotiations. Facing weak and disorganised civil society groups in the north, the GoS apparently did not initially feel sufficiently pressured to engage them until the final days. However, in recent weeks it has gone much further than the SPLM/A in bringing on board various non-governmental groups, including members from the leading opposition parties. But crucially, at no point did either the SPLM/A or the GoS accept the principle that they were accountable to constituencies beyond their parties for the positions they took in the negotiations. Nor did they accept these groups, or others from the broader Sudanese society, as participating directly in the peace process. There is also no indication that either the Sudan IGAD Peace Secretariat mediators, the ambassadors from the IGAD countries that served as envoys in the peace process, or the representatives of US, Britain, Norway and Italy who participated in the negotiations, were concerned at the lack of broader participation.

Although never explicitly stated, from informal contacts it would appear that the argument for narrow-based talks largely held outside any public purview was based on four contentions. First, the DoP, on which the entire peace process was based, made reference only to the SPLM/A and the GoS. And since this represented the collective and agreed views of IGAD and the belligerents, it was held to be inappropriate to change in mid-course, notwithstanding the pressures to do just that. Second, it was thought that the all-encompassing nature of the negotiations made the process very complex in terms of the issues to be considered and the interests that needed to be addressed, and hence the participation of additional actors might prove so difficult as to make the process unworkable. No doubt added to this concern was the fear that if the door was opened to additional participants in the negotiations, then it would be very difficult to close it. Third, the mediators feared that increasing the numbers around the bargaining table would inevitably increase the leaks of what was held to be confidential information, and this in turn could be used to galvanise dissent that could disrupt the process.

Last, and of most relevance for what follows, the mediators made it abundantly clear in the DoP, in the Machakos Protocol and in private interviews that they viewed the peace process as a two-step arrangement, the first of which was an agreement between the SPLM/A and the GoS while the second involved bringing other major political interests into the peace process and gaining their assent to the agreement. Most were aware that the 1972 Addis Ababa Agreement was seriously undermined by the fact that—just as with the IGAD Initiative—it was reached between Anyanya and the Government of Nimeiri, neither of which had formal democratic legitimacy. As a result, the leading and democratic-based parties of the north, the Umma Party and the DUP, were able to successfully contend that the Addis Ababa Agreement did not have the support of the Sudanese people. Thus a reading of history suggests the need to make the peace process more inclusive, and that entails a democratic transformation of the country. Moreover, while the lack of transparency and narrow focus, which characterised the approach of the mediators during the first stage of the peace process, can be justified on the basis of the arguments considered above, these arguments will not hold up during the second phase, which involves overseeing a broadening out of the peace process that in turn necessitates a democratic and transparent approach.

Means of achieving an inclusive peace process

While it is often held that national elections will serve as the best means to ascertain the views of the Sudanese people in both the north and south of the country on the peace agreement, at the time of writing there is no agreement on the holding of elections. It is widely assumed that they will take place approximately midway through the six-year transition period (which in turn only begins after a six-month initial stage). The view from this quarter is that depending solely on elections, much less elections that are unlikely to take place for at least three-and-a-half years, as a means of giving democratic legitimacy to the IGAD peace process would be a very high risk course of action. Euphoria surrounding the formal signing of a peace agreement should not blind anyone to the fact that many in the north and south have decidedly mixed feelings about the kind of peace that is being agreed upon, and in addition there is no predicting what level of opposition might build over the course of the transitional period. Moreover, the lack of any democratic accountability makes the IGAD Initiative an easy target. It is also important to note that Sadiq and DUP leader, Osman Al-Mirghani, have both stated their support of the IGAD peace process on the one hand, but on the other made clear that they will not feel bound by decisions reached in the process that go beyond what they consider its natural limits. Issues such as power-sharing, the holding of national elections and constitutional changes, all of which are being taken up by the IGAD Peace Initiative, could thus prove problematic, given this perspective.

While national elections remain in doubt, there is even more confusion over proposals for a constitutional conference involving all Sudanese political interests that would take place after the anticipated peace agreement and consider a wide range of issues, from the character of the country to power-sharing. A further problem with this proposal is that a number of the key concerns that it might be expected to address have been, or are being, addressed in the IGAD Peace Agreement. It should be noted that this call for a national constitutional conference has been advocated by different Sudanese politicians for many years. In particular, it will be recalled that this was a key demand in the mid to late 1980s of the SPLM/A. In recent years it has been largely associated with the former Prime Minister and current leader of the Umma Party, Sadiq Al-Mahdi. The JLEI was also sympathetic to the holding of a constitutional conference and the formation of an all-party transitional government, and this is perhaps not surprising since Sayid Sadiq is widely held to be the inspiration for that initiative. The National Congress Government has responded to the appeal for a constitutional conference with a proposal for a Constitutional Review Commission, which is yet to be clearly defined, but which some argue would not be significantly different in its composition or scope than a full-fledged constitutional conference. In any case, it is safe to predict that proposals for a constitutional conference will be given new significance with the anticipated signing of a peace agreement.

Peace initiatives in the Horn may wither, but have a tendency almost never to be foreclosed. This may

well be the case with both the Eritrean efforts and the JLEI. While a critical element of the latter initiative was to pursue peace without a commitment to self-determination, and it has thus been overtaken by events, both it and the Eritrean involvement stressed the need to bring the northern opposition political groups into the peace process and thus strengthen its democratic base. Since that has not been accomplished, these efforts may yet have a place in the unfolding peace process. Both of them represent attempts to make the peace process more inclusive, but they also serve to bring to the fore Sudan's difficult relations with its neighbours; these relations must also be addressed (and will be considered below) if the peace process is to be secure and sustained.

