

# **SUDAN: MAJOR REFORM OR MORE WAR**

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## SUDAN: MAJOR REFORM OR MORE WAR

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

The “Sudan Problem” has not gone away with the South’s secession. Chronic conflict, driven by concentration of power and resources in the centre, continues to plague the country. The solution is a more inclusive government that addresses at least some of the peripheries’ grievances, but pledges to transform governance remain unfulfilled. A key hurdle – though not the only one – is President Bashir, who has further concentrated authority in a small circle of trusted officials and is unwilling to step aside. Many hope for regime change via coup but have not considered the dangers. The goal should be managed transition to a government that includes, but is not dominated by his National Congress Party (NCP). He might be willing to go along if he concludes greater disorder or even a coup is growing more likely, but only if the right incentives are in place. The international community should contribute to these provided a credible and inclusive transitional government, a meaningful national dialogue on a new constitution and a roadmap for permanent change in how Sudan is governed are first put firmly in train.

The regime in Khartoum is in crisis, faced with multiple challenges that, combined, profoundly threaten its existence and Sudan’s stability. The economy is in a freefall that any oil deal with South Sudan will only slow, not arrest. NCP members are deeply unhappy with the leadership, its policies and massive corruption. Feuding factions within the ruling party and the Islamic movement are jockeying to present an acceptable alternative to the NCP government. At the same time, political opposition forces are growing more assertive, and the war with the Sudan Revolutionary Front (SRF) is slowly expanding, bleeding the military dry and draining the treasury.

Many hope a coup, or popular uprising, could force Bashir and the NCP regime out, but there is a great risk that either event could trigger more violence. Since he came to power in a military coup in 1989, he has deliberately fragmented the security services and frequently rotated commanders to make an army takeover more difficult. Unless commanders are united, the army could easily split into competing factions. There are also a host of other security services and armed militias loyal to different NCP leaders. Added to this combustible mix are numerous armed tribes

outside of Khartoum that would seek to take advantage of turmoil in the capital to create facts on the ground difficult for a new regime to reverse.

Bashir and the NCP likely recognise that the dangers of the present phase are greater than the social and economic troubles they have survived in the past. Their instincts are to cut a deal with the fractured opposition (ceding some power and resources to one or two of the political parties and/or a major armed group) and take advantage of the partial settlement with South Sudan to get the oil flowing again. But that can only buy more time, not resolve the causes of chronic conflict or stop the spreading civil war.

The international community should learn the lessons of past failed settlement initiatives: Sudan needs a truly comprehensive peace agreement, not a partial settlement that serves the government’s divide-and-rule tactics and perpetuates the unacceptable status quo. At the same time, the NCP needs to be part of any transition. Leaving it out in the cold would be costly. Its elites are too powerful to ignore, and the opposition is too divided and inexperienced to rule alone. A comprehensive solution and genuine political reform including national reconciliation acceptable to all, with the NCP on board, is the only way out of the trap of endless conflict.

The president and his colleagues will have to reach their own conclusion that the present crisis requires more radical adjustments than those they used for survival previously. If they do, however, the international community, by providing incentives, can help them to act on that conclusion consequentially and responsibly. These should be carefully tied to Bashir and the NCP meeting specific, irreversible benchmarks, such as those Crisis Group set out as early as 2009, and verifiably continuing the transition process. Such cooperation might be unpalatable to many who hold Bashir responsible for atrocity crimes, but it would be necessary to prevent further conflict and continued humanitarian crises in Sudan as well as South Sudan. He is crucial to a managed transition that incorporates both the NCP and opposition leaders – civil and armed – and that could put Sudan on a more inclusive, sustainable path. The alternative would be continuation of the status quo, with the NCP desperately clinging to power at whatever human-

itarian cost, and the opposition pursuing a military strategy that risks more national fragmentation.

Most Sudanese know what is necessary to end decades of conflict. Even before independence in 1956, it was clear that power and resources should be shared more equitably with marginalised regions. The historical focus was often on South Sudan, but other areas have suffered as well. At different times, most peripheral regions have risen in armed revolt to demand greater representation and more development. This dynamic will not change unless there is fundamental structural reform of how the country is governed, and all its political forces – the NCP, the traditional parties, the SRF and youth groups – work together to create a more inclusive and representative government that accepts and respects the tremendous diversity of the Sudanese peoples.

## RECOMMENDATIONS

*To achieve an inclusive transitional government and initiation of meaningful and verifiable national dialogue*

### To the Government of Sudan:

1. Bring the NCP, opposition forces and civil society together in an arrangement to manage government for a limited period with well-defined parameters (based on agreed principles reiterated in multiple agreements over decades) that is intended to lead first and foremost to a comprehensive ceasefire and humanitarian access to conflict areas, as well as to allow the political forces to come together to flesh out a roadmap for a durable peace process.
2. Create a process that includes armed and unarmed political forces from all regions to:
  - a) debate and agree on a system of governance that can put an end to the conflicts between the “centre-Khartoum” and Darfur, Southern Kordofan, Blue Nile, East and North; and
  - b) draft a permanent constitution.
3. Implement legal and judicial measures to end impunity, such as:
  - a) appointing non-partisan judges, including in the special courts;
  - b) ensuring the independence of courts and reviewing police investigation, arrest and prosecution procedures;
  - c) holding all government forces and associated militias accountable for their violations of international humanitarian law; and
  - d) amending the provisions in the police law, the criminal law and the criminal procedural law that give the police and security personnel immunity.

### To the Sudan Revolutionary Front (SRF) and Political Opposition Forces:

4. Subordinate individual ambitions in order to develop and articulate detailed political platforms and visions that can form the framework for the transition process.
5. Work to broaden the opposition’s support base and popular support for a transitional framework.

*To assist in ending conflict and building sustainable peace and reform*

### To the Republic of South Sudan:

6. Urge the SRF and other opposition forces to recognise that a managed transition is much preferable to a coup or violent regime change and their likely attendant chaos.
7. Encourage the SRF to develop a detailed political platform and work with other opposition forces.

### To Members of the UN Security Council, AU Peace and Security Council and Council of the League of Arab States:

8. Demand and work for a single, comprehensive solution to Sudan’s multiple conflicts.
9. Offer President Omar al-Bashir, as well as NCP elites, incentives to create a transitional government and firmly and irreversibly place Sudan on a transitional path, including:
  - a) assistance to stabilise the economy, such as normalisation of relations, lifting of sanctions, expediting Highly Indebted Poor Country (HIPC) status and other debt relief measures, on condition that transition roadmap benchmarks are met and progress is made in negotiations with South Sudan on post-separation issues; and
  - b) If concrete moves towards a credible transition process are undertaken, and should it emerge as a genuine obstacle to its peaceful conclusion, a Security Council request to the International Criminal Court (ICC) to defer prosecution of Bashir for one year under Article 16 of the Rome Statute. There would be no obligation to renew such deferrals if Bashir reneges on his transition commitments.
10. Support through training and capacity building during the transitional period the establishment and growth of issue-based parties that can represent and articulate the demands of marginalised constituencies, including the peripheries, youth, women and urban and rural poor.

**Nairobi/Brussels, 29 November 2012**

## SUDAN: MAJOR REFORM OR MORE WAR

### I. INTRODUCTION

Neither the 2005 Comprehensive Peace Agreement (CPA), the South's secession in 2011, nor Sudan's many other peace agreements (Cairo Agreement, East Sudan Peace Agreement, Darfur Peace Agreement and Doha Document for Peace in Darfur) have ended chronic warfare.<sup>1</sup> While fighting in Darfur decreased somewhat over the last two years, it persists and, with renewed conflict in Southern Kordofan and Blue Nile, continues the more than 60-year pattern of almost unremitting fighting and human misery. With President Omar al-Bashir unwilling to address the root cause of Sudan's many wars – domination by the centre at the expense of the peripheries<sup>2</sup> – the main armed insurgents formed an alliance in November 2011, the Sudan Revolutionary Front (SRF), and publicly vowed to topple the regime.<sup>3</sup> Achieving this objective in the absence of major external support seems unlikely, but the constellation of dissident forces will remain a threat to the country's stability. As both sides struggle to achieve outright military victory, the fighting exacts an enormous humanitarian and economic toll.

The conflict in Southern Kordofan and the Blue Nile has returned Sudan to square one. It marks the emergence of a war zone, often called the "New South", extending from the border with Chad in the west to that with Ethiopia in the east. Its roots are in the failure of the CPA, which was designed to provide the framework for peace, to establish a "democratic system of governance taking account of the cultural, ethnic, racial, religious and linguistic diversity

and gender equality for the people of the Sudan", and to find a "comprehensive solution that addresses the economic and social deterioration of the Sudan and replaces war not just with peace, but also with social, political and economic justice which respects the fundamental human and political human rights of all the Sudanese people".<sup>4</sup> The reluctance of the NCP and Sudan People's Liberation Movement (SPLM) to implement parts of the CPA, particularly the democratisation agenda, resulted in the country's division, the spread of what is likely to be a protracted civil war and, potentially, a war between Sudan and South Sudan.<sup>5</sup>

Tension escalated dramatically after Juba suspended oil production in early 2012, denying Khartoum (as well as South Sudan) much needed revenue. The two countries teetered on the edge of full-scale war in April, after South Sudan's army, the Sudan People's Liberation Army (SPLA), captured and held the disputed border area of Heglig (Panthou to South Sudanese), one of the few northern oil producing regions.<sup>6</sup> Only concerted international pressure contained the fighting and forced the sides back to the negotiating table.

In September, they signed nine agreements on a range of issues, including an oil deal, but were unable to agree on a number of contentious border issues and the status of Abyei.<sup>7</sup> It remains to be seen if the deals will be implemented. In addition, in the background is the equally important war between Khartoum and the SRF – in particular the SPLM-North (SPLM-N) – which if not resolved will continue to suck South Sudan into its neighbour's conflicts.

Ultimately, the crisis is due to Sudanese elites' decades-long failure to achieve a national consensus on how the country should be governed and to build an inclusive and peaceful nation-state. As Sudan prepares to write a new permanent constitution, a truly comprehensive national

<sup>1</sup> For more, see Crisis Group Africa Report N°174, *Divisions in Sudan's Ruling Party and the Threat to the Country's Stability*, 4 May 2011; Africa Briefing N°68, *Sudan: Preventing Implosion*, 17 December 2009; Africa Report N°145, *Sudan's Southern Kordofan Problem: The Next Darfur?*, 21 October 2008; Africa Report N°130, *A Strategy for a Comprehensive Peace in Sudan*, 6 July 2007.

<sup>2</sup> For a World Bank graph of differences in per capita government spending and poverty rates between the centre and the peripheries, see Appendix B.

<sup>3</sup> The first SRF declaration was made on 7 August 2011; at the time the alliance included the SPLM-N and the SLA factions of Mini Minawi (SLA-MM) and Abdul Wahid (SLA-AW). The second was made on 11 November 2011 after the JEM joined.

<sup>4</sup> The Machakos Protocol, 20 July 2002, Article 1-6, 1-7.

<sup>5</sup> See "Preventing Full-Scale War between Sudan and South Sudan", Crisis Group Alert, 18 April 2012.

<sup>6</sup> For more on why Heglig/Panthou is contested, see Crisis Group Africa Briefing N°75, *Sudan: Defining the North-South Border*, 2 September 2010; and Douglas Johnson, "The Heglig oil dispute between Sudan and South Sudan", *Journal of East African Studies*, 19 June 2012.

<sup>7</sup> See Section III.E below.

mechanism is needed that addresses the core questions of its identity, system of rule, wealth and power sharing, and its relationship with South Sudan.<sup>8</sup> Otherwise, it is likely to enter a new cycle of wide-scale violence.

This report outlines the major chapters in the Sudanese quest for national consensus since its beginnings in the Juba Conference (1947), the Round-table Conference (1965), the Koka Dam meeting (1986), the Asmara Conference on Fundamental Issues (1995) and the peace deals of the last decade. It analyses the escalating military, economic, and political challenges facing the NCP, including the emergence of the SRF; highlights the dangers of the current situation; and concludes by proposing steps toward a managed transition out of the crisis.

## II. THE QUEST FOR NATIONAL CONSENSUS

Sudan has rarely known peace. The source of this chronic conflict – the repeated refusal of its governments to address the legitimate grievances of marginalised peoples – dates back to before independence in 1956, when the elites inherited a colonial state in which resources were exploited for the benefit of external powers (based in the capital and abroad), and only a small segment of the population benefited from the state.<sup>9</sup> The peripheries were poorly administered and largely ignored, except for the limited wealth they could generate.<sup>10</sup> Many Northern elites saw little reason to change the status quo.

### A. THE BEGINNINGS: THE 1947 JUBA CONFERENCE

In 1947, the British authorities convened in Juba a meeting that brought Northerners and Southerners together for the first time to discuss Sudan's future.<sup>11</sup> It witnessed a heated

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<sup>9</sup> Crisis Group has written extensively on Sudan's history and conflicts, starting with the book-length Africa Report N°39, *God, Oil and Country: Changing the Logic of War in Sudan*, 28 January 2002. Sudan was first ruled by a Turco-Egyptian regime (1821-1885), based in Egypt. That foreign rule was briefly ended by Muhammed Ahmad ibn Abdallah, the Mahdi (Expected One), and his successor, the Khalifa Abdullahi, al-Ta'aishi, who tried to impose his predecessor's puritanical brand of Islam on the rest of the country but was fiercely resisted by the peripheries. Weakened by years of constant warfare, Khalifa Abdullahi was unable to withstand British military advances from Egypt that imposed the Anglo-Egyptian Condominium, lasting from 1899 to 1936. The UK administered northern and southern Sudan as separate provinces. In the early 1920s, the British passed the Closed Districts Ordinances, which required passports for travel between the two regions.

<sup>10</sup> The North was somewhat different. Local authorities were more closely tied to the two traditional parties and the religious sects connected to them, the Umma Party (Ansar) in the West and the Democratic Unionist Party (Khatmiyya) in the East. Fault lines began to widen during the 1970s, when the native administration was abolished, and the government passed laws that undermined local authorities' control. Douglas Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford, 2003), pp. 130-131.

<sup>11</sup> The 1946 Sudan Administration Conference, held in Khartoum, was confined to the British rulers and northern elites. As Southerners did not participate, the British convened the Juba Conference to consult them. There were a number of options for the future relationship between North and South, including unity; annexing the South to East Africa; and dividing the South between Sudan and East Africa. For more, see Faisal Abdel Rahman Ali Taha, *Al-Sudan Ala Masharif al-Istiqlal al-Thani, 1954-1956 [The Sudan on The Threshold of The Second Independence, 1954-1956]* (Omdurman, 2010); Mansour Khalid, *Al-Sudan*,

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<sup>8</sup> Opposition forces do not trust the current NCP-dominated initiative. The role of Islam in the state also remains very contentious.

debate on how Sudan should be governed, but the participants reached a number of conclusions, most importantly that South and North should be united on condition that unity should not be dictated by Khartoum, and Southerners' rights should be guaranteed.<sup>12</sup> However, it failed to achieve its desired outcome. Southerners were barely included in the institutions that were established and were subsequently excluded from most major decisions.<sup>13</sup> Northern political elites ignored demands that they fill senior posts in the South.<sup>14</sup> Southerners also felt betrayed when the draft constitution for self-rule did not incorporate called-for guarantees.<sup>15</sup>

Discussions around a permanent constitution further failed to take into account Southern concerns. A constitutional sub-committee decided against federation.<sup>16</sup> Moreover, it was during this time that calls – extremely divisive in the largely Christian and animist South – were first made for an Islamic constitution.<sup>17</sup>

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*Ahwal al-Harb wa Tomohat al-Salam, Qisat Baladin [War and Prospects of Peace in Sudan: A Tale of Two Countries]* (London, 2003); and Robert O. Collins, *A History of Modern Sudan* (Cambridge, 2008).

<sup>12</sup> Southerners called for granting the British governor the right to veto any laws that violated their rights. See Mansour Khalid, *op. cit.*, p. 171.

<sup>13</sup> The British governor dissolved the legislative assembly in October 1952, and the subsequent executive council did not include a single Southerner. Sir James Robertson wrote later that “since October 1952 – the date when the legislative assembly was dissolved – and until January 1954, there wasn't any political forum expressing the aspirations of all Sudanese. Due to this, the Southerners and rural people lost any chance to influence the events”. James Robertson, *Transition in Africa*, pp. 147-148, quoted in Mansour Khalid, *op. cit.*, p. 193. Southerners were also excluded from the October 1952 Cairo talks between the Egyptian government and Northern political parties on Sudan's future.

<sup>14</sup> Out of 800 “Sudanised” posts, Southerners held six. Mansour Khalid, *op. cit.*, p. 212.

<sup>15</sup> Northern political elites also failed to pay due consideration to Southerners' demand for federation, and rushed independence. On 31 December 1955, they adopted an interim constitution that was an amended version of the self-rule act. Faisal Abdel Rahman Ali Taha, *op. cit.*, p. 339.

<sup>16</sup> Parliament appointed a committee to write the permanent constitution, which was divided into sub-committees, including one (comprised of four members from the North and three from the South) on federation. The decision against federation was taken in May 1958 by simple majority. Most Northern political parties opposed federation, which they saw as a plan to divide Sudan. Mansour Khalid, *op. cit.*, p. 228.

<sup>17</sup> The Islamic forces led by the Muslim Brotherhood called for an Islamic constitution, arguing that most Sudanese were Muslim Arabs. Though the two major religious leaders (Abdelrahman al-Mahdi, leader of the Ansar and the Umma Party, and Ali al-Mirghani, leader of the Khatmiyya religious order and the People's Democratic Party) gave their blessing, their parliamentarians

As a consequence, Southerners sought other means, including rebellion, to make their demands heard. Conflict increased after General Ibrahim Abboud seized power in November 1958. He opted for a military solution to the Southern question and adopted a policy of forced Arabisation and Islamisation. Southerners founded the Sudan Africa National Union (SANU) in 1962, which launched a regional and wider international campaign for their cause, while on the ground armed rebel groups integrated their forces into the Land and Freedom Army, which later became the South Sudan Liberation Movement (Anyanya).<sup>18</sup>

## B. THE 1965 ROUND-TABLE CONFERENCE

The 1964 “October Revolution” deposed Abboud, and the transitional government organised the “Round-Table Conference on South Sudan” in Khartoum, 16-29 March 1965.<sup>19</sup> Again there was a heated debate over past and future relations, the longstanding Southern demand for federation and a new demand for self-determination. At the end, three options were presented: unconditional unity, federation and secession.

Southerners insisted that the decision on these options should be made through a referendum, but the maximum Northern political parties were prepared to give was a special status, with a regional legislative assembly and a local council of ministers, whose mandate was confined to education, health and agriculture.<sup>20</sup> Failing to agree, the participants set up a joint committee, six representatives each from North and South, to draft proposals on constitutional and administrative reform for a second round-table conference.<sup>21</sup> That conference never convened.<sup>22</sup> Instead,

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voted twice against the motion. *Ibid.* Abdelrahman al-Mahdi was the grandfather of Sadiq al-Mahdi, the current leader of the Ansar and National Umma Party. Ali al-Mirghani was the father of Mohammed Osman al-Mirghani, the current Democratic Unionist Party leader.

<sup>18</sup> SANU was initially and briefly known as the Sudan African Closed Districts National Union, *ibid.*

<sup>19</sup> The first transitional government (29 October 1964-18 February 1965) was dominated by communists, represented through the Associations Front that spearheaded the revolution. It made the question of war and peace its top priority and was serious about governance reform. It included two Southern ministers (interior and transport) and also granted women the right to vote and stand for public office. Mohammed Abu al-Qasim Haj Hamad, *Al-Sudan, al-Ma'azaq al-Tarekhi wa Afaq al-Mustaqbal, 1956-1996 [Sudan: Historical Dilemma and Future Prospects, 1956-1996]*, pp. 287-288. The round-table conference comprised eighteen Northern and 24 Southern parties' representatives, as well as observers from Ghana, Kenya, Uganda, Egypt, Nigeria and Algeria.