In addition to these efforts, both the SPLM/A and the GoS have attempted, at varying times and with varying levels of commitment, to win the support of key military and political groups. Noteworthy on the military side is the 1997 Khartoum Agreement, which brought Dr Riek Macher's forces and other smaller groups into an alliance with the GoS, and — after his defection — the absorption of Dr Riek's Sudan Peoples Democratic Front into the SPLM/A in January 2002. The SPLM/A's two agreements with the Popular National Congress (PNC) of Dr Hassan Al-Turabi, although nominally political agreements, appeared as military pacts, and they were seen by the GoS in that light.

More inclusive political efforts included the 1995 Asmara Declaration, which served as the basis of the united armed struggle of a collection of northern forces and the SPLM/A under the umbrella of the NDA. Although many of the provisions of that agreement have been overtaken by events, and the organisation has suffered major setbacks – most notably the departure of the Umma Party—the eight years of unity is a starting point for achieving north–south trust and a northern buy-in to the IGAD peace process. There is no denying the marginalisation felt by many elements in the NDA at their exclusion from the peace process. Moreover, the recently signed Security Arrangements Agreement, which involves the SPLM/A-led NDA effectively withdrawing from the territory it captured along the Eritrean border, would seem to sound the death knell of at least the military role of the NDA.

The GoS's efforts at alliance building seem of the same character as those of the SPLM/A since they did not threaten the hold on power of the dominant elements in the ruling party. Thus southerners became a component of the National Congress Party and two members of the United Democratic Salvation Front (nominally the political wing of the SSDF) were given cabinet positions, and from the north the El-Hindi faction of the DUP and the Umma Party breakaway group led by Mubarak Al-Fadl Al-Mahdi, were also brought into the government, but the engagement of these parties never challenged the hegemonic position of the National Congress Government. The Djibouti Agreement between Sadiq Al-Mahdi and President Omar Beshir in the wake of the Umma Party's departure from NDA appeared at the time as a precursor of the entry of the Umma into the GoS, but that did not happen and the pact has become a footnote to unrealised expectations. More significant, on a symbolic level at least, was the recent coming together of the leaders of the three largest opposition parties—John Garang, Sadiq Al-Mahdi, and Osman Al-Mirghani—and their agreement on a number of issues, including the post-conflict status of Khartoum, in the Cairo Declaration. Although at times opportunism can be seen as the dominate feature of these agreements, they make clear both the possibilities of agreements across the north–south divide, and of a commitment to reach consensus on the future political configuration of Sudan.

Still lacking at the time of writing is a sustained effort at south–south reconciliation, and this is surprising given the almost unanimous support for this by southerners of all political persuasions. Church groups led by the New Sudan Council of Churches have overseen a number of local level peace-making efforts and organised a conference in December 2002 of the SPLM/A and the SSDF in Uganda. Despite the success of that conference and plans to hold another, the leading armed southern factions have not met again, and this is troubling for many concerned about the stability of southern Sudan. Although not widely known, the SSDF controls a large swathe of southern Sudan, provides the security around most of the GoS occupied towns and holds many strategic positions, the most significant of which are in Western Upper Nile, where its forces guard the oilfields. The SSDF is made up of militias and the forces that Riek Macher brought into the government when he defected from the SPLM/A, and they derive their legitimacy from the 1997 Khartoum Peace Agreement, which anticipates most of the provisions of the IGAD Sudan Peace Initiative, including acceptance of the principle of self-determination for southern Sudan. While the Security Arrangements Agreement reached between the SPLM/A and the GoS assumes the dismantling of the SSDF, it is by no means clear this could be readily and peacefully accomplished. It would be far better, and this is the view of most southern Sudanese, if these groups could reconcile peacefully among themselves. IGAD, which both oversaw the Security Arrangements Agreement and is assuming responsibility for monitoring the cease-fire, has a clear interest in the security of southern Sudan and would be well advised to give this issue immediate and serious attention.

Still lacking at the time of writing is a sustained effort at south–south reconciliation

At the time of writing there is much talk about a political agreement between the SPLM/A and the NIF. First proposed as an "alliance" by President Beshir in the wake of the Machakos Protocol, it has also been put forward as a "partnership" by Dr John Garang, although neither term has been fully explained. The notion of a "partnership" between the two parties to the IGAD negotiations again came to the fore after the successful meetings between John Garang and First Vice-President Ali Osman Taha that produced an agreement on security arrangements in early October. While the term remains vague, both parties appear sympathetic to its general thrust and it is seen as crucial to implementing the overall peace agreement and ensuring that the agreement stays on track during the long and difficult transitional period. But the notion of a partnership that continues beyond the anticipated signing of the peace agreement in the near future would seem to be at odds with democratic elections, which might well lead to one or both parties losing power. It has also raised anxiety among opposition parties that see in the proposal a mechanism for their continued exclusion from the peace process and an obstacle to Sudan's democratic transformation. Indeed, some fear that given the lack of enthusiasm of the SPLM/A leadership for the holding of national elections, the National Congress, which has generally favoured early elections, might be willing to trade off elections for other concessions. Even if this extreme scenario is not realised, tensions could emerge between the interests of stability and continuity to ensure the implementation of the peace agreement on the one hand, and the need for democratic elections so that a national government emerges that genuinely represents the interests of the Sudanese people, on the other.

That said, the aspirations of southerners, both inside and outside the SPLM/A, focus largely on the promise of self-determination and they become alarmed at any political processes that lead to parties assuming power in Khartoum that might either undermine that promise, or hold it up to a nationwide plebiscite where it risks defeat from the numerically larger northern population. The publicly stated endorsement of the leaders of the two main northern opposition parties, the DUP and the Umma Party, to self-determination of southern Sudan is welcome, but widely suspect, and that carries over to such proposals as a constitutional conference. International guarantees of the commitments made in the peace agreement are given more respect, but do not undercut fears that southerners could at the end of the day be denied their right to a referendum on self-determination. The devotion of southerners to self-determination is not surprising and is analogous to the sentiments of the Eritreans and Tigrayans during their long (and ultimately successful) armed struggles against a hegemonic state. And, as was the case of these neighbouring peoples, many southerners are prepared to forego a transition to democracy, particularly at the national level, which in any case is of less concern to them than the south, if it is seen as a threat to self-determination. Northern Sudanese not surprisingly come to almost opposite conclusions. Indeed, the end of the war and the return to democracy are irrevocably linked in the minds of most northerners and any suggestion to the contrary is likely to seriously erode public support for the IGAD peace process. It is safe to assume that the international community would feel uncomfortable with a six-and-a-half-year interim period that does not include national elections. Balancing these two concerns may prove challenging for IGAD, but they should not be seen as in conflict since self-determination is itself integral to democracy.

Aware that a major weakness of the Addis Ababa Agreement was the lack of provision for oversight during the transitional period, it was agreed in the Machakos Protocol to establish an Assessment and Evaluation Commission to assess and monitor the peace process. This would seem a worthy tool, but the fact that its composition is limited to the belligerents and members of IGAD limits its democratic character. It would be better if the parties could agree to expand the membership to include representatives of other political groups reflecting the democratic aspirations of the Sudanese and encourage a buy-in to the peace process.

There are many threads that have the effect of going some way in making the peace process a more inclusive affair. But in the end they are only suggestive half measures, which lack consistency and a broader vision and at times appear to contradict one another. It is not easy to spell out what IGAD must do to achieve inclusivity, but two things are clear. First, the peace process thus far has not stressed democratic values and participation, but IGAD is widely understood to have made commitments to contribute to both a democratic transformation in Sudan and a peace process that will advance from the first stage of an SPLM/A–GoS agreement to inclusivity, and its authority depends upon it at least making every effort to realise those commitments. Second, there is good reason to think, both in terms of political logic and against the experience of the Addis Ababa Agreement, that a failure to win both the popular support of civil society and the endorsement of the major political interests of the country, will seriously threaten the viability of the peace process and raise the possibility of a return to war. The biggest and immediate threat to the peace process, however, is posed by the SSDF and southern politicians who have been marginalised and have the capacity to cause instability in the south if their concerns are not addressed. Thus, however difficult the task, IGAD must play a leading role in the intimately linked objectives of an inclusive peace process and establishing a democratic Sudan.

Expanding the peace process – Part II: The region

The almost universal pattern in the Horn is of rebel groups starting armed struggles in one country, but achieving only a measure of success when they are able to operate from a neighbouring country. At the level of the neighbouring state the principal dictum is frequently one of "the enemy of my enemy is my friend", and that becomes the rationale for supporting dissident groups, invariably producing a tit-for-tat situation, which in the case of Sudan has continued for decades. As Cliffe has succinctly put it, "this pattern is at the root of the chronically unstable and volatile regional security regime that characterises the Horn".[8] The SPLM/A is a case in point since it took form in Ethiopia, which was only too happy to provide the Sudanese rebels with support given the assistance its dissidents received from Khartoum. This pattern also makes abundantly clear that political stability in Sudan, as much as the support of countries in the region for the peace process, is dependent upon improving Sudan's relations with its neighbours. While democratic government cannot guarantee the pursuit of balanced foreign relations, it does at the least reduce fears of conflict arising because of the pursuit of narrow hegemonic interests of those in control of the state, or that the people are brought into conflict unknowingly with neighbours. Indeed, while relations between states in the Horn have frequently been conflictual, relations between neighbouring peoples have usually been positive and supportive. Simply put, the long-term role of IGAD must be to translate the generally positive relations between the disparate peoples of the Horn to positive relations between their states. What follows is an historical overview, which has the intention of making this point.

The almost universal pattern in the Horn is of rebel groups starting armed struggles in one country, but achieving only a measure of success when they are able to operate from a neighbouring country

The politics of beggaring your neighbour

The various governments of Sudan have faced resistance from a marginalised south since independence, but in the 1960s this took a more organised form under Anyanya. Meanwhile in 1961 the Eritrean Liberation Front (ELF) launched a revolt against the Haile Selassie regime after it overrode international agreements protecting Eritrea's federal status. The ELF was supported by Sudan, and Anyanya gained the support of Ethiopia in a tit-for-tat pattern that would continue intermittently to bedevil relations between the two countries for the next four decades. The 1972 Addis Ababa Peace Agreement temporarily ended this pattern, but it resumed in 1983 when the Dergue, with Libyan money and Soviet armaments, began to meet virtually every need of the SPLM/A. Ethiopian support for Sudanese dissidents was in large part a response to Sudan hosting the ELF, the Eritrean Peoples' Liberation Front (EPLF), the Tigray Peoples' Liberation Front (TPLF) and other armed Ethiopian groups. The incoming NIF in 1989 inherited both a civil war led by the SPLM/A and a set of loose alliances with dissident Eritrean and Ethiopian groups. While NIF support for the fronts was more symbolic and rhetorical than significant given the advanced state of the Ethiopian war, it nonetheless led—at least initially—to positive relations with two crucial neighbouring countries after 1991 when the TPLF and EPLF assumed power respectively in Addis Ababa and Asmara. This quickly produced pay-offs when the incoming TPLF dominated government ended support of the SPLM/A and forced it to leave the country.