<sup>20</sup> *Ibid.*

<sup>21</sup> Mansour Khalid, *op. cit.*, p. 254; and Robert O. Collins, *op. cit.*, p. 84.

the general election was held in the North, from 21 April to 8 May 1965, while the South was excluded, ostensibly because of insecurity.<sup>23</sup>

With the new coalition government, the October Revolution momentum faded, and a new period of conflict and narrowing of political space began.<sup>24</sup> Moreover, in an attempt to check the communist party's rising influence, and secularism in general, both Sadiq al-Mahdi and Hassan al-Turabi pushed unsuccessfully to adopt an Islamic constitution.<sup>25</sup> Less than four years later, democracy was again abruptly ended, when Colonel Ja'afar Nimeri led a coup,

on 25 May 1969, that established a sixteen-year military dictatorship.

Unable to win the civil war, President Nimeri signed the Addis Ababa Peace Accord on the Problem of South Sudan, in February 1972 with Anya Nya leader Joseph Lagu. It ended the first civil war (1955-1972) and granted the South a form of autonomy through the South Sudan Self-Rule Act of 1972, which was incorporated into the 1973 constitution.<sup>26</sup> The agreement collapsed in 1983, after President Nimeri unilaterally divided the South into three independent regions and instituted Sharia (known as the September 1983 Islamic laws). Consequently, another rebellion broke out, this time under the Sudan People's Liberation Movement and Army (SPLM/A), led by John Garang.<sup>27</sup>

### C. THE KOKA DAM DECLARATION, 1986

An intifada (popular uprising) organised by the National Alliance, an umbrella of opposition forces, put an end to Nimeri's rule, on 6 April 1985. During the transition, the country was governed by a Transitional Military Council (TMC), headed by General Abd al-Rahman Muhammed Sowar al-Dahab (Nimeri's commander in chief and defence minister), and a civilian council of ministers, led by Prime Minister al-Guzuli Dafallah.<sup>28</sup> The Mithaq al-Intifada (Charter of the Uprising) put four priorities at the top of its agenda: economic recovery, abrogating the September laws, a peace deal with the South and elections.<sup>29</sup>

Prime Minister Dafallah proposed a new national charter to be agreed upon by the unions, political parties and the Sudan Armed Forces (SAF); revival of the 1972 Addis Ababa Peace Accord; and acknowledgement of the South's distinct culture. He also pledged to address the region's underdevelopment, but he did not commit to repealing the September laws. After the discussions deadlocked, the National Alliance union leaders convinced the SPLM to attend a meeting in Koka Dam, Ethiopia, in March 1986, to discuss core governance issues. On 24 March, the participants issued the Koka Dam Declaration, calling for a

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<sup>22</sup> In June 1966, the committee submitted its final report. Instead of reconvening the round-table conference, Prime Minister Sadiq al-Mahdi held an "all-party conference". The Communist Party, People's Democratic Party, and Southern politicians in the diaspora boycotted. Mansour Khalid, *op. cit.*, p. 301.

<sup>23</sup> With the communist party and other "modern forces" gaining power in the transitional government, the traditional parties gave Prime Minister Sir al-Khatim al-Khalifa an ultimatum: call for election as scheduled in March 1965 or resign. Al-Khalifa resigned on 18 February 1965 and formed a new government that same month that was dominated by the traditional parties and had one agenda: the general election. Both the communist party and the People's Democratic Party called for postponing the vote because of insecurity in the South. See Mohammed Abu al-Qasim Haj Hamad, *Sudan: Historical Dilemma and Future Prospects* (Beirut, 1996), pp. 287-288, and Mansour Khalid, *op. cit.*, pp. 273-274.

<sup>24</sup> A coalition government headed by Mohammed Ahmed Mahjoub (Umma Party) was inaugurated on 14 June 1965. Mohammed Abu al-Qasim Haj Hamad, *op. cit.*, pp. 287-288. Though elections were not held in the South, it was announced that 21 candidates (mostly Northerners) won Southern seats. Southerners objected, but a court ruled the candidates won their seats legally. Mansour Khalid, *op. cit.*, p. 274. The Sudan Armed Forces (SAF) attacked Juba on 8 July 1965 and Wau on 11 August. On 16 November, the Muslim Brotherhood together with the two traditional parties amended the 1956 interim constitution to ban the communist party and expelled its parliamentarians. Though the Constitutional Court ruled the acts unconstitutional, the council of ministers and parliament rejected the court's decision. Mohammed Abu al-Qasim Haj Hamad, *op. cit.*, pp. 303-304.

<sup>25</sup> Sadiq al-Mahdi was, and remains the leader of the Umma Party (now, because of splintering, the National Umma Party). It has historically drawn its support from the Ansar sect and had large constituencies in Darfur and Kordofan. Al-Mahdi was also elected the imam (spiritual leader) of the Ansar in 2002. Turabi was secretary general of the Islamic Charter Front, an offshoot of the Sudanese branch of the Muslim Brotherhood. He later founded the Islamic Movement, which became the National Islamic Front and subsequently the NCP. After a split with President Bashir, he founded and became the leader of the Popular Congress Party (PCP). For more, see Crisis Group Report, *Divisions in Sudan's Ruling Party*, *op. cit.* In 1967 parliament set up a national committee to write a permanent constitution based on Islamic principles. The draft was completed in 1969, but its adoption was blocked by Nimeri's coup. *Ibid.*

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<sup>26</sup> It stipulated that South Sudan be treated as a single region consisting of three districts (Bahr el-Ghazal, Equatoria and Upper Nile) and be administered by a high executive council and regional legislative assembly. Southerners were also represented in the central government.

<sup>27</sup> The SPLM was the political movement and the SPLA the army.

<sup>28</sup> The uprising was triggered by the deteriorating economic situation; resumption of the rebellion in the South, the institution of Sharia (Islamic law) in 1983 and the crackdown on the Republican Brotherhood (its popular leader, Mahmoud Mohammed Taha, was executed).

<sup>29</sup> Crisis Group Report, *Divisions in Sudan's Ruling Party*, *op. cit.*, pp. 4-5.



secular democratic Sudan; a new interim national unity government; and an all-party national constitutional conference to achieve “peace, justice, equality and democracy”.<sup>30</sup> However, Islamists made sure this would not happen and pushed the TMC both to reject the call for a new national unity government and to hold the elections on schedule, which would disadvantage less organised opposition groups.

The TMC delivered, holding Sudan’s third multi-party democratic elections a year after it came to power.<sup>31</sup> Prime Minister Sadiq al-Mahdi’s new coalition government faced many problems, including civil strife and military losses in the South. Nevertheless, he refused to implement the Koka Dam Declaration, arguing he could not, because his major partner, the Democratic Unionist Party (DUP), was not a signatory. In November 1988, the frustrated DUP signed a bilateral accord with the SPLM/A calling for freezing rather than abrogating the September laws. The DUP presented the accord to parliament, but the Umma Party used its majority to vote it down. The DUP then joined the opposition, leading to the collapse of the first coalition government.<sup>32</sup> In three years, al-Mahdi formed five governments and on three occasions was forced to bring in the National Islamist Front (NIF).

In response to the turmoil in the capital, the SPLA intensified the war and put Khartoum under great military, financial and political pressure. With a deteriorating military situation in the South, now including parts of the Blue Nile and Southern Kordofan, the NIF joined the government and called for a national front.<sup>33</sup> It proposed forming the Popular Defence Forces (PDF) and arming and training allied tribes along the North-South border.<sup>34</sup>

The NIF’s prescriptions did not go down well with the armed forces. On 20 February 1989, the army command

issued a memorandum demanding change. Sadiq al-Mahdi caved and in April accepted the DUP and SPLM/A peace accord. Unhappy about the possible freezing of the September laws, the NIF withdrew from government. The prime minister formed a new government, with Sid Ahmed Hussein (DUP) as deputy prime minister and head of a delegation that went to Addis Ababa in May to prepare with the SPLM/A for a national constitutional conference. They agreed the government would endorse the peace accord on 30 June 1989, and set 18 September as the date for the constitutional conference.

On 30 June 1989, the day the executive cabinet was to endorse the accord and the process for the national constitutional conference, the NIF launched a coup under the leadership of Omar al-Bashir, then a brigadier general. Most National Alliance members fled to Eritrea, where they formed the National Democratic Alliance (NDA).

#### **D. THE 1995 ASMARA DECLARATION AND NCP PEACE AGREEMENTS**

In June 1995, the NDA leaders met in Asmara to discuss issues fundamental to their struggle against the NIF, including how Sudan should be governed.<sup>35</sup> Given the number of participants, it could be seen as a mini national constitutional conference. After two weeks, it issued the “Asmara Declaration on Fundamental issues”.<sup>36</sup> The participants reached consensus on the system of governance, religion and politics, economy, self-determination and voluntary unity, security and military arrangements in the transitional period, the future of Sudan’s foreign relations and the organisational structure of the NDA.<sup>37</sup> Most importantly, the delegates agreed decentralisation was the best system for Sudan.<sup>38</sup> They also stated self-determination

<sup>30</sup> Koka Dam Declaration, at [www.fou.uib.no/fd/1996/f/712001/annex2.htm](http://www.fou.uib.no/fd/1996/f/712001/annex2.htm).

<sup>31</sup> The transitional government adopted the old voting system, which reserved a block of seats for university graduates in the different regions. Given their work in the universities, the Islamists had a greater chance to win those votes. The Umma Party won the most seats, 61, and the Islamists placed third, with 51. The 100 seats allocated to the South were either not contested because of insecurity or filled by nominating members of several small parties. During the new government’s formation, the Umma and the DUP vehemently opposed including the Islamists.

<sup>32</sup> Crisis Group interview, senior DUP member of the National Assembly, September 2010.

<sup>33</sup> In 1991 the SPLM/A nearly captured Juba, the capital of the South.

<sup>34</sup> These tribes (known as Baggara, cattle breeders), particularly those in Southern Kordofan, Southern Darfur, Blue Nile and White Nile, received further training and heavier weapons. This militarisation is a major reason the Misseriya were able to block the Abyei Protocol’s implementation, since a major oil pipeline crosses their land, and many SAF troops are from Baggara tribes.

<sup>35</sup> Factors that prompted the all-inclusive meeting included: the 1993 Nairobi Declaration on the relationship between religion and politics; the meeting of a number of the NDA factions towards the end of 1994 (SPLM, UP, DUP and the newly founded Sudanese Alliance Forces of Abdelaziz Khalid); and the strained relations between the Eritrean and Sudanese government. “Without the agreement reached in Nairobi on religion and politics, the Asmara Conference wouldn’t have convened as there would have been sharp disagreement among its members on the relationship between religion and politics”. Crisis Group interview, former NDA leader, October 2011. Over 50 delegates attended the conference, representing the Umma Party, DUP, SPLM, CPS, SANU, Beja Congress, trade unions, the Legitimate Command of Fathi Ahmed Ali, and the Sudanese Alliance Forces.

<sup>36</sup> “Asmara Declaration on Fundamental issues”, 23 June 1995, available in Arabic at [www.umma.org/09.htm](http://www.umma.org/09.htm).

<sup>37</sup> Crisis Group interview, former NDA leader, October 2011.

<sup>38</sup> They divided Sudan into five Northern “entities” (Kordofan, Darfur, Centre, North and East) and one Southern entity (South), in addition to Khartoum as a national capital with an independent administration.

was a right for all Sudanese peoples.<sup>39</sup> The delegates decided to convene a national constitutional conference within six months from the “toppling of the Inqaz [Salvation] regime”.<sup>40</sup>

However, the NDA failed to translate the consensus into reality. Instead of maintaining a unified front, some of the main opposition parties opted for bilateral talks and agreements, either because they were co-opted by the government, or because they were subjected to regional and wider international pressure.<sup>41</sup> Since then, the NCP has signed multiple peace deals with armed opposition groups.<sup>42</sup> As noted by Yasir Arman, SPLM-N secretary-general and SRF external affairs secretary:

Given the historical experience of past popular uprisings and armed struggles, the fundamental change in Sudan can only be achieved when Khartoum is transformed. It is Khartoum’s policies that excluded and marginalised the majority of Sudanese people and it is Khartoum too that fought Southern Sudan, Nuba Mountains, Blue Nile, Eastern Sudan and Darfur. The permanent solution can only be achieved by transforming the centre . . . . To address historical and contemporary diversity, Sudan needs a new social, political, economic and cultural dispensation that is based on citizenship, democracy and social justice and separation of religion from state.<sup>43</sup>

<sup>39</sup> The declaration granted the South a right to self-determination to be exercised at the end of the transitional period through a referendum on three options: confederation, federation and secession. In the case of secession, the declaration stated that the border of the new state should be demarcated on the basis of the 1 January 1956 North-South borderline.

<sup>40</sup> They stressed the conference should not abrogate what was agreed on in Asmara. Crisis Group interview, former NDA leader, October 2011.

<sup>41</sup> In November 1999, the NUP signed the Djibouti Agreement with the NCP, after Sadiq al-Mahdi vehemently criticised NDA performance. Following U.S. pressure, the SPLM signed the Machakos Protocol with the NCP in July 2002 and the CPA in January 2005. Under pressure from Egypt, the rest of the NDA factions, except the East Front, signed the Cairo Agreement with the NCP in June 2005. With mounting Eritrean pressure, the East Front signed the East Sudan Peace Agreement with the NCP in October 2006.

<sup>42</sup> “Juba Declaration on Dialogue and National Consensus”, All Political Parties Conference (APPC) – Sudan, 26-30 September 2009. See also, Crisis Group Report, *Sudan’s Southern Kordofan Problem*, op. cit.; Africa Report N°130, *A Strategy for Comprehensive Peace in Sudan*, 26 July 2007; Africa Report N°125, *Darfur: Revitalising the Peace Process*, 30 April 2007; Africa Briefing N°39, *Darfur’s Fragile Peace Agreement*, 20 June 2006; and Africa Report N°102, *Sudan: Saving Peace in the East*, 5 January 2006.

<sup>43</sup> Yasir Arman, SPLM-N secretary general, SRF external affairs secretary, “The Northern Question and the Way Forward for

### III. MULTIPLE CHALLENGES

The regime is faced with multiple challenges that combined threaten its existence and Sudan’s stability. Because of South Sudan’s separation, the economy is in steep decline and requires deep and fundamental reforms. Feuding factions seek to control the Islamist movement and its role in the country. At the same time, opposition forces are growing more assertive, and the war with the SRF is slowly expanding into additional parts of the country, bleeding the SAF and draining the treasury.

#### A. A COLLAPSING ECONOMY

Perhaps the NCP’s greatest weakness is its dismal economic stewardship.<sup>44</sup> The economy is on the brink of collapse.<sup>45</sup> Economic policy is not addressing the fiscal gap stemming from the loss of southern oil revenue, which amounted to 70 per cent of the previous budget. The gap is estimated at \$7.7 billion, with a balance of payments deficit of \$10.4 billion.<sup>46</sup>

The government and the economy are mired in inefficiencies. Flush with oil money over the past fifteen years, government grew rapidly and initiated many inefficient development projects it could not afford.<sup>47</sup> The economy became increasingly dependent on oil revenue, so was hit very hard by South Sudan’s secession in 2011 and the cut-off of oil production in early 2012. The loss of its main source of foreign exchange and increasing uncertainty over the country’s economic prospects have been putting

Change”, presentation at the Carr Center for Human Rights Policy, Harvard Kennedy School, 20-21 April 2012.

<sup>44</sup> The NCP tried to differentiate itself from the other political parties with the promise it would do a better job on the economy. Crisis Group email correspondence, Sudan expert, 11 July 2012. Except for the economic windfall it obtained from the discovery of oil, it has failed in 23 years of rule to deliver development. In 2011 Sudan ranked 169 out of 187 countries on the UN Development Programme (UNDP) Human Development Index; in 1990 it was fifteenth from the bottom of 130 states (between 1990 and 2011 UNDP switched the ranking from “1” being worst to being best). For the index, see <http://hdr.undp.org/>.

<sup>45</sup> Crisis Group interview, economic expert, Khartoum, May 2012.

<sup>46</sup> Crisis Group interviews, diplomats, Addis Ababa, December 2011.

<sup>47</sup> Sudan is estimated to have earned approximately \$100 billion between 1999 and 2009. Crisis Group interview, economic expert, Khartoum, May 2012. Much of the government growth was a result of expanding federal state institutions (executive and legislative), as well as the need to fill numerous government positions, commissions, compensations provisions, specific development projects and disarmament, demobilisation and reintegration (DDR) programs resulting from peace agreements (Khartoum Agreement, CPA, DPA, East Sudan peace Agreement, Cairo Agreement).

significant pressure on the currency and foreign exchange reserves.<sup>48</sup> To control the deteriorating situation, the Central Bank was forced to float the pound and stop supplying hard currency to the market.<sup>49</sup> Economists expect the combination of rising prices of consumer goods and increasing cost of production to lead to stagflation.<sup>50</sup> In the absence of oil revenue, foreign loans and direct investment, the International Monetary Fund (IMF) predicts the economy will shrink by 7.3 per cent in 2012.<sup>51</sup>

Inflation has more than doubled.<sup>52</sup> Further, there is serious reduction in production of cash crops such as oil-producing seeds (sesame, sunflower and peanut), as well as sorghum and millet – the major staple foods. The prices of essential commodities such as wheat flour, sugar and vegetables also have risen dramatically. Once the region’s food basket, Sudan’s food security is now in jeopardy (see chart below on export/import of agricultural products). In 2012, it will have to import \$4 billion in food while being able to export only an estimated \$2.5 billion of goods, including gold.<sup>53</sup>

	Total Value of Agricultural Exports (\$ millions)	Total Value of Agricultural Imports (\$ millions)
1990	595,049	244,589
1995	961,512	163,212
2000	616,237	473,760
2005	340,744	913,775
2009	285,329	1,026,533

<sup>48</sup> “Sudan Country Economic Brief”, World Bank, Issue No. 2012-01, May 2012.

<sup>49</sup> On 20 June, the Central Bank decided to stop supplying hard currency to foreign exchange bureaus. “Provision of foreign currency to bureau de changes stopped”, Al-Sudani, 21 June 2012.

<sup>50</sup> Stagflation is a situation with high inflation, low economic growth and large unemployment. It creates a policy dilemma, because any action to lower inflation may further slow economic growth and exacerbate unemployment.

<sup>51</sup> “Sudan and the IMF”, 29 May 2012, at [www.imf.org/external/country/SDN/index.htm](http://www.imf.org/external/country/SDN/index.htm).

<sup>52</sup> The Sudanese finance minister said the inflation rate rose to 21 per cent in the first quarter of 2012, compared to a 16 per cent rise during the same period in 2011, “Sudan inflation up by 21% in Q1 2012”, Sudan Tribune, 4 May 2012. Other economic experts think it is closer to 50 per cent and could rise further. Crisis Group interviews, economic experts, Khartoum, May 2012; senior figures working in the economic and financial sectors, Khartoum, January 2012. In October, official annual inflation was 45.3 per cent, up from 41.6 per cent the previous month. Sudan News Agency (SUNA), 8 November 2012.

<sup>53</sup> Crisis Group interview, economic expert, Khartoum, May 2012.

<sup>54</sup> “FAOSTAT Database”, Food and Agricultural Organisation (FAO), at <http://faostat3.fao.org/home/index.html#HOME>.

This in part explains why in late 2011 the NCP felt it was left with but two options for pressuring South Sudan to negotiate an oil transport deal that would help bridge the fiscal gap: either stop the flow of oil from the South or take what it felt it was owed in kind (crude oil). In December, it blocked exports of South Sudan oil and went further by selling South Sudanese crude to recover the dues it claimed. Juba was incensed and closed down oil production in February.<sup>55</sup> Another blow occurred in April, when production in Heglig, one of the country’s remaining oil fields, was briefly suspended after it was captured by the SPLA.<sup>56</sup>

The government has developed a three-year plan to revive the economy,<sup>57</sup> but the immediate challenge is to close the fiscal gap. It does not have enough money to run state administrations, greatly complicating its relations with the governors, who have become part of an extensive and expensive patronage network.<sup>58</sup> For example, the former governor of al-Gadarrif state, Karam Allah Abbas, accused the finance minister, Ali Mahmoud, and other NCP leaders in Khartoum of “nepotism” and playing politics with

<sup>55</sup> Juba is pushing ahead with plans to construct pipelines to ports at Lamu (Kenya) and in Djibouti, although this would take years.