But this positive gesture did not change the overall thrust of the NIF, which by the early 1990s was pursuing an aggressive Islamist-based foreign policy in the region. This included support for Jihad Eritrea and in Ethiopia of the Benishangul Peoples' Liberation Movement and the Oromo Liberation Front.[9] As a result, relations with Asmara and Addis Ababa rapidly deteriorated. The incursion from Sudanese territory of a multinational group of Islamist guerrillas into the Sahel region of Eritrea in December 1993 proved pivotal in the decline in relations between Khartoum and Asmara.[10] The corresponding event in Ethio–Sudanese relations (and which proved equally significant for Egyptian–Sudanese relations) was the attempted assassination of President Hosni Mubarak on the streets of Addis Ababa in June 1995, which both Ethiopia and Egypt concluded involved support from elements of the government of Sudan.[11]

After the expulsion of the SPLM/A from Ethiopia in 1991, Uganda became the movement's principal regional backer and the major conduit for its external support. In response, Sudan provided assistance to the West Nile Bank Liberation Front, the Alliance of Democratic Forces, and more significantly, to the Lord's Resistance Army (LRA). While Kenyan–Sudanese relations never reached such a low ebb, they became increasingly tense as Khartoum objected to Nairobi's logistical assistance of SPLM/A political and humanitarian operations. For its part, concern in Kenya grew steadily in the 1990s about Islamic fundamentalism, which it was believed had the support of Khartoum.

The NIF's aggressive attempts to export political Islam in the region, together with the stalled IGAD peace process, served to galvanise the countries of the Horn, and in particular Eritrea, Ethiopia and Uganda, to launch military operations against Khartoum. And while the initiative clearly came from the region, the US provided military assistance to these three

countries and hoped that it would produce, together with the actions of the SPLM/A and the northern armed opposition, sufficient momentum to overthrow the regime in Khartoum. On the political front the attempted assassination of Mubarak led Egypt to join Ethiopia in co-sponsoring a Security Council resolution with strong US support for an embargo against Sudan.

Eritrea in turn broke off relations with Khartoum, complained to the UN, ejected the Government of Sudan from its Asmara embassy, and gave increasing support to the NDA, a loose grouping of northern opposition parties linked to the SPLM/A, which attempted to launch an armed struggle from bases in Eritrea and Ethiopia. The attempted assassination of President Mubarak in turn led Ethiopia to open its borders to the Sudanese opposition, who were given military training, while territory captured by the Ethiopian army was subsequently turned over to the rebels. Throughout the 1990s the Ugandan army provided training and supplies to the SPLM/A, permitted it to recruit from refugee camps in the country, gave logistical support to the movement's operations in southern Sudan, and frequently crossed the border to attack the LRA and support the southern rebels. However, it was the Ugandan military withdrawal from Congo that freed up forces that Museveni could use to launch Operation Iron Fist, an effort designed to completely eliminate the LRA but which had the effect of escalating the conflict.

This regional unity in opposition to the NIF did not last, however. Although upset with the NIF, Egypt had mixed feelings about efforts to isolate the regime internationally. In the first instance there was a danger that isolation would lead to the NIF developing even closer relations with radical regimes and movements in the Moslem world. And secondly, any weakening of the regime would necessarily have a positive impact on the SPLM/A, and Cairo remained deeply suspicious of the movement's demands for self-determination because it was seen as leading to southern independence as well as posing a threat to the free flow of the waters of the White Nile. Moreover, with the marginalisation of Sheikh Turabi, the apparent end of Khartoum's support for the Moslem Brothers and other dissident Egyptian groups, and the regime's move away from association with the most radical international Islamist organisations and movements, Cairo began to resume its traditional "big brother" role with respect to Khartoum.

The aggressive stance of Eritrea and Ethiopia began collapsing on 6 May 1998 when war broke out between the two countries. Indeed, this date largely marks the transition from Sudan being under assault by the region to moves to achieve more conciliatory relations with neighbouring countries. Eritrea and Ethiopia both appreciated that Sudanese military, political and intelligence support or use of Sudanese territory could provide a decisive advantage in the conflict. To ensure this did not happen, both countries moved quickly to improve their relations with Khartoum. At the same time, and for the same reason, the US-instigated alliance between Eritrea, Ethiopia and Uganda in opposition to the NIF began unravelling.

Eritrea began to mend its political fences with Sudan, but at the same time pressed for a wide-ranging agreement that included negotiations between the GoS and the Asmara-based NDA to end the civil war. These efforts have not to date proven successful and since Eritrea has not been willing to end its support for the NDA, Khartoum has continued to support Asmara's armed dissidents from bases in eastern Sudan. As a result, relations between the two countries remain tense, and while there have been no major military confrontations between them for some time, their joint border remains closed, trade has effectively ended and military forces in the area remain in a state of high alert.