<sup>56</sup> The oil infrastructure was damaged during the fighting, but Khartoum was able to resume production in the area shortly after the SPLA withdrew. “Sudan resumes oil production from Heglig fields”, *Sudan Tribune*, 3 May 2012.

<sup>57</sup> It plans to increase agricultural production, expand mining of gold (which is estimated to bring Sudan \$2 billion by the end of 2012), and raise its oil production from the current 35,000 barrels per day to 200,000 barrels per day in 2013. A part of the plan is also to attract foreign direct investment, mainly from rich Gulf states. However, conflict and other factors discourage outside investment. According to the U.S. State Department, “Sudan presents one of the most challenging business environments in the world to the would-be-investor. The country rank, 135th out of 183 in the 2012 World Bank Doing Business report, is unchanged from the previous year. Sudan is ranked 177th out of 182 nations in Transparency International’s Corruption Perceptions Index. The nation’s political risk is 137 out of 140 according to “Political Risk Services” (The PRS Group). The country’s credit rating is 174 out of 178 according to “Institutional Investor”, “U.S. Department of State, 2012 Investment Climate Statement – Sudan, June 2012”, at [www.state.gov](http://www.state.gov).

<sup>58</sup> See Crisis Group Report, Divisions in Sudan’s Ruling Party, op. cit., pp. 17-21. The fiscal 2012 operating budget is an estimated SDG 32 billion (\$6.4 billion), while the gap is SDG 18 billion (\$3.6 billion). Crisis Group interview, economic expert, Khartoum, May 2012. While Western countries have offered debt relief and other economic assistance as an incentive for reform, Khartoum has accused them of moving the goal posts every time it responds to their demands. This perception was reinforced when sanctions were lifted on South Sudan after independence (but not Sudan). See, President Bashir speech Blue Nile TV, Sudan TV and al-Sherrouq TV, 3 February 2012. Because of sanctions, and its huge debt, it cannot obtain new loans from international financial institutions.

state funds. He also claimed funds allocated to certain states were transferred without any “delay or complication”, while funds allocated to his state were delayed for eighteen months.<sup>59</sup> Several states have had to delay salary payments. In June 2012, North Darfur Governor Mohammed Osman Kibir, claimed the electricity and dams ministry had failed to pay huge arrears for fuel needed by power stations in the state’s capital, al-Fasher.<sup>60</sup>

Absolute poverty is increasing dramatically, especially for urban migrants from the peripheries, where there are no jobs. On 23 May, Finance Minister Ali Mahmoud reported to parliament that the poverty rate exceeded 40 per cent.<sup>61</sup> Many university graduates cannot find meaningful work. Youth unemployment is 25.4 per cent.<sup>62</sup> Not surprisingly, the wave of summer protests was started by university students and unemployed urban youth.

The 2012 budget, presented to parliament in December 2011, brought no relief for ordinary citizens, allocating a much greater share of the budget to defence, security and interior than to health, education and industry.<sup>63</sup> According to some economists, it increased taxes by 145 per cent and reduced the funds for wage increases by \$120 million.<sup>64</sup> The NCP parliamentary caucus dropped a proposal to reduce the fuel subsidy by an estimated more than six billion SDG (approximately \$1.2 billion), equivalent to 25 per cent of the budget, for fear it would lead to revolt, but faced with limited options, the NCP was forced to reduce

the subsidy in May 2012.<sup>65</sup> This was widely criticised, including by NCP leaders. On 3 June 2012, the Sudanese Businessmen Union (SBU) met with the responsible NCP economic official, al-Zubair Ahmed al-Hassan, and described it as “catastrophic”. The Sudanese Farmers Union vehemently criticised the move, saying it would increase the cost of agricultural inputs.<sup>66</sup>

Opposition political parties blamed the government and called on it to tackle the economic crisis by ending the spreading civil war and reaching an oil deal with South Sudan.<sup>67</sup> Following the approval of the NCP’s Shura (consultative council), President Bashir told parliament on 18 June that he would press ahead with the plan to lift the fuel subsidy and downsize government.<sup>68</sup> Two days later, Finance Minister Mahmoud submitted the 2012 amended budget to the National Assembly. It raised allocations for security, defence and police by 6.6 per cent – from 7.5 billion SDG (\$1.69 billion) in the original budget to eight billion SDG (\$1.8 billion) – and for the “sovereign sector” by 18.1 per cent – from 1.15 billion SDG to 1.36 billion SDG.<sup>69</sup> It also reduced funds for health, education

<sup>59</sup> Following mounting pressure from Khartoum, Abbas resigned on 4 May 2012. His criticism of the centre reportedly led some NCP leaders in Khartoum to meet to discuss how to remove him. “Karam Allah Abbas: Possibility of impeachment!!!”, Al-Sudani, 29 January 2012. “Al-Gadarrif Governor: We haven’t received federal support for 18 months”, Al-Sahafa, 21 January 2012.

<sup>60</sup> The 2012 national budget reduced money for state expenditures to 28.8 per cent, down from 39.9 per cent in 2011 and 48.1 per cent in 2010. Crisis Group interview, economic expert, Khartoum, September 2012. “Kibir: money hindering arrival of fuel to power stations”, Al-Ahdath (Arabic daily), 10 June 2012.

<sup>61</sup> “Sudanese MPs criticise rise in ministers’ perks as poverty increases”, Sudan Tribune, 23 May 2012. According to the 2009 National Baseline Household Survey, 46.5 per cent of the population of North Sudan, compared to 50.6 per cent of South Sudan, lived below the national poverty line of 1366 SDG per person per annum (approx \$590, 2009 prices). “Seeds for Development”, UNDP, Sudan, 2010.

<sup>62</sup> The official unemployment rate is 17 per cent. “Status of MDGs in Sudan in 2012”, UNDP, Sudan.

<sup>63</sup> “Sudan: Recent Economic Developments”, World Bank, May 2012. Approximately 75 per cent of the budget is allocated to defence, security, interior and what are referred to as “sovereign expenses”, allocations made for the presidency, members of the legislative and executive bodies as well as for presidential advisors, which includes cars, houses and other allowances. Crisis Group interview, economic expert, Khartoum, May 2012.

<sup>64</sup> Crisis Group interview, economic expert, Khartoum, December 2011.

<sup>65</sup> The finance ministry vowed to gradually lift the fuel subsidy, to avoid social upheaval, but the NCP parliamentarians demanded the government fire the finance minister, Ali Mahmoud, reduce the number of ministers to 25, from 30, and cut officials’ perks. “NCP okays lifting of fuel subsidies as MPs demand sacking of finance minister”, Sudan Tribune, 1 June 2012.

<sup>66</sup> Reportedly, Ghazi Salah el-Din, head of the NCP parliamentary bloc and presidential adviser, strongly resisted removal of the subsidy, *ibid.* “Businessmen Union warns of ‘catastrophe’ ahead of Sudan’s economy”, Sudan Tribune, 3 June 2012. The union called for a cut in government positions instead of lifting the fuel subsidy. “Farmers Union: the government should cut the ‘huge’ number of constitutional post-holders instead of raising fuel prices”, Hurriyat Sudan (online), 4 June 2012.

<sup>67</sup> NUP, Communist Party of Sudan (CPS) statements, 6 June 2012. Popular Congress Party (PCP) political secretary, Kamal Omar, statement, Hurriyat Sudan, 4 June 2012.

<sup>68</sup> The NCP has both national and regional structures, with a secretariat and a secretary general, as well as a Shura council, and an executive bureau that is responsible for organisation at the level of village and neighbourhood (quarter) in towns and cities. See Crisis Group Report, *Divisions in Sudan’s Ruling Party*, op. cit., p. 4. The plan includes, a gradual lifting of the fuel subsidy, downsizing the government by cutting some 100 posts (ministers, state ministers and experts) at the federal level, and some 280 at the state level; downsizing legislative and executive bodies at the state level by 45-50 per cent; allocating a monthly allowance to workers and pensioners; increasing the development tax on imports, the bank profits tax, and the value added tax (VAT), pursuing more privatisation and suspending construction of new government buildings. “Bashir: gradual lifting of fuel subsidy”, Al-Sahafa, 19 June 2012. Petrol stations were instructed to apply the new prices even before they were approved by the legislature.

<sup>69</sup> For the meaning of “sovereign sector” expenses see fn. 63 above.

and development in general by 51 per cent. The amended 2012 budget foresees an 8.7 billion SDG deficit (\$1.96 billion), compared to the 6.9 billion SDG deficit anticipated in the original.<sup>70</sup>

The September 2012 oil deal, if implemented, would transfer to Sudan approximately \$6 billion in equal amounts from South Sudan and the international community over three-and-a-half years but would be unlikely to return the Sudanese pound or consumer prices to pre-crisis levels.<sup>71</sup> It would not meaningfully help the government to overcome the economic crisis, especially if the economy is not fundamentally reformed, and most of the budget remains allocated to the military and other security organisations.<sup>72</sup>

## B. DISCORD IN THE NCP

The NCP is in a state of confusion, extensively fractured and with no coherent strategy for addressing multiple security, political and economic challenges. Members are deeply unhappy with the leadership, its policies and massive corruption. Discontent is rising, and local chapters are increasingly challenging decisions, as well as the party's general orientation. Internal divisions are spilling into the open in the form of critical memorandums and calls for reform. Different parts of the NCP – right-wing factions in the youth movement, the parliamentary bloc, the army and the student movement – have independently sent written protests to the leadership. The triangular relationship between the *haraka* (movement), *hizb* (party) and *hakuma*

(government/Salvation regime) has never been at greater risk of collapse.

As always, Bashir is attempting to survive by playing the factions against each other. Al-Tayeb Mustafa, the president's conservative uncle, is central in these disputes, using his newspaper, *Al-Intibaha*, and its associated website to undermine the NCP and government and pressing to distance his nephew from the party. He has explicitly stated his intention to have his own ultra-nationalist and Islamist party, the Just Peace Forum (JPF), replace the Salvation regime.<sup>73</sup> In an effort to retain power and appeal to his old base, Bashir has shifted in a more Islamist direction and is promoting a renewed vision to create a "Sudanese identity", based on Islam and the Arabic language, that may further fragment the country.<sup>74</sup>

### 1. Growing calls for reform

The government has been "reformed" several times. On 7 December 2011, the NCP announced a broad-based administration to cope with the current crisis and begin drafting a permanent constitution.<sup>75</sup> However, it made only cosmetic changes in sensitive or strategic ministries and positions, and contrary to earlier statements, failed to produce a "young" and "slim" government. The new cabinet had some 30 ministers, from more than a dozen parties. The NCP kept key ministries such as defence, interior, foreign affairs and finance. On 9 July 2012, Bashir appointed a new "austerity" cabinet that merged four ministries and eliminated one. Though the NCP controlled fewer ministries, it retained the main portfolios.<sup>76</sup> At present, there are 26 cabinet ministries, led by sixteen NCP members and nine from other parties,<sup>77</sup> as well as 27 state ministries. All nine presidential advisers were dismissed by

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<sup>70</sup> The amended budget included increasing the prices of benzene by five pounds (from 8.5 to 13.5), gasoline by 2.5 pounds (from 6.5 to 9) and cooking gas by two pounds (from eleven to thirteen). It increased the development tax on imports from 10 to 13 per cent, and VAT from 15 to 30 per cent. "Finance Minister: 3.6 billion SDG expected deficit in the budget", Al-Sahafa, 21 June 2012. Crisis Group interview, economic expert, Khartoum, September 2012.

<sup>71</sup> South Sudan agreed to pay a \$3.028 billion financial transitional arrangement, as compensation for lost oil revenue. "Agreement between the Government of the Republic of South Sudan and the Government of the Republic of Sudan on Oil Related Economic Matters", Addis Ababa, 27 September 2012. This is expected to be matched by an equivalent amount from the international community, principally Arab countries and China. Katrina Manson and William Wallis, "US seeks \$3bn for Sudan oil deal", *Financial Times*, 7 August 2012.

<sup>72</sup> It may enable the government to resume patronage payments and pay off some of its opponents, as it has in the past. See Crisis Group Report, *Divisions in Sudan's Ruling Party*, op. cit. In early November, Hajo Gism al-Seed, deputy speaker of the National Assembly, told local media it intends to increase the 2013 defence budget by \$700 million (from \$3.3 billion to \$4 billion) to raise the SAF's capabilities to repulse any future "Israeli aggression". "Sudan to increase military budget next year", Sudan Tribune, 5 November 2012; Hurriyat Sudan, 6 November 2012.

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<sup>73</sup> The newspaper is the most widely read Arabic daily in Khartoum. In an address to the JPF's Shura council, on 14 January 2012, Mustafa criticised the NCP and the Islamic Movement, saying they had become corrupt and infiltrated by opportunists. He stressed that "conditions are now conducive [for his party] to compete with other parties, including the NCP" and that there was "no way to reform Sudan unless the forum occupies a position in the executive and legislative power". "JPF Shura Council concludes, issues recommendations", Al-Intibaha, 16 January 2012.

<sup>74</sup> For more on the NCP's Islamist roots, see Crisis Group Report, *Divisions in Sudan's Ruling Party*, op. cit., pp. 2-12.

<sup>75</sup> The interim constitution remains in effect until the next general elections, scheduled for 2015.

<sup>76</sup> The ministries merged were information and culture, human resource and labour, electricity and dams with water resources, and communication and information technology with science and technology. The international cooperation ministry was eliminated.

<sup>77</sup> One portfolio is empty; on 19 August 2012, Guidance and Endowments Minister Ghazi Al-Saddiq of the NUP was killed in a plane accident.

presidential decree as part of the austerity measures. In August, humanitarian affairs, previously merged into social affairs, was allocated to the interior ministry.

To accommodate its huge patronage network, signatories to the various peace treaties, deserters from the SPLM, the DUP<sup>78</sup> and others, the NCP saddled the country with yet another expensive and unsustainable administration. Despite its size, this government failed to please many NCP members, leading to growing dissatisfaction, including numerous revolts in the peripheries.

Newspapers have published two internal NCP memos calling for reform, allegedly signed by 1,000 "Islamic Movement" members.<sup>79</sup> It appears these are only two of a larger number of similar memos on the current crisis and the need for genuine, comprehensive change, including greater freedoms, a real federal system, anti-corruption measures and a genuine transitional government to prepare the way for free and fair elections.<sup>80</sup> The party youth wing reportedly wrote a December 2011 memo, signed by approximately 1,000 of its members, criticising President Bashir's leadership and the way the party is dealing with

the challenges. A key NCP leader, Ghazi al-Atabani, is said to have sent two memos in the second half of 2011 also criticising institutional corruption and appealing for reform.<sup>81</sup>

There are also unconfirmed claims that several army generals wrote Bashir criticising the war in Southern Kordofan and Blue Nile and demanding immediate changes in policy objectives. On 17 May 2012, Bashir retired some 80 army officers.<sup>82</sup> There is widespread dissatisfaction within both the NCP and the army, particularly among the rank and file, that the war in those two states is not justified. According to a mujahidin leader, Bashir is trying to keep the generals happy but lacks support among junior officers, especially those who are Islamist.<sup>83</sup>

The various memos were fiercely criticised by the NCP leadership. Mohammed Mandor al-Mahdi, the Khartoum state deputy chairman, threatened to expel all who did not respect the party's institutions. President Bashir disparaged the authors, called for them to be held accountable by the party and claimed all the issues raised had been discussed in the NCP's December 2011 convention.<sup>84</sup>

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<sup>78</sup> Although the DUP joined the government as part of its partnership agreement, signed earlier in December, it refused to endorse an early general election.

<sup>79</sup> The first memo appeared in al-Tayeb's Al-Intibaha on 11 January 2011 and was signed by the "mujahidin". The second, dated 30 November 2011, appeared in Al-Tayar, 26 January 2012 and was signed by Islamist intellectuals, including, Professor Altayeb Zain el-Abdeen, Dr Khalid el-Tijani al-Nour, Dr el-Tijani Abdelgadir and Awad Haj Ali, and is said to have gotten the backing of Ibrahim Ahmed Omar and Ghazi Salah el-Din (former adviser to the president and leader of the NCP bloc in the National Assembly). The memo was entitled "Landmarks in the Course of Correction and Renaissance, a Framework Paper No: 1". Many thought the two published memos were different versions of a single memo. Some say that among the demands not published was the call for the removal of Omar al-Bashir, Abdel Rahim Mohammed Hussein, Ali Osman Mohammed Taha and Nafie Ali Nafie. Reportedly, the mujahidin had threatened to occupy the NCP headquarters if due consideration was not paid to their memo. Others were reportedly authored by the NCP youth sector, university lecturers and Islamist officers in the army. Crisis Group interview, PCP official, Khartoum, February 2012. See also, Magdi el-Gizouli, "The Sudanese Islamic Movement: the third tareeqa, part one", StillSUDAN ([www.stillsudan.blogspot.com](http://www.stillsudan.blogspot.com)), 1 June 2011; and "The Sudanese Islamic Movement: the third tareeqa, part two", 4 June 2012.

<sup>80</sup> Memos are a particularly important form of political debate in Sudan. The "memorandum of the thousand" drew comparisons to the 1998 "memorandum of ten" that led to the eventual eviction of Hassan al-Turabi, the then-secretary general of the NCP, and the split of the Islamic Movement into two camps: a majority led by Ali Osman Mohammed Taha that sided with Bashir and a minority that joined Turabi's Popular Congress Party (PCP) in the opposition. Magdi el-Gizouli, "The Sudanese Islamic Movement: the third tareeqa, part one", op. cit.

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<sup>81</sup> Atabani is a key NCP member, presidential adviser, leader of the NCP caucus in the National Assembly and a member of the party's Leadership Bureau. He led the government delegation that negotiated the Machakos Agreement with the SPLM in 2002 and was appointed presidential adviser after the signing of the CPA in 2005. He was the government's chief negotiator in the 2007 Darfur peace talks and held the Darfur portfolio until it was transferred to Dr Amin Hassan Omer in August 2011. Corruption compounds the difficult economic situation. Al-Intibaha published several articles exposing large-scale government corruption and alleged that some of Bashir's relatives were involved. According to NCP sources, many members believe leaders have accumulated between \$10 billion and \$15 billion in foreign banks. Crisis Group interview, economic expert, Khartoum, June 2012.

<sup>82</sup> Reportedly, a group of Islamist officers met in Jebait, eastern Sudan, towards the end of 2011 and discussed the army's deterioration, corruption of Bashir's brother and other family members and the government's orientation and policy objectives. Crisis Group interview, PCP official, Khartoum, February 2012. Also, "Sudan army officers warn Bashir and Hussein against rush to war with South", Sudan Tribune, 30 January 2012. The retired officers included Brigadier Generals Siddiq Fadl (former chief of armoured forces), Abdallah Osman (engineer forces) and Younis Mahmoud, committed Islamists who seem to be members of the group unhappy with the army's situation and the defence minister, Abde Rahim Mohammed Hussein. Crisis Group interview, mujahidin leader, Khartoum, August 2012. See also, "The story of conflict that led to the expulsion of 80 SAF officers", Hurriyat Sudan (online), 31 May 2012.

<sup>83</sup> Crisis Group interview, Khartoum, September 2012. The term "mujahidin" in this context refers to a former Islamist fighter.

<sup>84</sup> "NCP leadership threatens to expel party members in order to contain impact of corrective memo", Hurriyat Sudan, 12 January 2012. Bashir interview on Blue Nile TV, 3 February 2012.

The recent developments cannot be separated from the wave of change sweeping the region, the “Arab Spring”. The international Muslim Brotherhood movement reportedly views the current regime as oppressive, in need of reform and democratisation.<sup>85</sup> It is said to be supporting domestic efforts to delink the “Islamic Movement” from the NCP and revive and unify the Muslim Brotherhood’s Sudanese branch, so it will be ready to join the wave of change.<sup>86</sup> The likely result of the effort to delink the NCP and Islamic Movement would be an open and fierce power struggle.<sup>87</sup>

In the event of a confrontation between his inner circle and the rest of the Islamic Movement, Bashir might well seek the support of other Islamic factions, such as the JPF.<sup>88</sup> On 11 May 2012, Bashir attended a meeting of the Islamic Movement’s Shura council at which he vehemently criticised its members, saying power and politics have corrupted them.<sup>89</sup>

However, the Islamist Movement’s eighth conference (15-17 November 2012), which adopted a new constitution and elected a new Shura council and secretary general, proved to be a test of influence between two main camps: the “conservatives” (a small circle of military and security officials around President Bashir), who wanted to preserve the status quo by taking control of the movement and annexing it to the ruling NCP; and the “reformists” (civilian Islamists, Mujahidin (Sae’ehoun) and youth members), who wanted change, and, in some cases, to preserve

its independence and leading role.<sup>90</sup> A main point of contention was whether the secretary general would be chosen by the general conference or the movement’s Shura. The Shura option prevailed, roughly 1,800 to 600, reinforcing the conservatives seeking to merge movement, party and state under Bashir’s leadership.<sup>91</sup>

The conference also established the al-Qiyada al-Uliya (High Command, HC) that, according to the new constitution, is to “oversee the Movement’s apparatuses and institutions and link and coordinate between the Movement’s apparatuses and independent institutions”. It is chaired by President Bashir and includes his deputies in the administration, the NCP and most of the movement’s executive council.<sup>92</sup> In effect, it is the leadership of the state-party-movement triangle, which Bashir now controls.<sup>93</sup>

The conference also had international implications.<sup>94</sup> Reportedly, a high-level meeting of the international organisation of the Muslim Brotherhood convened at its margins

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<sup>85</sup> Crisis Group interviews, Islamist and CPS opposition leaders, Khartoum, February 2012. The Egyptian spiritual head of the international Muslim Brotherhood, Yusuf al-Qaradawi, led efforts to reunify the NCP when it split in 1999, between the NCP (President Bashir and Vice President Ali Osman Taha) and the Popular Congress Party (PCP) of Hassan al-Turabi, and is said to be part of the Brotherhood’s new efforts to unify the Islamist Movement as well.

<sup>86</sup> Sources said meetings were held between some leaders from the international movement and Sudanese Islamists that discussed unifying the Sudanese movement. Crisis Group interview, opposition leader, Khartoum, February 2012. Al-Sahafa reported that the Qatari emir, Sheikh Hamad Ben Khalifa, told Bashir no support could be given Sudan unless the two factions of the Islamic Movement – NCP and PCP – united. “Bashir and Islamists: Is it the end of the game?”, 5 February 2012.

<sup>87</sup> NCP leaders are firmly ensconced in the movement. For example, Ali Osman Taha is both first vice president of the state and emir of the Islamic Movement; the protest memo was addressed to him as the leader of the movement.

<sup>88</sup> In a Blue Nile TV interview of 3 February, President Bashir said: “we will not accept guardianship from any entity (Islamic Movement) or individual or group”. See also, “JPF Shura Council concludes, issues recommendations”, Al-Intibaha, 16 January 2012.

<sup>89</sup> “Power and politics corrupted Islamists in Sudan, Bashir”, Sudan Tribune, 13 May 2012.

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<sup>90</sup> According to a prominent Islamist, “the conference had nothing to do with the movement’s renaissance. It was a mere power-race between competing factions that seek to inherit the movement to either maintain or seize power, in anticipation of Bashir’s absence”. Crisis Group interview, Khartoum, November 2012. Former finance minister al-Zubair Ahmed al-Hassan was elected secretary general of the movement, and a former ambassador to the U.S., Mahdi Ibrahim, was elected its chairman.

<sup>91</sup> Crisis Group interview, Islamist journalist, Khartoum, November 2012.

<sup>92</sup> It is likely that the constitutional amendments and the creation of the HC led Ghazi al-Atabani to decide against standing for secretary general, even though he had a “good chance” of winning. “If the secretary general election were to be conducted through the general conference and not the Shura, al-Atabani could have won because he enjoyed wide support”. Crisis Group interview, Islamist intellectual, Khartoum, November 2012. Atabani said the constitutional amendments rendered the post “ineffective”. “Ghazi: I have no intention to contest the secretary-general election”, Al-Intibaha, 18 November 2012. Taha, Nafie and Industry Minister Awad al-Jaz all failed to obtain nominations to the Shura from the Khartoum “state college”. 340 of the 400 members of the Shura are elected through colleges (organised bodies) in Khartoum and the other states; 60 members are drawn from the “national college” and “complementary lists” drawn up by the Shura. Though they lost the election in Khartoum, Taha, Nafie and al-Jaz made it into the Shura through the lists because they are senior executives. Crisis Group interview, PCP official, Khartoum, November 2012.

<sup>93</sup> Ibrahim Ahmed Omar, chairman of the conference’s preparatory committee, told local media that “we can say Bashir is the chairman of the Islamic Movement, for the High Command is higher than the General-Secretariat in the movement’s structure”, “Ibrahim Ahmed Omar: Bashir is the chairman of the Islamic Movement”, al-Qarar, 21 November 2012.

<sup>94</sup> About 120 prominent Islamists from some 30 countries, including Tunisia, Egypt, Libya, Palestine ( Hamas), Somalia and Sri Lanka, attended the conference.

and discussed a wide range of issues, most importantly the establishment of a new regional and international entity.<sup>95</sup> On 17 November, Taha announced: “We are making arrangements for a new Islamic project as an alternative to the UN and the UN S[ecurity]C[ouncil]”.<sup>96</sup> Its objectives ostensibly include “liberating Jerusalem and Palestine”, an aim that could portend further confrontation with Israel.<sup>97</sup>

Many Islamists, including intellectuals, Islamist officers, Mujahidin (Sa’ehoun), students and youth, are unhappy with the outcome of the conference.<sup>98</sup> They see it as the movement’s “burial” in the state-party’s “grave” rather than its intended “revival”.<sup>99</sup> Reportedly, fearing an “undesirable” reaction from these groups, the NISS on 22 November arrested its former chief, Salah Abdallah (Gosh), and other Islamist army and security officers, as well as civilians in what it called a “sabotage plot”.<sup>100</sup> Observers consider the arrest a pre-emptive strike by the dominant “conservatives”

against the “reformists”, who, having lost the battle for control of the movement, may be tempted to push for regime change and so appear to the “conservatives” a serious threat that should be eliminated.<sup>101</sup> The arrest of popular Islamist army officers may well pose a problem for the ruling elite, however, as they have followings among student, youth and Mujahidin groups, large sections of which are angered by the arrest and charges of sabotage pressed against the “best” Islamist army and security officers and are calling for their immediate release.<sup>102</sup>

## **2. Divisions on how to deal with revolts and South Sudan**

In anticipation of South Sudan’s July 2011 independence, the NCP leadership met to discuss options for dealing with the new state, the SPLM-N and the Darfur rebels. Two main currents emerged that remain relevant. One, led by President Bashir and including the defence minister, Abdel Rahim Mohammed Hussein (also ICC-indicted), the presidential affairs minister, Bakri Hassan Salih, the chief of staff, Ismat Abdelrahman Abdin, the security chief, Mohammed Atta, the police chief, Hashim Osman, and presidential assistant Nafie Ali Nafie, tends to see the problems through a security lens.<sup>103</sup> Its apparent strategy is to defeat the SPLM-N and weaken the SPLM by giving support to southern insurgents and inciting tribal clashes in the South.<sup>104</sup> A close ally is al-Tayeb Mustafa. In March 2012, he attacked the government’s negotiation team for signing the four-freedoms deal with South Sudan, describing it as “humiliating compromise”,<sup>105</sup> and on a number of other occasions he criticised the CPA and, implicitly, its architect, Vice President Ali Osman Taha.<sup>106</sup>

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<sup>95</sup> “The Islamists Conference: Reservations and regional fear!”, Al-Sahafa, 18 November 2012.

<sup>96</sup> Taha reportedly chanted such slogans as “No to the UN ... No to the UNSC ... No to the council of injustice ... Islam is coming”. “Taha: Islam is coming from Sudan, Egypt and Libya”, Al-Sahafa, 18 November 2012.

<sup>97</sup> During the night of 24 October 2012 the Al-Yarmook arms factory south of Khartoum was damaged by explosions, which the government attributed to an attack by Israeli airplanes. It said it reserves the right to respond at the right time and place, and threatened to take the issue to the Security Council. Israel officially has not commented, but for years its officials have expressed concern about arms smuggling through Sudan and have accused Khartoum of serving as a base of support for militants from the Islamist Hamas movement that rules the Gaza Strip. Israel is also believed to have attacked an arms convoy in 2009 in Red Sea state (eastern Sudan) that was alleged to be smuggling arms to Gaza.

<sup>98</sup> These groups vehemently criticised the outcome and discussed ways forward through social media networks, especially Sa’ehoun’s Facebook account. Crisis Group observation, Khartoum, November 2012. After the conference, Al-Intibaha reported that six groups from the Islamic movement are “unsatisfied” with the manner by which the new secretary general was elected. “Different groups unsatisfied with how secretary-general was elected”, al-Intibaha, 20 November 2012.

<sup>99</sup> Crisis Group interview, Islamist intellectual, Khartoum, November 2012.

<sup>100</sup> On 22 November, Information Minister Ahmed Bilal said the NISS had foiled a “plot” by opposition factions to undertake “sabotage” and “target leading figures”. “Sudan’s NCP power struggle comes to surface, Bashir’s aides suspected of involvement in coup attempt”, Sudan Tribune, 23 November 2012. Among those arrested were Brigadier Generals Siddiq Fadl (former chief of armoured forces); Mohammed Ahmed Ibrahim, “Wad Ibrahim” (military intelligence); Fath al-Aleem Abdallah (military intelligence); and Salah Sid Ahmed, (director of operations, NISS). It also appears that Ghazi al-Atabani was briefly detained, and a number of his Islamist supporters were arrested. Crisis Group interviews, Khartoum, November 2012.

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<sup>101</sup> Crisis Group interview, Mujahidin leader, Khartoum, November 2012.

<sup>102</sup> For example, “Wad Ibrahim” enjoys wide popularity among these groups. During Ramadan in 2012, he hosted an Iftar (breakfast) at his house in Bahri (Khartoum North) attended by almost 1,000 people from student, youth and Mujahidin groups. Al-Atabani reportedly was also present. Crisis Group interview, Mujahidin leader, Khartoum, November 2012. A large number of Mujahidin members criticised the NISS on Facebook and called for release of the detainees. Crisis Group observation, Khartoum, November 2012.

<sup>103</sup> This should not be overstated. The two camps tend to change their positions and public pronouncements depending on circumstances. Crisis Group interviews, PCP and CPS leaders, Khartoum, May and August 2012.

<sup>104</sup> “Khartoum’s ‘Plan B’ against South Sudan revealed”, Sudan Tribune, 6 February 2012.

<sup>105</sup> “Just Peace Forum: four freedoms agreement with South Sudan threat to national security”, Al-Intibaha, 15 March 2012.

<sup>106</sup> In a debate between Mustafa and Sayed al-Khatib, a member of the negotiating team, he implied Taha’s CPA concessions were the reason for the current crisis. Hatta Taktamil al-Soura [the



The second current, led by Taha, includes Foreign Minister Ali Karti, Industry Minister Awad al-Jaz, former National Security and Intelligence Service (NISS) head and current parliamentarian Salah Gosh (now under arrest), and members of that government's CPA negotiation team, like Iddris Abdelgadir and Sayed al-Khateeb. Often referred to as the "Naivasha Group", its strategy is premised on the belief the SPLM will never "sell out" the SPLM-N. Hence, it wants to make concessions to both, with the aim of dividing the SRF and severing its links with the opposition forces in the centre. Possible concessions include allowing the SPLM-N to operate in Sudan, granting it governorships in Southern Kordofan and Blue Nile and reaching an oil deal with South Sudan. Such an approach, intended also to "rearrange power relations in the North to their favour", might likewise open the door for financial support from Western and Gulf countries to mitigate the economic crisis.<sup>107</sup>

The division was evident when Ali Karti publicly criticised Bashir in the parliament for undiplomatic, including implicitly racial, remarks about the South. He also criticised those in the regime who reject Security Council Resolution 2046, saying their position exacerbated the country's problems.<sup>108</sup> The split grew more public after two Iranian warships docked in Port Sudan in early November 2012. Foreign Minister Karti angrily called the decision to al-

low the naval visit "wrong" and urged his government to improve relations instead with the Gulf states.<sup>109</sup>

### 3. Maintaining the status quo

Though internal and external pressures are mounting, the NCP shows no willingness to adopt a genuinely national agenda. It continues mobilisation for war and a crack-down on opposition activists and the press.<sup>110</sup> The party's inner circle believes any genuine national mechanism constitutes an immediate threat to its survival.<sup>111</sup> Even if it accepts a national constitutional conference under pressure, it would likely resort to manipulative, foot-dragging tactics to undermine the discussion. It might, for example, employ the Sharia issue to divide the opposition alliance, targeting primarily the National Umma Party (NUP) and the Popular Congress Party (PCP).<sup>112</sup>

However, aware of the threats posed by the peripheries, the NCP is convinced it needs to accommodate more political forces from the centre. Thus, it attempts to forge an alliance with the NUP and DUP that would isolate the left and other groups.<sup>113</sup> Ultimately, the NCP's inner circle might seek to consolidate its hold by focusing on the so-called Hamdi Triangle.<sup>114</sup> Some, such as al-Tayeb-Mustafa,

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Full Picture, a TV debate show], Blue Nile TV, 19 March 2012. Al-Khatib then later published an article criticising Mustafa. "Ila Sahib al-Intibaha fi Qaflatihi" ["To the Intibaha man in his carelessness"], Al-Sudani, 23 March 2012.

<sup>107</sup> Crisis Group interview, PCP leader, Khartoum, May 2012. Also see "Conflict over inheriting the regime", Hurriyat Sudan, 10 May 2012. Another prominent NCP leader, Ghazi al-Atabani, is also pushing a negotiating strategy. His emphasis is on South Sudan, not the SPLM-N, and proposes reaching a deal with Juba similar to the one reached with Chad that led to JEM's expulsion. Atabani believes a deal with South Sudan would weaken the SPLM-N and deprive it of an important rear base.

<sup>108</sup> "Foreign minister makes surprise criticism of Bashir comments against Juba", Sudan Tribune, 15 May 2012. Shortly before the SAF retook Heglig, Bashir addressed a number of rallies at which he threatened to invade South Sudan and topple the SPLM. He also described the SPLM as an "insect" that must be crushed. In what appears to be a racial remark, he said the only thing these people (Southerners) understand is the stick; they have to be disciplined by the stick. In the Arab culture, stick and blacks have a racial connotation, referring to the satirical poem of the great tenth century Arab poet, Abu al-Tayeb al-Mutanabi, against Kafor of Egypt (a former slave). Al-Mutanabi wrote "don't buy a slave unless you buy a stick with him". Resolution 2046, adopted on 2 May 2012, condemned the previous month's cross-border violence between Sudan and South Sudan and threatened sanctions if the two did not resume negotiations.

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<sup>109</sup> "Hatta Taktamil al-Soura" ["The Full Picture", a debate show], Blue Nile TV, 3 November 2012. Reportedly, Abdel Rahim Mohammed Hussein, Bakri Hassan Salih and Mohammed Atta favour an alliance with Iran. Crisis Group electronic interview, Islamist journalist, November 2012.

<sup>110</sup> In October 2011, Sudan National Television resumed airing the 1990s jihad war propaganda program *Fi sahat al-Fidaa'* (In the fields of sacrifice).

<sup>111</sup> "Being a minority party, [NCP] ... is unable to rule within the framework of an all-inclusive national project". Al-Haj Warraq, editor-in-chief, Hurriyat Sudan, September 2011. See also Crisis Group Report, *Divisions in Sudan's Ruling Party*, op. cit.

<sup>112</sup> "The NCP handy tactic will be to forward the question of Sharia as a matter of principle and thereby guarantee the fracture of any alliance against it along the lines of secularism versus [S]haria". Email correspondence, Magdi al-Gizouli, Sudan expert, October 2011. See for example, "Nafie says Sudan protesters seeking to 'eradicate' Islamic laws", Sudan Tribune, 2 July 2012; "Nafie returns from Algeria to blame Khartoum's economic woes on Jewish-South Sudan conspiracy", Sudan Tribune, 30 June 2012; "Foreign elements" detected in Sudan's protests, official says", Sudan Tribune, 28 June 2012. In November 2012, Nafie told crowds of Sufi sects in Northern Kordofan that his party is in possession of documents demonstrating the opposition alliance wants to undermine Sharia rule and create a secular state. "Bashir aide challenges opposition to declare stance on Sharia laws", Sudan Tribune, 10 November 2012.

<sup>113</sup> The NCP is looking for an Arab-Islamic alliance and sees the two traditional parties as sharing similar platforms in terms of Arabism, Islam and "free-market" economy.

<sup>114</sup> "The NCP wished to secure its hold on the Sudanese heartland through an alliance ... with the two sectarian mass parties or at

see the secession of South Sudan as an opportunity for asserting full domination over the “Arab” North, through establishment of an Arab-Islamic state that they refer to as the “second republic”.

### C. DEEPENING RELIGIOUS POLARISATION

Government media propaganda constantly portrays the rebellion in Southern Kordofan and the Blue Nile, now joined by Darfur rebel groups and others, as the product of traitors working on behalf of foreign countries.<sup>115</sup> Some analysts argue that this resembles President Nimeri’s desperate attempt to retain power by appealing to the Islamists in the late 1970s. Fundamentalists reportedly have taken the opportunity to present a ready-made Islamic constitution to Bashir and threatened to depose him if he does not adopt it.<sup>116</sup> Conservative Wahhabi groups have destroyed a number of Sufi shrines. Following the SAF’s recapture of Heglig, Islamic extremists also attacked an Anglican Church in Khartoum, on 21 April.

Several commentators fear that the racially-charged atmosphere being created by anti-Southern media coverage in Khartoum risks igniting racial and religious strife that

will further escalate Sudan’s problems.<sup>117</sup> Several of *Al-Intibaha*’s regular opinion writers, including the chief editor, al-Tayeb Mustafa, hardly disguise racist slurs in their reference to Southerners and openly campaign for their mass expulsion from the North.<sup>118</sup>

Khartoum’s domestic media strategy suggests it wants to reproduce a climate similar to that which was prevalent in Sudan during the 1990s, at the height of the second civil war, including a call for mujahidin.<sup>119</sup> During a 31 March 2012 visit to a Popular Defence Forces militia camp in River Nile state, for example, al-Tayeb Mustapha and Mohammed Abdelkarim spoke of a “Zionist-Christian” plot against Sudan. Abdelkarim said he had received letters from a large number of foreign mujahidin expressing readiness to come to Sudan and join the fight against “infidelity, atheism and secularism”.<sup>120</sup> In response, politicians are taking increasingly harder lines on a range of issues. For example, al-Tayeb Mustafa praised Vice President Taha’s 24 April orders for the security forces “to shoot to kill” anyone caught smuggling food supplies to the South.<sup>121</sup>

Militant Salafist groups have been growing since the early 1990s. Unlike the main traditional Salafist group, Jama’at Ansar al-Sunna al-Mohammediya, which advocates peaceful means for achieving its objectives,<sup>122</sup> the newer groups

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least one”. Email correspondence, Magdi al-Gizouli, Sudan expert, October 2011. Following the signature of the CPA, on 9 January 2005, the NCP held a convention, on 11-12 September 2005, in which the prominent Islamist economist and former finance minister Abdel Rahim Hamdi proposed a strategy for the NCP to focus investment and development in the triangle of Dongola-Sinnar-al-Obaid (usually referred to as the “Hamdi Triangle”) in anticipation of South Sudan’s secession. While committed to an Arab-Islamic identity and institution of Sharia, the Hamdi Triangle’s emphasis is ethnicity. The NCP limits its project to a well-defined and predominantly Arab-Riverine-Muslim area (the heartland). Crisis Group Reports, *Sudan’s Southern Kordofan Problem*, op. cit., and *Divisions in Sudan’s Ruling Party and the Threat to the Country’s Future Stability*, op. cit., p. 17. See also Abu Zar Ali el-Amin, “The second republic: the end or a new beginning”, *Hurriyat Sudan*, 24 September 2011.