The most dramatic change in regional relations has been between Sudan and Ethiopia. Apart from the outbreak of the Ethio–Eritrean war, the major factors in explaining this turn-around were the marginalisation of Turabi, the parallel rejection of his aggressive Islamist foreign policy and, with it, the ending of support for the various dissident Ethiopian groups. The GoS sees the developing relations with Ethiopia largely in terms of increasing security, while Ethiopia is mostly concerned with the economic benefits to be derived. Khartoum recognises the crucial role Ethiopia has played in support of southern dissidents during its two civil wars, is aware of the importance attached to the fact that Ethiopia has borders with both north and south Sudan, and is the dominant military power in the region.

The end of Eritrean and Ethiopian military opposition to the NIF meant that Uganda alone maintained an aggressive stance against the regime. But the growing LRA insurgency in northern Uganda and failed policies in Rwanda and Congo led Museveni to give more attention to domestic security issues, and this set the stage for a compromise on his long-term support of the SPLM/A for an agreement with Khartoum on ending its assistance of the LRA. Crucially, in the wake of the 9/11 attack, the US declared the LRA a terrorist organisation and that in turn led Khartoum to end its support for the group and agree to the Ugandan army entering Sudan in pursuit of the rebels. However, the Ugandan army has been singularly unsuccessful in containing the LRA, and Kampala has repeatedly accused the Sudanese army, or at least elements in it, of continuing to support the rebels.

Sudan thus enters the post-conflict stage of the peace process with unstable relations with most of its neighbours, and in particular with Uganda and Eritrea. This does not bode well given the long-standing support provided by these countries to Sudanese armed dissidents. The problem of the LRA

insurrection must be resolved and this involves political redress of the grievances of the Acholi and other disaffected groups in northern Uganda, on the one hand, and efforts—ideally led by IGAD—to improve relations between Khartoum and Kampala. Tensions between Sudan and Eritrea make clear the link between improving relations with neighbouring countries and making the peace process more inclusive. In particular, the NDA affiliated and Eritrean supported Beja Congress may be politically and militarily weak, but nonetheless expresses the resentment of the largest tribe in eastern Sudan about decades of marginalisation and poverty. Thus improving relations between Khartoum and Asmara must go hand-in-hand with genuine efforts to address the grievances of the Beja. IGAD would be well advised to lead efforts at reconciliation between the two countries and encourage Sudan to take up the concerns of the people of the east. In so doing it would gain their commitment to the north–south peace process.

The above should make clear that stability in Sudan and the wellbeing of the peace process depend crucially on improving Sudan's relations with its neighbours. Beggaring one's neighbours is a finely developed political art in the Horn of Africa, and in the case of Sudan under the NIF this was exacerbated by an aggressive foreign policy designed to spread political Islam to the far corners of the region. That Islamist onslaught ended by the late 1990s, but the reactive politics of the past fifty years in the Horn are too deeply entrenched to imagine they can be easily overcome. However, it is clear that the aggressive Islamist foreign policy of the early years of the NIF did not reflect the will of the Sudanese people, and returning the country to democratic rule is the best insurance against narrow-based groups in the state pursuing destabilising regional relations. A critical strength of the IGAD Peace Initiative from the beginning lies in the fact that it is regional-based and that it recognises that the security interests of its various member states are intimately linked. But this overview also suggests that the countries of the Horn have only on brief occasions taken a fully united position with respect to Sudan (noteworthy here is the early to mid-1990s when Khartoum attempted to export political Islam). The common pattern is that their interests diverge and their perspective is likely to be far more long-term with respect to the peace process than that of the broader international community.

Conclusion

The major reasons for the success of the IGAD Peace Initiative remain of continuing importance and provide direction and insight as we enter the second stage of the peace process. First, although there have been many efforts to end Sudan's civil war, only one initiative—that of IGAD— has achieved both regional and international legitimacy. That legitimacy will be further strengthened with the signing of a peace agreement. Cliffe has noted that interventions by the West and the UN often suffer from short-term perspectives and a tendency to look for quick fixes, while neighbouring countries have the advantages of sustained interest and knowledge of the conflict. Indeed, concern that the Sudan conflict was a security threat to the region was the starting point of the IGAD Initiative. While regional states may benefit from the conflict, their long-term interests may change, and they may see internal conflicts in broader regional terms.[12] Thus the outbreak of the Ethiopian–Eritrean war, the moderation of Khartoum's foreign policy and the marginalisation of Turabi in the late 1990s led to declining concerns about security and, frequently, a declining commitment to the Sudan peace process. This interest is likely to further decline when the Islamist character of the GoS is reduced by the SPLM/A joining the government in the wake of a peace agreement.

Although Sudan's contentious relations with its neighbours were exacerbated by the NIF's aggressive foreign policy, relations were difficult long before the Islamists assumed power in Khartoum. Thus at all times there is a critical link between the security of one country and that of its neighbours in the Horn. In a recent statement, the Sudanese Foreign Minister, Ismael Mustapha, warned that the Sudanese settlement "will fail unless it is viewed within the comprehensive regional framework". Security and political problems in these countries should be solved, otherwise the whole region will move in a negative direction.[13] In particular, GoS support for the LRA has fostered a humanitarian disaster in northern Uganda that regularly spills over into Equatoria, and the settlement of that dispute cannot be resolved independently of improving relations between Khartoum and Kampala. A parallel situation exists in the east where Eritrea and the GoS support armed dissidents and the resolution of their grievances cannot be successful without improved relations between Khartoum and Asmara. And in both of these cases national governments must address the concerns of the marginalised groups (largely the Acholi in the case of Uganda and the Beja in the case of Sudan) as steps toward achieving internal and regional stability. Thus IGAD should continue to give sustained attention to improving Sudan's relations with its neighbours, and in particular take up the country's bilateral relations with Uganda and Eritrea.