<sup>115</sup> This was not helped when Prime Minister Netanyahu announce Israel would help create a coalition against fundamentalism in East Africa, including South Sudan. “Israel-Kenya deal to help fight Somalia’s al-Shabab”, BBC, 14 November 2011. South Sudan’s President Salva Kiir also reportedly visited the country on 20 December 2011. “South Sudan leader makes first visit to Israel”, *Agence France-Presse*, 20 December 2011.

<sup>116</sup> See, for example, “Sudan blames Zionist-American plot for unrest”, Reuters, 1 July 2012. On 22 August 2011 a number of Islamic groups, including the Muslim Brotherhood, Ansar al-Sunna, Just Peace Forum, and Islamic Liberation Party, formed “The Islamic Constitution Front”, calling for the institution of Sharia and Islamisation of public life. On 7 December 2011, it submitted a draft Islamic constitution to President Bashir. “Islamic Constitution is the choice of Arab Spring’s peoples”, *Al-Sahafa*, 9 December 2011; “Sudan Islamists warn Bashir over Islamic Sharia constitution”, *Sudan Tribune*, 29 February 2012.

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<sup>117</sup> “Hejljij attack emboldens Sudan nationalists, highlights divisions”, BBC Monitoring Service, 27 April 2012.

<sup>118</sup> In an April 2012 Khartoum press conference, al-Tayeb Mustafa said his party, the JPF, was ready to make donations to deport Southerners from Sudan after expiration of the 9 April ultimatum for status regularisation set by the government. “Presidential uncle: Bashir will be arrested in Juba airport ... ready to make donations to deport (Southerners)”, *Alrakoba.net*, 9 April 2012.

<sup>119</sup> On 3 March 2012, the Popular Defence Forces (PDF) made a pledge to defend the country to the death against aggression “represented by American imperialism, world Zionism and neo-colonialism”. “Sudan’s paramilitary makes “death pledge” to Bashir”, *Sudan Tribune*, 3 March 2012. On that same date, President Bashir ordered the opening of camps to recruit and train thousands from the PDF. “Sudan’s Bashir orders mobilisation of paramilitary forces, slams US and its special envoy”, *Sudan Tribune*, 4 March 2012. On 26 March, he formed a special body for mobilising mujahidin that comprises senior officials, including Vice President Taha as chairman and Defence Minister Hussein as vice chairman. “Sudan’s president forms body to mobilise Jihadists”, *Sudan Tribune*, 27 March 2012.

<sup>120</sup> “Al-Tayeb Mustapha and Mohammed Abdelkarim: Jihad against Zionism as cover for supporting regime of tyranny and corruption”, *Hurriyat Sudan*, 2 April 2012.

<sup>121</sup> “Ittaqo Qatbat al-Haleem” [“Fear the Meek’s Anger”], *Al-Intabaha*, 26 April 2012.

<sup>122</sup> The name could be translated as “the Mohammedan Practice Supporters Group”. It is a group established by Sheikh Yousif Abbo, in 1936 that follows the teachings of Mohammed Bin Abdelwahab, the Saudi founder of the Wahhabi doctrine (observers refer to them as Wahhabis). It runs a number of reli-

tend to be more militant and confrontational.<sup>123</sup> Their rise has coincided with that of a number of militant sheikhs, like Abdelhay Yousif and Mohammed Abdelkarim, who, as they grew stronger, issued *fatwas* (judicial opinions) against their religious and secular opponents.<sup>124</sup> In 1996, Abdelkarim produced a cassette tape, “I’edam Zindaq” (Execution of a Heretic), that included a *fatwa* calling for the execution of Hassan al-Turabi.<sup>125</sup> In 2007, these groups renewed the *fatwa* against Turabi, because he had issued a *fatwa* of his own accepting that women could lead men in prayers. Another was directed against Sadiq al-Mahdi, who as imam of the Ansar (the Mahdi’s fol-

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gious centres teaching conservative Islamic doctrine on the basis of curriculums borrowed from the University of Medina and University of Imam Mohammed bin Saud, both based in Saudi Arabia. The group has experienced a number of splits since 1990. Crisis Group interview, Sudanese expert on Salafist groups, Khartoum, August 2012. See also, Jamal al-Sharif, “Salafism in Sudan: Non-Interference or Confrontation”, Al Jazeera Center for Studies, 3 July 2012.

<sup>123</sup> Crisis Group interview, Sudanese journalist, Khartoum, July 2012. These groups find their roots in the Popular Arab and Islamic Congress in the early 1990s, when Sudan welcomed Islamists and extremists from across the Arab and Islamic world. Some were given refuge, supplied with Sudanese passports and granted preferential business opportunities. They included extremists like the Egyptian Omar Abdel Rahman and the Saudi Osama bin Laden, who brought with him a considerable number of “Arab Afghans”. For more see, Crisis Group Report, *Divisions in Sudan’s Ruling Party*, op. cit.

<sup>124</sup> Abdelhay and Abdelkarim were deported in 1993 from the UAE and Saudi Arabia respectively. Abdelhay works through government-linked bodies, the He’at Ulma’ al-Sudan (Sudan Scholars Body) and the Majma’ al-Fiqh al-Islami (Islamic Jurisprudence Institute); while Abdelkarim works through the al-Rabita al-Share’ya lel Ulma’ wal Dua’at bel Sudan (Legitimate Association for Scholars and Preachers in Sudan). This association includes a number of ultra-conservative Salafist scholars and preachers such as Sheikh al-Amin al-Haj Mohammed Ahmed; Sheikh Suliman Osman Abu Naro; Sheikh Imad al-Din Bakri Abu Haraz; Shiekh Mudathir Ahmed Ismael; Sheikh Omar Abdelkhalik Omar; Sheikh Fakhreldin Osman; Sheikh Mulham al-Tayeb; and Sheikh Omar Abdellah Abdelrahman. Crisis Group interview, Sudanese expert on Salafist groups, Khartoum, August 2012; and “Salafism in Sudan”, op. cit.

<sup>125</sup> Turabi was the founder of the Islamic movement, the National Islamic Front, and is the current leader of the PCP. As justice minister, he convinced former President Nimeri to impose Sharia in 1983 and was subsequently appointed assistant for political and external affairs. He spearheaded the planning of the Islamists’ coup and as one of Bashir’s closest advisers was NCP secretary general, but in 1999 the relationship broke down, prompting Turabi to form the PCP. He and members of his party have since been arrested on numerous occasions.

lowers) allowed women to receive an equal share of inheritance.<sup>126</sup>

Militant Salafists have also been directing violence more generally against their opponents. In what appears to be a revival of the longstanding dispute with Sufis, Salafists burnt down a Sufi shrine belonging to Sheikh Idriss Wad al-Arbab, in Khartoum’s outskirts, on 2 December 2011. Reportedly, shrines have also been attacked elsewhere in the country. On 31 January 2012, Salafists attacked Sufis during al-Mawlid al-Nabawi (Prophet Mohammed’s birthday) celebrations in Omdurman. Dozens were injured before the police contained the situation.<sup>127</sup> Sudanese Salafists also turned their attention to Shia, whose centres and literature have been spreading in recent years throughout Sudan, leading to a fierce war of cassettes between the two branches of Islam and adding yet another dimension to the religious divides between conservative and moderate Sunni Muslims.

In mid-September, Salafists led the demonstrations that attacked the U.S., UK and German embassies in Khartoum, as the wave of anger over an amateur film, “The Innocence of Muslims”, denigrating the Prophet Mohammed spread around the Islamic world.<sup>128</sup> The police initially did little to stop the protests, and reports suggest that authorities provided logistical support to the demonstrators.<sup>129</sup>

Allegations of government support for militant Salafists are not new. The most sophisticated militant group is known as Khaliyat al-Salama (al-Salama cell). Two members reportedly took part in the killing of a U.S. diplomat and his Sudanese driver on New Year’s Eve 2007.<sup>130</sup> Though the assailants were arrested and sentenced to death, they escaped from Kober Prison in mysterious circumstances, raising suspicion of government involvement. Some claim

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<sup>126</sup> “Al-Rabita al-Share’ya lel Ulma’ wal Dua’at bel Sudan [An open letter to Turabi and Sadiq al-Mahdi]”, 19 February 2012, at [www.rabetasud.org](http://www.rabetasud.org). Generally, Salafists disagree with Turabi and al-Mahdi over a wide range of issues, including democracy, human rights and women rights, especially the issue of the wearing of hijab, which both leaders see as having no basis in the Quran.

<sup>127</sup> Salafists consider celebrating this holiday a “novelty” that should be forbidden.

<sup>128</sup> Ulf Laessing and Tarek Amara, “Anti-American fury sweeps Middle East over film”, Reuters, 14 September 2012.

<sup>129</sup> Crisis Group interview, Sudanese expert on Salafist groups, Khartoum, September 2012.

<sup>130</sup> Both defendants, Mohammed Mekawi and Abdelbasit Haj al-Hassan, were members of Khaliyat al-Salama. During the investigations Mekawi, who is also Ansar al-Tawhid’s emir, reportedly told the police that he had benefited from information collected by Khaliyat al-Salama on the whereabouts of U.S. citizens. Crisis Group interview, Sudanese expert on Salafist groups, Khartoum, August 2012.

a number of these groups are used tactically by the government.<sup>131</sup> On 12 March 2012, Sadiq al-Mahdi accused the government of fostering extremist Salafist groups, saying “the NCP is nurturing scorpions and snakes; some day they will bite it”.<sup>132</sup> Other commentators likewise warn that these groups could turn against the ruling party, since they deeply disagree on the interpretation of Sharia. Commentators also believe, however, that, in the event of international military intervention or an SRF attack on Khartoum, militant Salafist groups might well side with the government and carry out “terrorist” activities similar to those experienced in Iraq.<sup>133</sup>

#### D. A GROWING IF DIVIDED OPPOSITION

Popular opposition appears to be growing, but it remains deeply divided. This is the result partly of competition, but also of machinations by the NCP, which since early 2011 has been trying to co-opt the two largest traditional parties, the Mirghani-led branch of the Democratic Unionist Party (DUP) and National Umma Party (NUP).<sup>134</sup> Although it was ostensibly to develop a national agenda, the NCP engaged them individually and established separate working committees, thereby keeping them at odds with each other.<sup>135</sup> Ultimately, only the DUP-Mirghani and a few elements of the NUP decided to join the government.<sup>136</sup>

<sup>131</sup> Ibid.

<sup>132</sup> “Al-Mahdi accuses Sudan’s government of fostering Takfiri groups”, Sudan Tribune, 13 March 2012.

<sup>133</sup> Crisis Group interview, Sudanese journalist, Khartoum, July 2012.

<sup>134</sup> They believe these parties carry more weight and if co-opted would neutralise other opponents. They are more comfortable with them, because they are founded on Muslims orders and sects and have maintained Islamic tendencies in their political doctrine. Crisis Group interviews, Khartoum, December 2011. The DUP draws from the Khatmiyya Sufi order, and the NUP is based on the Ansar sect founded by the Mahdi and headed by his descendent, Sadiq al-Mahdi. According to the Political Parties Registrar, the DUP-Original is the official name (the parties registrar asked Mirghani’s DUP faction to amend its name to distinguish it from the already registered DUP faction led by Jalal al-Digair).

<sup>135</sup> The NCP also knows that both parties’ leaders are facing internal problems, particularly financial problems, which allows it to co-opt DUP and NUP splinter parties.

<sup>136</sup> Reportedly the NCP promised the DUP one third of the posts in the federal government, a presidential assistant post and representation in the state governments, the judiciary and the foreign ministry (ambassadorships). On 22 November 2011, Professor Bukhari al-Ja’li, member of the DUP’s negotiation team, told Asharq al-Awsat that his party demanded the following posts: either the foreign or justice ministry; one economic ministry (either industry or agriculture); one service ministry (either social welfare or religious affairs); one of five key embassies (Cairo, Riyadh, Addis Ababa, London or the UN) in addition to any other five embassies; chancellorship in one of the

That decision created further divisions in the DUP.<sup>137</sup> According to a prominent leader of the party opposed to the alliance, “the DUP deal to join the so-called wider government is not based on a common national agenda to salvage the country from its misery; but it is a bad vision of our leader who chooses to be on the wrong side of history”. Many members resigned, some decided to work against their leadership or opted to join the DUP’s militant wing, el-Fateh (led by al-Tom Hajo), and fight with the SRF.<sup>138</sup>

The NUP mostly did not join, but it engaged in substantive discussions with the NCP. Its leader, Sadiq al-Mahdi, fears a “crash landing” and further fragmentation in the absence of national consensus on the way forward.<sup>139</sup> Many analysts, opposition activists and SRF members argue that

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key old universities (such as Khartoum University) and a chancellorship in any of the remaining 30 universities; three mayors in each state. Al-Ja’li further said that his party demanded to nominate some 100 legal figures, from which the NCP would select one for the Constitutional Court; three for the High Court; five judges as chairmen in courts of appeal and one appeal judge; in addition to the nomination of some 30 legal figures from which the NCP would select ten to work as advisers in the justice ministry. “Participation in new Sudanese government dictated by considerations of national responsibility”, Asharq al-Awsat, 26 November 2011.

<sup>137</sup> Those who joined the government argued that it would help develop consensus and prompt a democratic transformation. “Al-Mirghani unapologetic over his party’s participation in government”, Sudan Tribune, 1 January 2012. The leadership focused on acquiring executive positions for their first- and second-line members, particularly at state level (eg, the position of commissioner of localities and in the state legislative councils) in a strategy to mend its broken outreach, ties and relationship with its base and to gain administrative experience.

<sup>138</sup> Crisis Group interview, DUP leader, Khartoum, January 2012.

<sup>139</sup> He presented to the NCP a paper with eight principal points, including: i) agreement on a constitution accommodating diversity based on equality among citizens; ii) a twin relationship between North and South; iii) positive response to the legitimate needs of Darfur going beyond the Doha peace agreement; iv) implementation of the referendum on Abyei and the popular consultations in Southern Kordofan and the Blue Nile; v) adherence to human rights and international norms; vi) a comprehensive economic reform program; vii) realistic engagement with the ICC, straddling punitive and reconciliatory justice; and viii) dismantling the NCP’s control of state institutions, including the SAF, judiciary, Constitutional Court, police, NISS and the national TV and radio services. He emphasised that to achieve these objectives, the party would use all means available except violence. Crisis Group Report, *Divisions in Sudan’s Ruling Party*, op. cit., p. 28. Many believe his greater fear is loss of personal influence as the result of an intifada that could elevate other leaders, coupled with armed struggle from the peripheries. Crisis Group interview, opposition alliance leader, Khartoum, June 2012.

he (as well as Mirghani) is an opportunist.<sup>140</sup> The NCP reportedly offered to make him prime minister, but because that position lacks real power he declined.<sup>141</sup> He did allow his eldest son, Abdul Rahman al-Sadiq al-Mahdi, to become an assistant to the president.<sup>142</sup>

Other main opposition parties – the Popular Congress Party (PCP), led by Hassan al-Turabi, and the Communist Party of Sudan (CPS), led by Mohammed Mukhtar al-Khatib – refuse to engage the NCP unless there is a genuine, internationally-guaranteed program for reform.<sup>143</sup> They are leading efforts to organise a peaceful opposition under the umbrella of the National Consensus Forces (NCF). These opposition parties, as well as prominent columnists and observers, are hoping protests will grow into a popular uprising by a “broad-based” front that could lead to the establishment of a national government with a clear mandate to end the national crisis and hold a national constitutional conference to write a permanent constitution. The government, however, continues to crack down on dissent, since averting a popular uprising is one of its main priorities.

### 1. The National Consensus Forces

The NCF was first established on 14 September 2008, at CPS initiative, as the Body for Defending Freedoms and Democracy, in order to bring opposition parties together under one umbrella to defend democracy and public freedoms. This happened against the backdrop of the NCP’s failure to implement the CPA and Cairo agreements.<sup>144</sup>

The NCF represents the main opposition political parties, a number of women’s organisations, former trade union-

ists and other groups.<sup>145</sup> It gradually expanded its focus and changed its name to the National Political Forces Alliance. As the April 2010 general election and the January 2011 South Sudan self-determination referendum approached, the alliance stepped up efforts and, with the SPLM, held the All Political Parties Conference (APPC) in Juba, in September 2009, with the aim of addressing two main issues: democratic transformation and national unity. At its end, the alliance assumed its present name, the National Consensus Forces, and called for establishment of an inclusive government that would address Darfur, Southern Kordofan, the Blue Nile, relations between Sudan and South Sudan and a national constitutional conference focused on fundamental governance issues.<sup>146</sup>

Though the NCF reached consensus on the main issues, it continued to work through ad hoc committees and lacked any well-defined structure.<sup>147</sup> It was further weakened by the wavering of Sadiq al-Mahdi, as well as of the DUP, which maintained loose coordination with it but never committed to any of its decisions, and the limited interests of the SPLM, which was more concerned with the South than with all Sudan.<sup>148</sup> It has branches in most states,

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<sup>140</sup> Crisis Group interviews, news editors, scholars, several DUP, NUP and NCP members, activists from civil society, Khartoum, December-August 2012.

<sup>141</sup> Crisis Group interview, senior NCP official, Khartoum, January 2012.

<sup>142</sup> He is being groomed to take Sadiq al-Mahdi’s position as head of the Ansar and NUP. Many supporters objected; but softened their criticism when the party as a whole remained outside the government.

<sup>143</sup> The CPS’s veteran leader, Mohammed Ibrahim Nugud, died in London on 22 March 2012, while undergoing medical treatment. He had been its political secretary since 1971. On 8 June, the central committee elected al-Khatib as his successor. He said he would follow in his predecessor’s footsteps and work to overthrow the regime, restore democracy, end war and hold a national conference to write a permanent constitution. Crisis Group interview, CPS leader, Khartoum, June 2012.

<sup>144</sup> Though both agreements contained provisions on democratic transformation and respect for public freedoms and human rights, the NCP continued its crackdown on political and human rights activists, censorship of newspapers and banning of public meetings. See Crisis Group Africa Briefing N°68, *Sudan: Preventing Implosion*, 17 December 2009.

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<sup>145</sup> The alliance now includes the Communist Party of Sudan (CPS), the National Umma Party (NUP), the Democratic Unionist Party (DUP/alMirghani), the Popular Congress Party (PCP), the Umma party (Reform and Renewal) of Mubarak al-Fadil, the Sudanese National Alliance of Abdelaziz Khalid, the three factions of the Ba’ath Party, the Nassirite Unionist Party, the Nassirite Arab Socialist Party, the United Unionist Party (a DUP breakaway faction), the Unionist National Party (a DUP breakaway faction), the Justice Party (Original/Mekki Ali Balayel), the Movement of the New Democratic Forces (HAQ), the Movement of the Modern National Forces (a HAQ breakaway faction), the Sudanese Congress Party of Ibrahim al-Sheikh, the Farmers Alliance, the Alliance of al-Gezira and al-Managil Farmers, the Trade-union Solidarity, the Political Women Forum and other small groups.

<sup>146</sup> According to a number of sources, Sadiq al-Mahdi suggested the new name. Crisis Group interview, opposition alliance leader, Khartoum, June 2012. “Juba Declaration on Dialogue and National Consensus”, All Political Parties Conference (APPC), Juba, 25-30 September 2009, [www.splmtoday.com/docs/All%20Sudan%20Political%20Parties%20Conference%20English.pdf](http://www.splmtoday.com/docs/All%20Sudan%20Political%20Parties%20Conference%20English.pdf).