Second, despite its problems, the IGAD's Declaration of Principles successfully captured the fundamental issues at the heart of the conflict—and in particular state and religion, and self-determination. Indeed, at the core of the Machakos Protocol is a critical trade-off, or compromise, between the commitment to self-determination, the principal concern of the SPLM/A and southerners in general, and an acceptance of Shar'iah in the north, the principal concern of the

National Congress Government. While the participation of the SPLM in the central government and elections can be expected to dilute the present overtly Islamist character of the government, it is unlikely that southerners, whatever their political persuasion, will move far from their focus on, and commitment to, a vote on self-determination. Thus at every stage IGAD must keep its centre of attention on moving the process toward the holding of a successful referendum.

Third, it is difficult to overestimate the importance of the US to the success of the peace process. The US took unilateral action, such as the imposition of various sanctions, but crucially it worked closely with selected Western allies and through the IGAD Peace Initiative. Indeed, the success of the peace process has largely been due to the marriage of the IGAD Peace Initiative with its legitimacy and grasp of the key issues at the heart of the dispute, and the sustained engagement by the US and its willingness to use a wide array of policy options, including force, to press the peace process forward. The critical role of the US in the peace negotiations makes clear that the successful pursuit of the next stage of the process will also depend on the continuing close relationship between IGAD and Washington. The basis of American engagement in Sudan, however, has continued to evolve. While American involvement in the peace process initially derived from the interests of various national constituencies, security concerns came to the fore, particularly after 9/11. Security remains a central preoccupation, but with the US bogged down in seemingly intractable disputes in Iraq and Afghanistan, the Bush Administration is anxious to be seen to oversee a successful peace process—particularly in a Moslem country and on the basis of a multinational initiative. The fear is always, however, that American interest in Sudan and commitment to the peace process could prove transitory, and this would have very negative implications for the future security of the country and the stability of the region. IGAD must continue to strengthen its political and organisational capacity for peace-building, but given its many weaknesses, it will need the sustained support of the US and its Western allies throughout the transitional period.

Fourth, aware that a major failing of the Addis Ababa Agreement was that it did not have any continuing international engagement and oversight, the Machakos Protocol provided for a number of security monitoring mechanisms and an independent Assessment and Evaluation Commission. The activities of these mechanisms will increasingly be seen as the form that the peace process takes in the second stage. Predictably they will raise serious questions about Sudanese sovereignty and ownership of the peace process. IGAD must endeavour to ensure that these mechanisms achieve a high level of professionalism and accountability, and at all times strive for Sudanese and regional participation. It would also be advisable, given its critical role, for IGAD to attempt to get agreement from the parties to expand the composition of the Assessment and Evaluation Commission to include a wider section of Sudanese interests that better reflect the democratic ethos that is being ushered in.

And lastly, beginning with IGAD's DoP, there has been an appreciation of the need for a resolution of the conflict over power at the centre, and the implication of that is that the "IGAD Initiative [should] find appropriate modalities for involving all parties to the civil war."[14] Moreover, in the Machakos Protocol it is clear that the mediators and belligerents understood that the peace process could only achieve legitimacy and be sustained if Sudan underwent a democratic transformation. Hence the Protocol is replete with references to "democratic governance, accountability, equality, respect, and justice for all citizens of Sudan" (Section 1.1), "that the people of South Sudan have the right to control and govern affairs in their region" (Section 1.2), "that the people of South Sudan have the right to self-determination" (Section 1.3), and that the Sudanese "establish a democratic system of governance" (Section 1.6).[15] In fact, there was little in IGAD's conduct during the first stage of the peace process to suggest that it was informed by any strong commitment to democracy, but the Machakos principles and the need to gain widespread support for the objectives of the peace process necessitate a change in direction and a change in philosophy to meet the new challenges.

While it is hoped that with time all Sudanese will buy into the peace process, a pragmatic assessment of the situation suggests that priority—at least initially—be given to those groups that have genuine interests in the process and its outcome, and perhaps most significantly, have the capacity to undermine the process if they are ignored. There are a number of key groups that currently fall into all these categories: non-SPLM/A southern groups led by the SSDF, marginalised groups in the north that have taken up arms, and the traditional parties of the north with large constituencies. And looking to the longer term there is an equally compelling need to gain both the acceptance and engagement of the Sudanese people in the peace process.

Although the SSDF is politically weak, it does have claims to legitimacy based on the Khartoum Peace Agreement, despite the fact that most of the provisions of that agreement have not been implemented. As a result, its members consider themselves freedom fighters and their dignity has been affronted by being ignored in the peace process and effectively told that they do not have interests that have to be considered in a post-conflict southern Sudan. However, unless the concerns of the SSDF are addressed, either at the behest of IGAD, through the initiative of the parties to the peace agreement, or as a result of the efforts of third parties, the SSDF has the

capacity—virtually alone among those clamouring to be part of the peace process—to quickly and violently undermine the IGAD Initiative and spread disorder across the south.