<sup>147</sup> It failed to reach a consensus on whether to boycott the April 2010 general election. The DUP, the PCP, the National Alliance of Abdelaziz Khalid, the Congress Party of Ibrahim al-Sheikh and some of the other small parties contested the election, while the NUP, the CPS and other smaller parties boycotted.

<sup>148</sup> “Al-Mahdi uses the opposition alliance as a leverage to extract concessions from the NCP. He had an agreement with President al-Bashir that he lead a ‘wise’ opposition ie, one that doesn’t call for an Intifada”. Crisis Group interview, opposition leader, Khartoum, June 2012. Al-Mirghani opted to stand between the NCF and the NCP and had reservations about the PCP’s participation. The SPLM used the NCF as leverage to extract “South-specific” concessions from the NCP.

but the degree of coordination and effectiveness varies greatly. It has been able to establish good connections with some civil society organisations, as well as some trade unions, particularly the important farmers union in al-Gezira state.

## 2. A new consensus in the wake of burgeoning protests?

On 22 October 2011, NCF leaders held a high-level meeting to discuss Sudan's future in the wake of the South's independence. It decided to adopt a new charter and constitutional declaration, but internal divisions and leadership wrangling delayed issuance of The Democratic Alternative Charter (DAC) until 4 July 2012.<sup>149</sup> It proposes a three-year transitional period, to be governed by a "constitutional declaration" over which disagreement remains among the alliance members.<sup>150</sup> The new charter also proposes establishment of a transitional government, including all "political forces and committed factions that signed the Democratic Alternative Charter", to run the country during the transitional period. It would be tasked with implementation of a program the most important of whose 24 points are:

- ❑ a ceasefire on all war fronts and dialogue as a means to resolving existing conflicts;
- ❑ review of the current federal system;
- ❑ a national conference to draft a constitution;
- ❑ response to the legitimate demands of Darfur's peoples;
- ❑ resolution of Abyei's status and other border disputes with South Sudan through dialogue that includes tribal leaders and a referendum for Abyei's residents;
- ❑ response to the demands of Southern Kordofan and Blue Nile peoples; and

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<sup>149</sup> Since October 2011, Sadiq al-Mahdi's reluctance reportedly has been the main reason behind the NCF's failure to adopt these documents. Crisis Group interview, opposition leader, Khartoum, June 2012.

<sup>150</sup> The main areas of disagreement include: i) the transitional period: the NUP proposes two years; other alliance members propose three years; ii) system of rule: NUP proposes a presidential system, the rest a parliamentary system with a presidency council that NUP rejects, citing the "negative" experience of 1986-1989; iii) levels of rule: NUP proposes a four-level system (federal, state, regional and local); others prefer a three-level system (federal, regional and local); iv) constitution: NUP proposes that it should be adopted by the transitional parliament, the others that it should be adopted by referendum; v) Islam in the constitution: NUP insists on incorporating "Islamic aspirations of the people", while the rest express reservations and; vi) regime change: NUP proposes "reform", the rest "regime change". Crisis Group interview, opposition alliance leader, Khartoum, July 2012.

- ❑ an agreement with South Sudan to resolve all outstanding bilateral issues on the basis of mutual interests and historical relations.<sup>151</sup>

The NCF says it will adopt "all forms of peaceful political struggle (such as strikes, peaceful demonstration, civil disobedience, uprising, popular revolution)" in order to "topple the regime".<sup>152</sup> Initially it did not effectively engage student and youth protesters, who spearhead demonstrations, but it is now making efforts to include them in its structure.<sup>153</sup> These groups include Girifna (We Are Fed up), Sharara (Spark), al-Taqeer al-Aan (Change now) and Shabab min Ajl al-Taqeer (Youth for change).<sup>154</sup> On 17 June 2012, a number of youth groups issued a statement saying they would establish an umbrella body, al-Tahaluf al-Shababi al-Sudani lel taqeer (Sudanese Youth Alliance for Change), to coordinate with the NCF.<sup>155</sup> The next day security forces raided a meeting of youth groups and opposition leaders meant to launch the new body and made many arrests.<sup>156</sup> The National Intelligence and Security Service (NISS) also set up a "cyber-battalion" from committed "cyber-mujahidin" to "crush" online opposition that has been able to infiltrate many of the groups on Facebook and arrest dozens of activists.<sup>157</sup>

These demonstrations have peaked and ebbed over the year. Inspired by the downfall of Tunisian President Ben Ali and protests against Egyptian President Mubarak, they began on 30 January 2011, when dozens of youths took to the streets in different parts of Khartoum. They were quickly dispersed by anti-riot police and security forces, and many were arrested. Ordinary citizens did not respond, and the young activists were "soon reduced to a stream of

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<sup>151</sup> The Democratic Alternative Charter, 29 June 2012.

<sup>152</sup> Ibid.

<sup>153</sup> The NCF's chairman, Farouq Abu Eisa, told Al-Sudani that the alliance is making efforts to bring youth groups under one umbrella. "Interview", [no title], 10 June 2012.

<sup>154</sup> Girifna, established in the lead-up to the 2010 elections, includes both politically affiliated and independent students. Its initial aim was to mobilise youth to defeat the NCP in the elections but expanded to triggering a popular uprising. It is widely believed to be infiltrated by security. The other groups were established subsequently with the same aim of triggering a popular uprising.

<sup>155</sup> Crisis Group interview, youth activist, Khartoum, August 2012.

<sup>156</sup> Siddiq Yousif, a CPS leader and representative in the NCF, was among those arrested but was later released.

<sup>157</sup> "Sudan's NCP says its 'cyber-jihadist ready to 'crush' online oppositionists", Sudan Tribune, 22 March 2011. The cyber-mujahidin created false groups on Facebook that, when demonstrations are planned, tend to disseminate such information as advising people to assemble to stage protests at certain points where the security organs await them. Crisis Group interview, Sudanese journalist, Khartoum, July 2012.

'likes' on Facebook and occasional outbursts of Twitter activity".<sup>158</sup>

Following cuts in the fuel subsidy in June 2012, protests broke out in different parts of the capital. A limited demonstration by university students on 17 June was quickly followed by sporadic demonstrations in various parts of Khartoum and other states. Khartoum's anti-riot police and security forces used excessive force in dispersing the protestors, reportedly including axe and sword attacks by plain-clothes security elements activists call *rabata* (gangs/thugs).<sup>159</sup> Dozens of protestors were injured, many more arrested.<sup>160</sup> The government downplayed the demonstrations and said it would not budge from the austerity measures. In his 24 June address to the NCP student sector, Bashir described the protestors as isolated "aliens and bubbles" and vowed to deploy mujahidin if necessary.<sup>161</sup> On 25 June, the National Telecommunication Corporation (NTC) censored three websites classified as "hostile".<sup>162</sup> On 29 June, security forces violently dispersed demonstrations in different parts of Khartoum and other states in spite of calls by the UN High Commissioner for Human Rights (UNHCHR) on the government to refrain from violence and respect human rights.<sup>163</sup>

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<sup>158</sup> Magdi al-Gizouli, "Sudan, the Arab Spring, and the Politics of Fatigue", *StillsUDAN* ([www.stillsudan.blogspot.com](http://www.stillsudan.blogspot.com)), 8 June 2012. "Onlookers in Khartoum's busy streets reportedly challenged the dissident students and young professionals to withstand the strikes of the police if they were serious about regime change". *Ibid.*

<sup>159</sup> Crisis Group interview, Sudanese journalist, Khartoum, June 2012.

<sup>160</sup> On 28 June, the UN High Commissioner for Human Rights (UNHCHR), Navi Pillay, said "dozens of individuals, including human rights defenders, journalists, students and political opponents, have been arrested since the protests began in Khartoum 17 June". "Sudan protest: UN urges restraint and respect for human rights", *Sudan Tribune*, 28 June 2012.

<sup>161</sup> "Sudan's protests unabated as government vows no retreat on austerity", *Sudan Tribune*, 25 June 2012.

<sup>162</sup> The three sites were [hurriyatsudan.com](http://hurriyatsudan.com), [alrakoba.net](http://alrakoba.net) and [sudaneseonline.com](http://sudaneseonline.com). "While censorship of [hurriyatsudan.com](http://hurriyatsudan.com), [alrakoba.net](http://alrakoba.net) and [sudaneseonline.com](http://sudaneseonline.com) continues, NTC director opens porn sites", *Hurriyat Sudan*, 26 July 2012. Some claim the NTC lifted censorship from "adult/porn" websites to divert attention. On 25 July, NTC Director Izzeldin Kamil said porn sites were unblocked because of a "defect in one of the operating systems". "NTC rejects politicisation of opening porn sites", *Al-Sudani*, 25 July 2012.

<sup>163</sup> On 28 June, the office of the UNHCHR called on the Sudanese government to ensure that the next day's planned Friday demonstrations would occur peacefully. "Sudan protest: UN urges restraint", *op. cit.* The Friday demonstrations went under the name "elbow-licking Friday", a Sudanese metaphor often used by presidential assistant Nafie Ali Nafie for the impossible to achieve. Nafie repeatedly tells regime opponents that if they want to topple the regime, they might as well lick their elbows.

The most serious incident occurred on 31 July, when the police killed at least seven protesters during a student-led action in Nyala, South Darfur.<sup>164</sup> Demonstrations receded significantly with the beginning of the holy month of Ramadan. In an apparent attempt to ease tensions, the NISS said on 16 August that it had released all detainees that day, but the PCP said only twenty of its 70 had been freed. Other opposition parties also said some of their members remain incarcerated.<sup>165</sup>

The June-July protests received worldwide media attention and were depicted as Sudan's "Arab Spring", but they failed, yet again, to gain momentum. Police and security were able to disperse protesters in a relatively short time. Calls for Friday demonstrations, intended to expand the protests,<sup>166</sup> failed to mobilise people, and the demonstrations remained limited and relatively isolated. One reason may be that the full impact of recent austerity measures has not yet been felt, especially since the NCP is providing direct assistance to many urban poor.<sup>167</sup> Another may be that student and youth groups are calling for democracy and human rights, which many in society see as "Western" values, rather than highlighting the economic crisis. An opposition leader admitted: "In spite of the signing of the Democratic Alternative Charter, the NCF is still not in touch with the people in the streets – large sections of people are not aware of the DAC, and even if some are aware of it, they don't know its content".<sup>168</sup>

President Bashir still enjoys support among large constituencies. Since his indictment by the International Criminal Court (ICC), he has portrayed himself as defending Islam and Arab culture against foreign plots. This appeals to many rural people, especially the "Riverines".<sup>169</sup> Most importantly, while satellite-channel footage of the "Arab Spring" has

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<sup>164</sup> Due to public and international outrage, the justice minister, Mohammed Bushara Dosa, appointed a five-member committee to investigate the events. *Sudansafari.net*, 4 August 2012.

<sup>165</sup> "Opposition skeptical as NISS announces release of detainees", *Sudan Tribune*, 15 August 2012.

<sup>166</sup> Crisis Group interview, Sudanese journalist, Khartoum, June 2012.

<sup>167</sup> For example, with the beginning of Ramadan, NCP affiliates in local popular committees began delivering food rations in Khartoum neighbourhoods, including Burri and Abu Hamama. In the past, people struggled to get rations from local centres run by NCP-dominated popular committees.

<sup>168</sup> Crisis Group electronic interview, August 2012.

<sup>169</sup> Magdi al-Gizouli noted that Bashir's speeches, "expressed in the colloquial Arabic of Sudan's rural folk, reveal in a sense the predicament of the 30 January agitators, who while ready to identify with the presumably universal horizon of rights and freedoms tapped by their counterparts in the Arab region remain detached, by virtue of their urban bias and limited outreach, from the immediate struggles of the masses they seek to mobilise". "Sudan, the Arab Spring, and the Politics of Fatigue", *StillsUDAN* ([www.stillsudan.blogspot.com](http://www.stillsudan.blogspot.com)), 8 June 2012.

increased rebelliousness among some groups, others are worried about instability, particularly when they see images from Libya and Syria of brutality, bloodshed and destruction. The NCP has built a sophisticated propaganda line on a choice between security and stability or insecurity and chaos.<sup>170</sup>

This does not mean the NCP regime is immune from a popular uprising. The devastating impact of the recent austerity measures is felt by large sections of the population, including the upper middle class. The prices of consumer goods are increasing, and some imported products, including drugs, are disappearing from supermarkets and pharmacies.<sup>171</sup> If the current pace of economic deterioration continues, a spontaneous uprising is conceivable. Some professional associations have begun to reorganise and take political action. On 9 July, hundreds of doctors announced restoration of their “legitimate” trade union. In mid-July, hundreds of lawyers peacefully marched and submitted a memo to the presidential palace and justice ministry, protesting government’s crackdown on protesters, ill-treatment and torturing of detainees.<sup>172</sup> Police and security did not intervene.

## **E. THE NEW SOUTH AND THE SUDAN REVOLUTIONARY FRONT (SRF)**

The South’s separation did not resolve Sudan’s centre-periphery problem but shifted the focus back to the country’s other neglected regions. At the end of the CPA, rather than negotiate with opposition forces, NCP hardliners opted for a military solution.<sup>173</sup> Conflict erupted again in Abyei and Southern Kordofan – part of the transitional areas that had sided with the South against Khartoum – even before South Sudan’s independence on 9 July 2011. This began with the SAF invasion of Abyei in May, fol-

lowed quickly by the attempt to assert complete control in Southern Kordofan in June and Blue Nile in September.<sup>174</sup>

Regional mediation by the late Ethiopian prime minister, Meles Zenawi, failed. NCP hardliners, including al-Tayeb Mustafa and SAF generals, immediately rejected a 28 June 2011 framework agreement that included political and security provisions for Southern Kordofan and Blue Nile, though it had been facilitated by former South African President Thabo Mbeki and Meles Zenawi and signed by Nafie Ali Nafie, the co-deputy NCP chairman and presidential adviser, and Malik Agar Eyre, the Blue Nile state governor and SPLM-N chairperson.<sup>175</sup> A few days later, President Bashir publicly disavowed the agreement. Informal talks between Khartoum and the SPLM-N continue on the margins of the Sudan-South Sudan negotiations but are dominated by deteriorating humanitarian conditions in rebel-held areas and attempts to bring in international assistance. In an effort to split the SRF, the government is trying to negotiate unilaterally with the SPLM-N, while the latter is seeking to broaden the negotiations by calling for a comprehensive solution to all of Sudan’s conflicts.<sup>176</sup>

### **1. The emergence of the SRF**

Rebel forces are pursuing regime change. On 8 August 2011, Abdel Azziz al-Hilu of the SPLM-N and the leaders of the Darfur rebel movements who rejected the Doha peace process met in Kauda (a SPLM-N controlled area in South-

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<sup>170</sup> It is pushing this line through social networks, including neighbourhoods committees and local clubs, and at events such as wedding ceremonies, as well as during Friday prayers. Crisis Group observations, Khartoum, 2012.

<sup>171</sup> Prices of local drugs increased by 40 per cent, while prices of imported drugs increased by 80-89 per cent. “80% increase in drug prices”, Hurriyat Sudan, 26 July 2012.

<sup>172</sup> Crisis Group interview, doctor activist, Khartoum, August 2012. “Sudanese lawyers submit a memo to the Presidency and Justice Ministry protesting crackdown on protests”, Al Jazeera, 16 July 2012.

<sup>173</sup> Progress in the negotiations on post-separation issues between the North and South also stalled from April 2011. Crisis Group interview, former member of North-South negotiations mediation team, Washington DC, June 2011.

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<sup>174</sup> Many residents sided with the South, but Southern Kordofan and Blue Nile did not have the right to secession under the CPA. Their promised popular consultations were repeatedly delayed, and when they started in Blue Nile in September 2010, SPLM supporters and leadership lost confidence that their demand for self-rule would be met. The situation deteriorated further when an ICC-indictee, Ahmed Haroun, retained the governorship of Southern Kordofan in July 2011 elections that the SPLM-N candidate, Abdel Azziz al-Hilu (also deputy chair of the SPLM-N and former deputy governor of Southern Kordofan), asserted were manipulated. Lacking real political power, the leaders of the SPLM-N were reluctant to relinquish their military forces, the former ninth and tenth SPLA divisions, composed of troops from Southern Kordofan and Blue Nile, despite a CPA provision that required these units be demobilised or redeployed to south of 1956 North-South border. With the CPA coming to conclusion after the South separated and failing popular consultations, they asked for negotiation of a new security arrangement that would allow a more gradual integration of their forces into the SAF. Khartoum refused and ordered the SAF to forcefully disarm the SPLA divisions.

<sup>175</sup> Mustafa has three effective tools with which to pressure the president: family relationships, a network of preachers and a core of jihadi army commanders. Crisis Group email correspondence, Sudan expert, 10 July 2012.

<sup>176</sup> Crisis Group interview, SPLM-N leaders, Washington DC, September 2012.



ern Kordofan) and announced their alliance.<sup>177</sup> In an effort to defuse the situation, Meles Zenawi met with Malik Agar and al-Hilu in Addis on 21 August and on the same day took Agar to Khartoum. President Bashir was clear: his government was unwilling to engage in further external negotiations and would not commit to the rejected June framework agreement. On 8 September, the SPLM-N officially split from the SPLM, formed a new leadership structure under Agar and vowed to continue war against Khartoum.<sup>178</sup>

After some initial SAF and affiliated militias successes, the conflict has largely stalemated. Khartoum holds most of the major cities and towns, but it cannot control rural areas in Blue Nile or the Nuba Mountains in Southern Kordofan. The Darfur insurgent group Justice and Equality Movement (JEM) has increased its hit-and-run attacks in Northern and Southern Kordofan, forcing Sudan to disperse its forces.<sup>179</sup> Indicative of the armed groups' growing coordination, the SRF elected Malik Agar the alliance chairman on 19 February 2012, and the heads of the three other major movements, Jibril Ibrahim (JEM), Abdul Wahid (SLM-AW) and Minni Minawi (SLM-MM) its deputy chairmen.<sup>180</sup> They have been joined by al-Tom

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<sup>177</sup> The main SRF members are the SPLM-N, JEM, SLM-AW and SLM-MM. Most movements in Darfur opposed the Doha agreement, claiming it did not address their main concerns, eg, prosecution of war crimes and crimes against humanity, and also lacked clear provisions for displaced persons to reclaim their land.

<sup>178</sup> On 1 September 2011, Khartoum formally banned the SPLM-N, arrested a number of prominent opposition leaders and declared a state of emergency in Blue Nile and replaced its governor, Malik Agar. Crisis Group Alert, "Preventing Full-Scale War between Sudan and South Sudan", 18 April 2012.

<sup>179</sup> In December 2011, JEM extended its military operations from its bases in Darfur into North Kordofan, carrying out attacks on government positions from Um Gozin, to the west, to Arml, along the way to An Nuhud to the south. Some of these were quickly halted when the JEM leader, Khalil Ibrahim, was killed on 23 December. Ibrahim, an Islamist often linked to Hassan al-Turabi, was apparently targeted in a sophisticated airstrike made possible by tracking his cell phone, raising suspicions of foreign involvement. Many believed his death would split JEM, but the movement largely absorbed the shock. On 25 January 2012, JEM elected Jibril Ibrahim, Khalil's brother, as its new chairman. In September JEM's commander-in-chief and other field commanders defected, formed the JEM-Military Council (JEM-MC) and tried to join the Darfur-Darfur Peace Document process. Reportedly JEM-MC and Khartoum signed a "good-will" agreement in Doha in October, following Qatari mediation of secret talks. Crisis Group interview, Darfur activist, Khartoum, October 2012.

<sup>180</sup> The SRF conference also elected a sixteen-person council, with four members each from the SPLM-N, JEM, SLM-AW and SLM-MM. "SRF elects Chairman and Council", Radio Dabanga, 20 February 2012. Deciding on a joint leadership and plat-

Hajo from the DUP and Nasr al-Din al-Hadi al-Mahdi from the NUP.<sup>181</sup>

## 2. The Role of South Sudan

Ominously, South Sudan is being sucked into the conflict. As the South prepared for separation, the SPLA allowed its former comrades in arms in the 9th and 10th divisions (now SPLM-N forces) to redeploy all their troops and weapons to Southern Kordofan and Blue Nile respectively. After independence, it continued to allow/facilitate the SPLM-N's resupply. (Khartoum admitted it continued to supply rebel groups operating in Jonglei and Unity states in South Sudan.)<sup>182</sup>

Bashir and the NCP are under enormous political and economic pressure. The war in Southern Kordofan and Blue Nile and the need to garrison other insecure areas exact a huge toll on the already battered economy. Juba's suspension of oil production in early 2012, after Khartoum attempted to recoup unpaid pipeline fees by diverting Southern crude, raised the stakes even higher. In early 2012, Foreign Minister Karti revealed details of what he called the government's "Plan B" – economic pressure and support to Southern Sudanese rebels to destabilise the South in the event the two countries fail to establish good relations and Juba does not halt its support to the SPLM-N.<sup>183</sup>

In part to stop the supply of SRF troops across the border, Khartoum stepped up shelling and bombing of border areas in Western and Northern Bahr el-Ghazal, Unity and Upper Nile states and apparently increased support of Southern Sudanese insurgents, some based in Southern Kordofan,

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form is made more difficult by ideological differences, particularly between the Islamist JEM and the more secular SPLM-N, SLM-AW and SLM-MM. The government is also trying to split the SRF by entering into direct negotiations with the SPLM-N.

<sup>181</sup> Hajo was in charge of al-Fateh forces, the military wing of the DUP when it was based in Asmara. After the CPA was signed, he became an adviser on religious affairs to the Blue Nile state governor, Malik Agar. Nasr al-Din al-Mahdi, the NUP deputy chairman, is based in London. A faction of the Beja Congress from East Sudan, led by Dr Mohammed Abu Amana, likewise based in London, issued a statement also vowing to rejoin the armed opposition. It remains to be seen whether these factions are able to attract significant numbers of fighters from their political parties.

<sup>182</sup> Crisis Group telephone interview, official at Addis AU High-level Implementation Panel-facilitated negotiations between Sudan and South Sudan, April 2012; Crisis Group Alert, op. cit.

<sup>183</sup> The details were revealed in an interview on Sudan national radio and a subsequent foreign ministry press statement. "Khartoum's 'Plan B' against South Sudan revealed", Sudan Tribune, 6 February 2012. Unless dynamics change dramatically, the stage is set for protracted proxy conflict. Crisis Group email correspondence, Sudan expert, 10 July 2012.

particularly around Heglig.<sup>184</sup> This ultimately prompted the most serious escalation of the conflict, when the SPLA in March 2012 first launched an incursion into, then from 10-20 April occupied the disputed Heglig oil fields, stopping about a third of Sudan's 115,000 barrels-per-day output.<sup>185</sup> War rhetoric spiralled, and both sides began to mobilise for a full-scale war that would benefit neither.

Juba's move drew almost unanimous international condemnation, and under concerted pressure it announced it would withdraw. President Bashir, however, cleverly used the Heglig occupation to mobilise zealous supporters and the general population, as well as to temporarily silence domestic critics.<sup>186</sup> Khartoum claims it retook the area, after inflicting "heavy losses on the enemy's forces".<sup>187</sup> From Heglig, on 23 April, Bashir said his government would not resume talks with the South unless the SPLM's regime was gone.

Since then, tensions have dropped, but it will be difficult for both leaders to back away from their rhetoric. Following the clashes, the AU issued a "Roadmap for action on Sudan and South Sudan", and the Security Council adopted Resolution 2046, requiring them to return to the table and negotiate a deal on all outstanding issues or face sanctions.<sup>188</sup> Soon thereafter, the rainy season precluded major conflict.<sup>189</sup> Talks resumed in Addis on 28 June. On 3 August (one day after the roadmap had demanded all issues should have been addressed), AU mediator Thabo Mbeki announced a break-through on oil transportation

fees.<sup>190</sup> But nothing was signed, and both sides have stated repeatedly it is linked to progress in other areas, particularly security and border issues.<sup>191</sup> On 27 September, after continued international pressure and five days of direct negotiation by Presidents Bashir and Kiir in Addis, nine agreements were signed, including on oil, but not on contentious border issues and Abyei's status.<sup>192</sup> It remains to be seen if the deals will be implemented, especially if the Khartoum-SRF conflict is not resolved.

### 3. The humanitarian consequences

The fighting has prevented movement, disrupted trade and undermined livelihoods in conflict areas. Khartoum has also deliberately prevented humanitarian operators from providing assistance to rebel-held areas. Although an above average national harvest is expected to improve food security, the situation in Southern Kordofan remains critical.<sup>193</sup> On 4 August, the SPLM-N signed a tripartite memorandum of understanding (MoU) on humanitarian

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<sup>184</sup> While this has exacted a heavy humanitarian toll, it has not significantly degraded the military capacity of the SPLM-N. Crisis Group observations, Southern Kordofan, June, 2012. The July 2009 Permanent Court of Arbitration decision placed the Heglig oil fields outside Abyei. Yet, the SPLM maintains Heglig is part of South Sudan's Unity state, while NCP officials argue it is part of the North. Those who believe it is in the South cite the presence of Dinka and Nuer tribes in Pariang, Abiemn-hom, Rubkona, and Mayom counties in northern Unity state whose claim to traditional tribal lands historically extended further north west. See Crisis Group Briefing, *Sudan: Defining the North-South Border*, op. cit., p. 11.

<sup>185</sup> This was done in conjunction with JEM troops. Crisis Group interviews, Misseriya SPLM-N leaders, Southern Kordofan and South Sudan; JEM official, Juba, May 2012; Khartoum-based Misseriya intellectual, June 2012.

<sup>186</sup> He also kept his heavily criticised but loyal defence minister in place.

<sup>187</sup> Sudanese defence minister's statement, Sudan TV, 20 April 2012.

<sup>188</sup> "Communiqué", PSC/MIN/COMM/3.(CCCXIX), African Union Peace and Security Council 319th Ministerial Meeting, 24 April 2012.

<sup>189</sup> This continued a long Sudanese pattern of dry-season conflict/rainy-season negotiations. Often conflict intensifies with the rainy season's approach, as the sides seek to gain an advantage in the impending talks.

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<sup>190</sup> In this agreement, Juba is to pay \$11/barrel to transfer oil produced in Unity state and \$9.10 for oil from Upper Nile state. South Sudan is also to pay slightly over \$3 billion as transitional financial assistance over the next three and a half years, and the international community is to contribute another \$3 billion. The U.S. is unable to assist in this because of its sanctions on Khartoum but reportedly is trying to encourage other donors, particularly Arab countries and China, to step in. Crisis Group interviews, government officials, Washington DC, September 2012.

<sup>191</sup> According to the AU's roadmap, the two parties should also implement the Agreement on Border Security and the Joint Political and Security Mechanism (JPSM), signed on 29 June 2011, as well as the JPSM's 18 September 2011 decisions and the Memorandum of Understanding on Non-Aggression and Cooperation, 10 February 2012.

<sup>192</sup> The deals include agreements on security arrangements; a framework on the status of foreign nationals; border issues (including demarcation); trade and related issues; a framework for cooperation on central banking; a framework to facilitate payment of post-service benefits; certain economic matters, including division of assets and liabilities, arrears and claims and a joint approach to the international community; oil and related economic matters; and bilateral cooperation. "Summary of Agreements between Sudan and South Sudan", African Union High Implementation Panel for Sudan and South Sudan, 27 September 2012.

<sup>193</sup> The Famine Early Warning Systems Network (FEWS NET) estimated in October 2012 that the conflict has had major repercussions on food security in the state. As of October, 400,000 to 500,000 people have been directly/indirectly affected by the conflict, including 150,000 to 200,000 people now in SPLM-N-controlled areas, and 160,000 – 180,000 people in GoS-controlled areas. In addition, there are more than 67,000 refugees in Unity State of South Sudan, and an unknown but likely considerable number of IDPs in other parts of Sudan, including Khartoum. "Sudan: Food Security Outlook October 2012 to March 2013", October 2012.

access with the AU, Arab League and UN to war-affected civilian populations in South Kordofan and the Blue Nile. Access to SPLM-N-controlled areas remains dependent, however, on government consent. It did not implement a February humanitarian access MoU and has tactically engineered humanitarian crises repeatedly in the Nuba Mountains and elsewhere.<sup>194</sup> During the civil war in the South, it frequently interrupted humanitarian aid. Instead of adopting a “hearts and minds” strategy, it consistently targeted civilian “stomachs and feet”. The calculation seems to be that a dispirited and enfeebled population will be unable or unwilling to assist the insurgency.<sup>195</sup>

#### 4. The end of the rainy season

All indications suggest that the government and the SRF, in particular the SPLM-N, JEM and SLA-MM, are preparing for new offensives when roads become passable after the end of the rainy season in November.<sup>196</sup> Thereafter negotiations may become more difficult, until the next monsoon again makes major fighting impossible.

## IV. THE DANGERS OF VIOLENT REGIME CHANGE

Because of divisions within the opposition, and lack of strategic planning, most cling to a vague hope of regime change. Few, however, have considered the inherent dangers of a violent change in government.<sup>197</sup>

### A. IS THE SAF CAPABLE OF A RELATIVELY PEACEFUL COUP?

One scenario for regime change is a SAF coup. If this were well-organised by the army high command, it might go smoothly, but if it were initiated by more junior officers or lower-level units, it could quickly lead to chaos, not only in Khartoum, but also the rest of the country, as different armed tribes seized the opportunity to create facts on the ground that would make it difficult to reverse their territorial claims.

It would be hard for the high command to prepare an efficient coup. Bashir, who came to power by force, is deeply concerned about the possibility. Power is increasingly centralised in a small clique around him. While he tries to keep the generals happy with high salaries (ordinary soldiers are poorly paid) and other economic incentives, he regularly replaces those on the general staff lest they grow too powerful.<sup>198</sup>

This may not be enough to keep the army in the barracks. There is a general feeling within the army, particularly among the rank and file, that the war in Southern Kordofan and the Blue Nile is not justified. According to a senior retired officer, most troops are from the peripheries, and there is a risk that the army would divide or collapse as an institution if there were an intifada that tested troops’ divided loyalties between the army and their communities.<sup>199</sup>

The army is also no longer the sole security service. To make a coup more difficult, Bashir and close associates have fragmented the security services and increasingly rely on personal loyalty and tribal allegiances. It is widely believed that the top NCP echelons come mainly from two tribes, the Jaaliyya and Shaigiyya. The NCP has also increased and strengthened other militarised security services, such as the central reserve police and the border intelligence service, and armed selected tribes. The NISS

<sup>194</sup> The August deal has not been implemented, and the three-international parties voiced concern over a statement by Humanitarian Commissioner Suleiman Abdel Rahman that the MoU had expired. “Tripartite partners voice concern over Sudan’s rejection to renew humanitarian deal”, Sudan Tribune, 7 November 2012.

<sup>195</sup> For more, see Crisis Group Africa Report N°54, *Ending Starvation as a Weapon of War in Sudan*, 14 November 2002.

<sup>196</sup> Crisis Group interviews, Addis Ababa, Juba and Washington DC, August and September 2012.

<sup>197</sup> Yasir Arman, presentation at the Carr Center, op. cit. In June 2012, the NCF, youth groups and the NUP and DUP youth sectors called on people to protest and overthrow the regime.

<sup>198</sup> Crisis Group interview, Sudan expert, Washington DC, 20 June 2012.

<sup>199</sup> Crisis Group interview, Khartoum, September and December 2011.

has become one of the most powerful security institutions, with highly trained operational combat units, equipped with advanced weapons, including attack helicopters. Some suggest that with the dismissal and recent arrest of its former head, Salah Gosh (a Shaigiyy), it is no longer as powerful, but it remains potent.<sup>200</sup> Its current commander, Mohammed Atta, is related to the Jaaliyya.<sup>201</sup>

Hashim Osman (a Jaaliyy) commands the police, though some divisions, including the Special Security Force that guards strategic areas in Khartoum, are part of the NISS. Nafie Ali Nafie (Jaaliyy) leads the “Popular Security”, an NCP security apparatus parallel to the NISS. Though he is loyal to Bashir (Jaaliyy), Nafie is in competition with Vice President Taha to succeed him. Ali Karti and Awad al-Jaz, who are loyal to Taha, are reportedly in charge of special militias (all are Shaigiyy).<sup>202</sup> Bashir directly commands the “Strategic Unit”, formed in 2011 to protect the regime, and has the loyalty of a special force known as al-Ahjar al-Karima (the Precious Stones), whose members are mainly recruited from Riverine tribes in areas like Hajar al-A’asl, Hajar al-Tair.<sup>203</sup>

During the 1990s, the government expanded the PDF into a parallel military structure to defend the Islamist movement and regime from all threats, including the army.<sup>204</sup> After the CPA was signed in 2005, the government kept those PDF units that were attached to the SAF or operating in conflict zones managed by either military intelligence (Darfur) or the NISS special operations unit (Southern Kordofan near Abyei and the oil fields). Most, however, were neglected, and many have protested non-payment of salaries. In Darfur, several Arab militias mutinied and joined the rebels.<sup>205</sup> In Southern Kordofan, Misseriya PDF militias used in Darfur protested they were not integrated

into the army as promised by their NCP tribal leaders.<sup>206</sup> Following South Sudan’s capture of Heglig, the NCP has revived the PDF to an extent and attracted some old mujahidin PDF commanders who had been displeased with the party.<sup>207</sup>

However, large sections of the former mujahidin still do not want to go to war and talk about government corruption and how NCP officials have accumulated wealth instead of building an Islamic state. During Ramadan, a group called Sa’ehoon (Free travellers)<sup>208</sup> held a number of meetings of mujahidin leaders – from the NCP and PCP – in Khartoum and other states to discuss a wide range of issues, mainly reforming the regime, reviving the Islamic Movement, combating corruption and achieving democratic transformation. They propose a “third way” that includes democratising the government and the Islamic Movement and changing their leaderships and establishing a transitional government that includes all political forces. According to a mujahidin leader, this group might well side with junior Islamist officers in the event of a coup.<sup>209</sup>

## B. REGIME CHANGE BY THE SRF

Another scenario is that the SRF grows in strength and topples Bashir. This would present two challenges: the SRF is not really a unified organisation, and it is seen by many in Khartoum as outsiders. Fundamentally it is an umbrella group that shares a common enemy and only a basic joint platform. Months were needed to negotiate its leadership,

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<sup>200</sup> Crisis Group interviews, SAF colonel retired in June 2010 SAF reshuffles, Khartoum, September 2010; PCP figure, mujahidin leader, Khartoum, August 2012.

<sup>201</sup> Reportedly Taha and Hassan al-Turabi still have some NISS supporters. Crisis Group interview, PCP official, July 2012.

<sup>202</sup> Ibid.

<sup>203</sup> Crisis Group interviews, Khartoum, May-June, 2012. See also Crisis Group Report, *Divisions in Sudan’s Ruling Party*, op. cit., p. 14.

<sup>204</sup> During the 2002-2005 counter-insurgency campaign in Darfur, the NCP mobilised Arab PDF militias (known initially as Janjaweed) to fight non-Arab insurgents and displace non-Arab groups. Crisis Group Africa Report N° 134, *Darfur’s New Security Reality*, 26 November 2007.

<sup>205</sup> Three field commanders from pro-government militias claimed to have split from government control and joined rebel groups, taking cars, arms and ammunition with them. Two of these groups are now located in eastern Jebel Marra, one in western Darfur. Crisis Group interview, field commanders from Border Guards units (ex-Border Intelligence), Nyala, December 2010.

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<sup>206</sup> The Peace and Reconstruction Brigade, which is managed by the NISS special operations unit, threatened a mutiny on 7 December 2010, claiming neglect since 2005 and failure to keep promises to merge it into the regular forces. It also complained of constant redeployments between Al Miram in Southern Kordofan and Khartoum since March 2008 and that salaries were not regularly paid. “Misseriya militia in Kordofan complains to Bashir”, Radio Dabanga, 7 December 2010, [www.radio-dabanga.org](http://www.radio-dabanga.org).

<sup>207</sup> Crisis Group interview, mujahidin leader, Khartoum, August 2012.

<sup>208</sup> The term contains a religious sense, as it could mean those who freely travel the land for God’s sake, spreading the Message of the Prophet Mohammed, or, as in this specific case, those mujahidin who freely travelled to the battlefields to defend Islam.

<sup>209</sup> Ibid. Reportedly, if there is no peaceful change, Sa’ehoon might push for a coup in coordination with junior army officers. It is said to be drafting a charter that outlines its vision. When ready, a rather larger meeting, including representatives from different states, is expected to adopt the charter. Previous meetings also discussed potential candidates to replace Bashir, Nafie Ali Nafie, and Ali Osman Taha. Ibid. The NCP will try to infiltrate this group, if it has not already, since it is open to mujahidin, from both the NCP and PCP, who fought during the jihad campaigns of the 1990s.

and agreement was only possible on a rotating presidency among the different groups' leaders.<sup>210</sup> Its units still operate separately and lack a joint command. If the SRF were to take Khartoum, it is possible its members would compete for control of the country.

Furthermore, any SRF advance into the regime's heartland would likely galvanise nationalistic support for Bashir, much like the SPLM's capture of Heglig did. NCP propaganda has been very effective in painting the SPLM-N as a proxy of the South, while SRF members have failed to build a national constituency, spend too much time lobbying the international community, the West in particular, and are largely seen as parochial groups catering to the interests of the periphery.<sup>211</sup>

Lastly, neither the SRF nor the political opposition has significant government experience. They would need to work with the NCP to administer the country effectively. Following the 1989 coup, the Islamists purged much of the bureaucracy, and after 23 years there is little difference between the NCP and the government. A purge of that party could create even greater chaos, much like de-Baathification undermined stability in Iraq.<sup>212</sup>

## V. MANAGED TRANSITION AND PRESIDENTIAL RETIREMENT

President Bashir is a key impediment to resolving the crisis, though certainly not the only one. He cannot step down or cede too much power, in part for fear he will end up in The Hague, where he has been indicted by the ICC. His travel is extremely restricted, even in Africa, and he is very aware of the fate of several former African leaders who have either faced (Charles Taylor) or will face (Laurent Gbagbo) an international trial.<sup>213</sup> He also cannot rule out an ending similar to Colonel Qadhafi's should his regime be toppled. At the same time, he could not be part of a broad-based government, since the opposition forces do not trust him, or the regime, to abide by his commitments. According to the SRF, "as of now, General Bashir signed around 43 peace agreements and dishonoured all of them totally or partially and denied any opportunity to transform the centre".<sup>214</sup>

### A. WHY NOT WAIT FOR THE 2015 ELECTIONS?

In the absence of international consensus on how to promote fundamental reform, the default for many diplomats and observers is to focus on smaller gains, such as a ceasefire with SRF members, and hope the next elections result in a new and more inclusive political dispensation. This ignores Bashir's dilemma: if he loses power, he has no guarantee his rivals, even within the NCP, would not deliver him to The Hague. Without guarantees against this, and regardless of whatever promises he may make to step down, he has strong incentive to stay in power, no matter the consequences for his country and its people. Much as it did in April 2010, the NCP is likely to be able to rig the 2015 vote to ensure its victory, despite any international assistance to the electoral process and observer presence.<sup>215</sup> The result would then be his continued rule, further repression, revolt and regional instability.

### B. ARTICLE 16 DEFERRAL?

Bashir's exit from politics is necessary to prevent further conflict and continued humanitarian crises in both Sudan and South Sudan. He is at the same time a key potential

<sup>210</sup> The SRF is divided along religious/secular lines.

<sup>211</sup> Conditions for the SPLM-N are very difficult, especially in Khartoum, where it is banned, its newspaper closed down, and civilian members targeted and arrested – many have had to flee. It is making efforts to draw people from the "Arab North", and so far has recruited Tom Hajo and Nasr al-Din al-Mahdi and some factions from the Beja Congress. Recently a Khatmiyya leader from East Sudan, Taj al-Sir al-Mirghani, and another DUP breakaway faction leader, Siddiq al-Hindi, signed its "Document for Restructuring the Sudanese State". The SPLM-N is also trying to recruit leaders from Sudan's far North. Crisis Group interviews, October-November 2012.