Not far behind the need to address the concerns of the SSDF, is the importance of recognising that the southern problem to a large extent represents only the tip of an iceberg of resentment and grievance that are increasingly coming to the fore among the marginalised groups throughout Sudan. Indeed, the very successes of the peace process are encouraging rising demands from marginalised groups. Because it has been able to effectively mobilise large numbers in armed struggle, the Darfur-based SLM/A has assumed the lead role in the revolt from the peripheries. And this rebellion in turn poses a major challenge to the IGAD peace process because, since its inception in February 2003, the SLM—and not the SPLM/A—has posed the biggest threat to the stability of the national government, and hence of its capacity, even with a broadened post-southern conflict composition, to implement the provisions of the IGAD peace process. Moreover, the SLM/A's rhetoric of "marginalisation", "domination of the riverine tribes", an appeal for "the separation of state and religion", an end to the policies of "divide and rule", and a demand for "democratic governance", bears a striking resemblance to that of the SPLM/A. If nothing else it alerts us to the fact that many people in Sudan feel aggrieved, and if they are not convinced that their interests are being seriously entertained, they have before them the example of the SPLM/A that armed struggle can produce political benefits. The fear is already growing from the tribes of the west to the equally impoverished groups in the east, that the political and resource pie is being divided at a table—that is the IGAD peace process—to which they have not been invited. All of this suggests that the building of a democratic Sudan is not a luxury, but the best—and perhaps only—insurance that the many aggrieved groups in Sudan do not take up arms.

While the major northern political interests were not able to launch an effective armed struggle under the auspices of the NDA, there is no doubt either of their discontent or capacity to undermine any peace process if they conclude that it does not address their concerns. The current levels of support of all of Sudan's established political parties is open to question, but what cannot be debated is the first, second and third positions achieved by the Umma Party, DUP, and NIF (NC) respectively in the last fully democratic election of 1986. Thus the isolation of the Umma Party from the peace process does not bode well, particularly when Sadiq Al-Mahdi has endorsed the IGAD peace process and repeatedly stated his acceptance of self-determination for southern Sudan. The DUP under Osman Al-Mirghani may well feel the most aggrieved at his party's exclusion from the peace process, since alone among the major parties the DUP has allied with the SPLM/A in the struggle against the NIF and at every stage endorsed the IGAD Initiative. Despite this loyalty, which often proved politically costly, the DUP leadership faces the prospect of a return to Sudan with no promises of shared power, no attention to its demands, and it must take up the enormous task of rebuilding a badly damaged organisation. The leaders and cadres of what is now the PNC were at the core of the National Salvation Government that took power through a coup in 1989, and while considerably weakened since their banishment, the party and its leader, Hassan Al-Turabi, still constitute a formidable force in the Islamist camp. Their voice must be permitted in the democratic institutions that are expected to come to the fore during the transitional period.

If the above groups pose the biggest threat in the near term to the legitimacy of the unfolding peace process, then in the long term the biggest challenge is posed by the lack of public engagement. The primary responsibility for bringing civil society into the peace process lies with the GoS and the SPLM/A, but given the link to a sustained peace process, IGAD cannot ignore this critical constituency. The IGAD Peace Initiative correctly focused in the first stage on the two main belligerents, the GoS and SPLM/A, but in the second stage it must give increasing attention to the concerns of the Sudanese masses and their organisations if the peace process is to achieve its objectives. Two concerns stand out here: first, the need to rehabilitate and strengthen a badly weakened political party system, and second, the need to take up in earnest the issue of human rights.

Sudan entered the post-colonial era with a relatively well-developed political party system in the north of the country (as compared to other states in Africa) and a collection of political groupings that were little more than factions in the south. It will enter the democratic era with the SPLM/A holding a hegemonic position in the south and—with the exception of the politically and economically powerful National Congress Party—a collection of badly bruised parties in the north. Since the Sudanese, whether in the north or the south, clearly understand democracy to be based on a functional political party system, it is incumbent upon IGAD and international donors to take up, with some degree of urgency, the weakness of these parties. Fourteen years of authoritarian rule when parties were driven underground or out of the country and their cadres harassed and jailed, combined with the daunting task faced by political parties trying to reach and mobilise a disparate population across the largest country in Africa, will prove a major challenge. And it is unlikely that the opposition political leadership will be up to the task unless it receives considerable international support. IGAD must recognise this and lead the appeal to international donors to address this problem.

Remarkably, the issue of human rights has received

almost no attention thus far in the IGAD negotiations, but it cannot be ignored much longer. There would appear to be three broad means by which the problem of human rights can be tackled. First is an approach which gives short shrift to political sensitivities and is guided by legal considerations, and demands a full accounting for human rights abuses conducted over the entire period of the war, or—given the views of many in the north—to consider abuses conducted since the NIF came to power in 1989. Second, and drawing from South African experience, is the establishment of a Truth and Reconciliation Commission, which would oversee a complete examination of human rights abuses but focus on transparency and forgiving past transgressions, rather than imposing punitive measures. This approach has some validity since Sudanese have often in the past demonstrated a remarkable capacity to forgive and move on. And lastly, holding that a full examination of human rights abuses at this time would threaten to derail the peace process, is to put off such considerations for the future. The lack of attention given to human rights under the IGAD Peace Initiative thus far suggests that this latter view has informed its approach. Unfortunately it cannot be sustained for long. It is not for this analyst, or indeed any outsider, to tell the Sudanese how they should deal with the problem of human rights in the context of war. But this should not absolve IGAD from recognising the need to confront the problem, to appreciate that its resolution is part of the peace process, and to encourage an informed debate on the subject —something that has not taken place thus far.

Human rights will also figure highly in the tasks of the various security monitoring forces, some of which are already operational, and others will be established when the post-conflict transitional period begins. Armed forces and other personnel from countries in the region will assume major responsibilities, but IGAD must assume a supervisory function. Moreover, IGAD must ensure that the tasks of these various monitoring organisations are effective, coordinated, maintain the highest levels of accountability and, moreover, are consistent with the objectives of the peace process, in particular with the commitments to transparency and democracy. The monitoring mechanisms currently operational in Sudan do not meet these standards.

Lastly, it must be stressed that not only are the challenges faced by the second stage of the peace process of a different character than those of the first stage, but they also necessitate IGAD assuming a different approach. The Sudan IGAD Secretariat-led peace process has, to date, been elite-driven, exclusive, narrow, highly secretive and did not consider human rights concerns. There are defensible reasons for this approach, and the success of the mediation speaks for itself. This approach is not, however, appropriate in the second stage when the major objectives include making the peace process inclusive and transparent, which in turn is intimately linked to the democratic transformation of Sudan and an emphasis on the rights of citizens. It will be a critical test for the IGAD mediators whether they can adapt to the new demands placed upon them and carry the process forward.

In conclusion, although the signing of a peace agreement between the SPLM/A and the GoS has raised the hopes of the Sudanese and their friends internationally, at best the peace of the transitional period will be fragile and subject to challenges from within the south and from political crises in Khartoum, and to being derailed by turbulence within the Horn. But probably the biggest threat to the Sudan IGAD peace process, and indeed the stability of the country, lies outside the north–south nexus and instead with the demands—already being raised—for justice and democracy by regional and tribal groups. These groups will take heart from the successful example of the SPLM/A's armed struggle, while at the same time fearing that a further division of material and political assets between the former belligerents will deepen their marginalisation. As a result, the prospects of the peace agreement being realised to the expectations of the countries of IGAD and the mediators are less than overwhelming. This conclusion should not be a cause for despair, but instead as a rejection of complacency, and an appeal for realism, for renewed and sustained efforts during the long and difficult transitional period, and for a democratic vision that involves a serious commitment to overcoming the institutionalised injustices that have fuelled violent and non-violent struggles throughout Sudan since its independence almost five decades ago.

NOTES

1 IGAD Secretariat on Peace in the Sudan, Machakos Protocol, 20 July, 2002.
2 J Young, Le SPLM/SPLA et le gouvernement du Sud-Soudan, *Politique Africaine* 88 (December), 2002.
3 K Adar, Conflict resolution in a turbulent region: The case of the inter-governmental authority on development (IGAD) in Sudan, *Africa Journal in Conflict Resolution* 2, 2000.
4 S Al-Mahdi, Personal correspondence to the author, 23 October, 2003.
5 Ibid.
6 Adar, op.cit.
7 J Danforth, Report to the President of the United States on the outlook for peace in Sudan, Report to the President, 26 April, 2002.
8 L Cliffe, Regional dimensions of conflict in the Horn of Africa, *Third World Quarterly* 20(1), 1999.
9 J Young, Along Ethiopia's western frontier: Gambella and Benishangul in transition, *Journal of Modern African Studies* 37(2), 1999.
10 Cliffe, op. cit.
11 *Middle East Times Cairo*, 10 September, 1995.
12 Cliffe, op. cit.
13 Sudan insists on solving neighbouring crises for genuine peace,' *Arabic News,* 24 October, 2003.
14 A A Mohamed & K El Amin, Conflict prevention, management and resolution: Capacity assessment study for the IGAD sub-region, prepared for IGAD, October, 2001.
15 Machakos Protocol, op. cit.

The ISS mission

The vision of the Institute for Security Studies is one of a stable and peaceful Africa characterised by a respect for human rights, the rule of law, democracy and collaborative security. As an applied policy research institute with a mission to conceptualise, inform and enhance the security debate in Africa, the Institute supports this vision statement by undertaking independent applied research and analysis; facilitating and supporting policy formulation; raising the awareness of decision makers and the public; monitoring trends and policy implementation; collecting, interpreting and disseminating information; networking on national, regional and international levels; and capacity building.

About this paper

The Intergovernmental Authority on Development (IGAD) Peace Initiative on Sudan appears to be on the verge of achieving what other efforts and processes have failed to do in more than twenty years, namely reaching a signed peace agreement between the Sudan Peoples Liberation Movement/Army (SPLM/A) and the Government of Sudan (GoS). In the euphoria surrounding this anticipated event, however, it must be cautioned that the country is broken. The task of physical reconstruction is enormous while the transitional period will be long and will throw up many problems. In every corner of the country, groups and regions are demanding that their grievances be addressed.

In overcoming the first, and arguably most crucial, hurdle of a signed peace agreement, the expectations placed on IGAD by the international community, donors and the Sudanese people to successfully oversee the transitional period, the holding of a vote on self-determination for southern Sudan, and the creation of viable and democratic governments in both south and north Sudan, will be extremely high. There can be no ready-made formula for the way forward. While this paper will emphasise the accomplishments of the IGAD peace process that must serve as a base for the way forward, the tasks of the post-conflict stage are markedly different and demand a different approach than that which proved successful during the first stage. In particular, it will require a shift from the elitism and exclusivity that characterised the first stage to a process informed by transparency and a commitment to democracy.

Funder

This research is funded by the governments of Sweden and Switzerland.

Published by the Institute for Security Studies • P O Box 1787 • Brooklyn Square • 0075 • Pretoria • SOUTH AFRICA
Tel: +27-12-346-9500/2 • Fax: +27-12-460-0998
Email: iss@iss.co.za • http://www.iss.co.za

67 Roeland Square • Drury Lane • Gardens • Cape Town • 8001 • SOUTH AFRICA
Tel: +27-21-461-7211 • Fax: +27-21-461-7213
Email: issct@iss.co.za

ISSN: 1026-0404

9 771026 040004