<sup>212</sup> See Crisis Group Middle East Report N°60, After Baker-Hamilton: What to Do in Iraq, 19 December 2006, pp. 19-21.

<sup>213</sup> The June 2012 AU summit was hastily moved to Addis Ababa after President Joyce Banda refused to allow him to enter Malawi, because as a signatory to the Rome Statute, it is obliged to cooperate fully with the ICC and, if requested, arrest and surrender an individual sought by it.

<sup>214</sup> Yasir Arman, presentation at the Carr Center, op. cit.

<sup>215</sup> See, Crisis Group Africa Briefing N°72, *Rigged Elections in Darfur and the Consequences of a Probable NCP Victory in Sudan*, 30 March 2010.

spoiler and crucial to any managed transition that would incorporate both the NCP and opposition elites and could place Sudan on a more inclusive and sustainable path. The alternative is continuation of the status quo in which the ruling party clings to power at whatever humanitarian cost, and the opposition pursues a military strategy that risks further fragmentation of the country. The strategy, therefore, should be to encourage Bashir to leave peacefully. For this to have a chance of success, he must conclude that the threats he and his regime face require a different kind of solution, because they are indeed graver than those they have survived in the past – and that he can do so safely.

A political pact that includes the NCP and opposition forces – much like what followed the abdication of President Nimeri in 1985 – is necessary to manage a transitional period that would need to have well-defined parameters based on principles that have been agreed and reiterated in multiple agreements over decades, as discussed above. This should lead first and foremost to a comprehensive ceasefire, with humanitarian access, in the conflict areas and allow all stakeholders to come together to flesh out a roadmap for a durable peace process.

Because of his central position in the present stalemate, President Bashir should be offered incentives to create this pact, including secure retirement at home or asylum in a friendly country, but only in exchange for first establishing an inclusive transitional government (one not dominated by the NCP but that includes it), initiating a meaningful national dialogue on a new constitution and implementing judicial reforms and transitional justice mechanisms leading to reconciliation and a culture of accountability. In effect, he must first firmly and irreversibly place Sudan on a solid transitional path outlined in a roadmap negotiated by the major stakeholders.

Once the country is in a sustainable transition, Bashir should permanently retire, whether in Sudan or in third-country asylum. The UN Security Council might then and only then request the ICC to defer investigation or prosecution of his case for one year, pursuant to Article 16 of the Rome Statute.<sup>216</sup> It should at the same time advise him that as long as he verifiably refrains from interfering in Sudanese

politics, it will favourably consider requesting annual renewals of that deferment, as permitted under Article 16.<sup>217</sup>

However, political and economic accommodation at the expense of genuine national judicial processes for the crimes committed in Darfur and elsewhere must be avoided. The ultimate aim of both the Sudan peace process and the fight against impunity is not Bashir's exit or cosmetic and reversible concessions by the NCP. The Security Council should send a clear signal that major reforms and a serious approach to impunity are required to justify use of the exceptional Article 16 mechanism. The Council, and particularly its permanent members, should demonstrate support for the court's independence and insist that Sudan and other countries cooperate with it, as required by Resolution 1593 (2005) and the Rome Statute. They also should engage seriously with the AU, the Arab League and those organisations' member states not only on the ICC's contribution to global justice, but also on the strengthening of domestic legal institutions' ability to act against atrocity crimes and so make ICC interventions less necessary under the complementarity principle.<sup>218</sup>

Justice is necessary for a sustainable peace that cannot be built by temporary ceasefires, co-option of spoilers into state institutions and quick-fix power-sharing agreements. It requires not only prosecution of war crimes, but also the establishment of a credible system and culture of accountability in a reformed governance system. Some form of a truth and reconciliation commission (TRC) is likewise needed.<sup>219</sup> A thorough vetting process to remove human rights abusers from the security forces and state admin-

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<sup>216</sup> Bashir has more, and more immediate, concerns than ICC prosecution. However, if he stays in Sudan at the end of a transition process, he would still fear facing Slobodan Milošević's fate, betrayal by successors and turn-over to international jurisdiction. If he goes to a non-ICC member state, he would fear changed circumstances that might eventually result in his delivery to an international court as occurred with Charles Taylor. A formal Article 16 deferral would provide him a firmer guarantee and thus might serve to seal the deal.

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<sup>217</sup> Crisis Group strongly supports the independence the ICC needs to make the contribution to justice and accountability the parties to the Rome Statute envisaged. However, the ICC acquired jurisdiction over the situation in Darfur, the basis for its actions with respect to Bashir, via Security Council Resolution 1593 (2005). Article 16 of the Rome Statute provides that "No investigation or prosecution may be commenced or proceeded with under this Statute for a period of 12 months after the Security Council, in a resolution adopted under Chapter VII of the Charter of the United Nations, has requested the Court to that effect; that request may be renewed by the Council under the same conditions". The circumstances described above – both the centrality of Bashir to a transition in Sudan toward a peaceful and sustainable resolution of deadly conflict and the actions that he would be required to take as a condition prior – would seem to justify the rare resort to the deferral mechanism. The Security Council would address its Article 16 request to the court by means of a resolution adopted under the authority of Chapter VII of the UN Charter.

<sup>218</sup> See Crisis Group Africa Report N° 152, *Sudan: Justice, Peace and the ICC*, 17 July 2009.

<sup>219</sup> See Security Council Resolution 1593 (2005); "Darfur: The Quest for Peace, Justice and Reconciliation: Report of the African Union High-Level Panel on Darfur (AUPD), October 2009; and "Doha Document for Peace in Darfur", May 2011.

istration should be central to a broader process of institutional reforms; if implemented gradually and in a fair and transparent manner, it need not create additional political tensions. These and similar measures should be key objectives of any transitional process and ideally should be preceded by extensive consultations with victims and civil society.<sup>220</sup>

### C. A TRANSITIONAL COUNCIL/GOVERNMENT AND ROADMAP

The first step would be to create an inclusive transitional council/government, one that is not dominated by the NCP and would negotiate a roadmap for establishing a more inclusive and devolved system of governance that represents all of Sudan's peoples. Given the extreme mistrust of the NCP and among the regime's factions, its composition should be mediated by the UN, AU and the League of Arab States and include representatives from all political forces, including the NCP, NCF, the traditional parties, the SRF, trade unions, women and youth groups, as well as other civil society organisations. The roadmap should include a national dialogue leading to a permanent constitution that addresses the contradictions that still persist in the country and puts an end to the conflicts between the centre and Darfur, Southern Kordofan, the Blue Nile, East Sudan and other marginalised regions.

The transitional government should have two main priorities: immediate cessation of hostilities in all war zones and convening of an all-inclusive conference managed by an independent commission to oversee the national dialogue. Given that the issues are extremely complex and apparently beyond the ability of the political forces to tackle in isolation from other stakeholders, the eventual constitutional conference should be *comprehensive* as to its agenda; *inclusive* as to its participants; and *transparent* in its operation, so as to raise awareness and understanding among the people. In particular, it will need to address the following core issues:

- ❑ Sudan's identity (acknowledge Sudan is a diverse society);
- ❑ the nature of the constitution (Islamic versus secular, or citizenship-based);
- ❑ federalism and the necessary arrangements for power-sharing.<sup>221</sup>

- ❑ sharing of national resources and equitable development; and
- ❑ transitional justice and truth and reconciliation.

### D. SPACE FOR NEW VOICES AND ACTORS

While most Sudanese desire a change in government, many are very unhappy with and deeply distrustful of the leaders of the political opposition as well, viewing their constant machinations and divisions as an indication that most politicians are more interested in their own power than in the interests of all citizens. Several opposition leaders led or held high office in previous governments that continued the wars in the periphery and perpetuated the dominance of the centre. Young people in all the political parties are increasingly frustrated with aging leaderships and lack of opportunity. Leaders of the armed groups spend more time soliciting support from abroad than building a national following in Sudan.<sup>222</sup>

During any transitional period, the government and its supporters should try to create political space for and increase the capacity of new political parties/groupings that might more genuinely represent hitherto marginalised people, including from poorer urban areas and the peripheries. Training for the development that is essential could be provided by international partners to all parties.<sup>223</sup>

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They call for restoration of the old regions in a new federal arrangement.

<sup>222</sup> The last opposition leader who could credibly have challenged Bashir in elections was John Garang, who died in a helicopter crash in 2005. In 2010, the SPLM's presidential candidate, Yasin Arman, probably could have forced a run-off if he had stayed on the ballot.

<sup>223</sup> Several U.S. organisations do similar work in South Sudan. The International Republican Institute works on party development with the SPLM and seven opposition parties, supporting cultivation of legitimate, accountable, capable parties and giving attention to those previously excluded from political participation. Funded by the U.S. Agency for International Development, it has worked in Sudan since 2004, [www.iri.org/countries-and-programs/africa/sudan](http://www.iri.org/countries-and-programs/africa/sudan). The National Democratic Institute (similarly funded) supports focus group research, civil society development, constitution-making and other political processes. Building a robust opposition requires support and institutional reforms, but also long-term civic education. Public opinion polls could also be useful in developing party capacity and stimulating issue-based campaigning. International experts might partner in conducting regular polls and the corresponding quantitative analysis. Polling might likewise help inform government and donor expenditures and programs. Regular public financing, training support and space to operate freely are requisites for a stronger, responsible opposition.

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<sup>220</sup> Crisis Group Report, *Sudan: Justice, Peace and the ICC*, op. cit.

<sup>221</sup> Most political forces and civil society organisations believe a federal system is best for Sudan. See the NCF Charter and the DAC. However, they consider the current federal system, established by the NCP, defective, not least because it has too many states (26 before, and sixteen after South Sudan's secession).

## VI. CONCLUSION

Sudan is in crisis, faced with multiple challenges that, combined, profoundly threaten its stability. The economy is in a freefall, and the government/ruling party (NCP) is deeply divided. The latter is in a state of confusion, with no coherent strategy for addressing the mounting security, political and economic difficulties. The regime's instinct is to consolidate power and cut a deal with one or two opposition groups to maintain the status quo, but that will not arrest Sudan's economic slide or end the wars in its peripheries.

To end decades of chronic conflict – and annual expenditures by donors of roughly \$1 billion in humanitarian assistance<sup>224</sup> – Sudan must reform its system of governance. This is only possible through managed reform. A coup or a military campaign to topple the regime would be a very dangerous proposition risking even greater violence and further disintegration. Managed change is currently only possible with the cooperation of President Bashir and other possible spoilers in the NCP; if they conclude that the situation is more threatening than earlier crises they have survived by divide-and-conquer tactics and thus requires a more radical approach, they would need incentives from the international community to go in the constructive direction of negotiating and initiating a roadmap for fundamental reform. To ensure such a process once begun is sustained, the incentives should be carefully linked to agreed benchmarks. Only in this manner can Sudan escape the trap of chronic conflict and humanitarian misery.

**Nairobi/Brussels, 29 November 2012**

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<sup>224</sup> Between 2001 and 2010, Sudan received \$9.7 billion in international humanitarian aid. "GHA Report 2012", Development Initiatives, p. 18. This does not include the expense of two large peacekeeping operations that cost \$2.8 billion in 2010 alone. "Global Humanitarian Assistance: Sudan", at [www.globalhumanitarianassistance.org/countryprofile/sudan](http://www.globalhumanitarianassistance.org/countryprofile/sudan).



## APPENDIX A

### MAP OF SUDAN



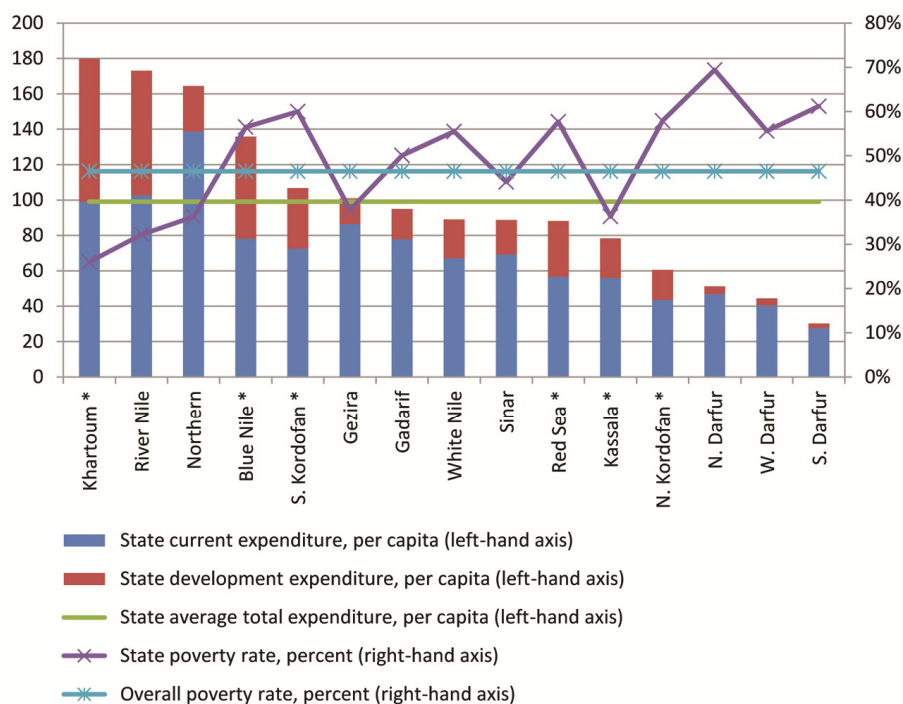
Map No. 4458 Rev.2 UNITED NATIONS  
 March 2012

Department of Field Support  
 Cartographic Section

## APPENDIX B

### OVERALL SPENDING, SUDAN STATES

Figure 3-7: Overall spending, Northern States average per capita, 2000-09 (SDG) and poverty rates



Source: FMoFNE (the Final Account Report); World Bank, Sudan Poverty Profile (2011); and World Bank staff estimates.

Notes: State's development spending measure as an average for 2000-2009 in million SDG, while state's poverty level is estimated based on NBHS 2009.

\* Indicates a PETS State.

Federal Ministry of Finance and National Economy

## APPENDIX C

### GLOSSARY OF ABBREVIATIONS AND ORGANISATIONS

**CPA** – The 2005 Comprehensive Peace Agreement ended the civil war with the South and aimed for democratic transformation of the state. It guaranteed Southern Sudanese a right to self-determination at the end of a six-year interim period; the agreement came to an end on 9 July 2011.

**CPS** – Communist Party of Sudan. Formerly the largest and best organised Communist party in the Middle East. After the failed 1971 coup, Nimeri killed most of its leaders. Now led by Mohammed Mukhtar al-Khatib, it remains an important opposition party.

**DPA** – Darfur Peace Agreement. The failed peace agreement was signed under African Union auspices on 5 May 2006 in Abuja between the Sudanese government and the Minni Arkou Minawi faction of the insurgent Sudan Liberation Army (SLA/MM). Two other parties to the negotiations – the SLA faction of Abdel Wahid Mohamed Nur (SLA/AW) and JEM – refused to sign. The DPA is one of the references for the ongoing peace talks in Doha.

**DUP** – Democratic Unionist Party, led by Mohamed Osman al-Mirghani. It has long advocated an Islamic state. The DUP was a founding member of the National Democratic Alliance (NDA) and went into opposition following the 1989 military takeover. Al-Mirghani is also the leader of the Khatemia Sufi order.

**Islamist Movement** – The Sudanese Islamic Movement was until recently led by Secretary General Ali Osman Taha. On 18 November 2012, its Shura elected former Finance Minister al-Zubair Ahmed al-Hassan secretary general and Sudan's former Ambassador (to the U.S.) Mahdi Ibrahim chairman. Founded in the 1940s, it spearheaded the Islamic Convention Front in 1964, demanding an Islamic constitution. Although this failed, it continued as a front that sought to take over the government and impose an ethnic Arab-Islamic identity. Today, many Sudanese argue, the movement is sub-divided among many Islamic political parties.

**JEM** – Justice and Equality Movement, a rebel group founded by the late Khalil Ibrahim. It was initially supported by Chad and then by Libya. JEM refused to sign the DPA in May 2006. It entered into an agreement with the Sudan government on 20 February 2010 in N'Djamena on a preliminary framework that includes a temporary ceasefire; it was also engaged in the Darfur peace process in Doha.

**National Shura Council** – In Arabic the majlis al-shura; it is the main Shura (consultative) council. Based in Khartoum, it is headed by Ibrahim Omar. Regional Shura councils also convene in each state, although these have become largely ineffective and are managed by Khartoum.

**National Umma Party (NUP)** – A large traditional party in Khartoum, led by Sadiq al-Mahdi. It has historically drawn its support from the Ansar sect and had large constituencies in Darfur and Kordofan. Al-Mahdi is also the religious leader of the Ansar. During the NCP regime, many leaders have split from the main Umma party (NUP) and formed their own versions, retaining the name Umma; the majority joined the NCP-led government of national unity. Today there are more than three Umma parties. Before the referendum on the South's independence in January 2011, the second largest, led by the cousin of Sadiq, Mubarak al-Fadil, rejoined the mother party.

**NCP** – National Congress Party, the ruling party of the Government of Sudan, headed by President Omar al-Bashir. It is the successor of the National Islamic Front (NIF).

**NIF** – National Islamic Front (former Islamic Charter Front). Based on the Muslim Brotherhood, it is the culmination of the Sudanese Islamic Movement's political work. Hassan al-Turabi was its leader. The NIF was committed to an Islamic state and rejected the 1986 Koka Dam agreements, which would have revoked Sharia (Islamic law). The NIF overthrew the democratically-elected government in 1989.

**NISS** – National Intelligence and Security Services, the major security and intelligence institution, headed by Mohammed Atta al-Moula. Formerly known as "Internal Security" (al-*amn a-dakhili*), it became a powerful security institution after the split within the NCP and the Islamic movement in 2000. Former director generals include Salah Gosh, Nafie Ali Nafie, and Ibrahim al-Sanousi. After the split, the NISS cooperated with the U.S. CIA on exchange of information on terrorist groups and individuals in the region.

**PCP** – Popular Congress Party, founded by Hassan al-Turabi in 2000. Espousing democratic, pluralistic and Islamic values, it remains a leading opponent of the NCP, which considers it enemy number one.

**PDF** – Popular Defence Forces, established in January 1991 by the Islamists' revolutionary council to help fight the war in the South. The PDF was to have been dismantled under the CPA. It has been increased again because of the conflict in Southern Kordofan and Blue Nile. It plays a major military role in Darfur, Southern Kordofan and Blue Nile and in protecting the NCP regime.

**SAF** – Sudan Armed Forces – the national army. The majority of senior staff are committed Islamists. Very few are from the peripheries (Kordofan, Darfur, Nuba, Blue Nile and the East). The current defence minister, Abdel Rahim Hussein, is the president's personal friend.

**SLM/A** – Sudan Liberation Movement/Army, a Sudanese rebel group that splintered into a number of factions – the main ones are SLM/MM led by Minni Minawi and SLM/AW led by Abdul Wahid al-Nur – because of rivalries and disagreements over the DPA.

**SPLM** – Sudan People’s Liberation Movement, the Juba-based Southern rebel movement turned political party that signed the CPA in 2005; it is now the majority ruling party in South Sudan and is headed by Salva Kiir. The SPLM-North branch became an autonomous party after the South’s independence (it is now banned).

**SPLM-N** – Sudan People’s Liberation Movement-North, based largely in Southern Kordofan and Blue Nile State. It is both a movement and an army fighting Khartoum. It is led by Malik Agar, chairman, and Yasir Arman, secretary general. After fighting resumed in Southern Kordofan and Blue Nile, it was banned by Khartoum.

**SRF** – The alliance of armed opposition groups. The first SRF declaration was made on 7 August 2011; at the time the alliance included the SPLM-N and the SLA factions of Mini Minawi (SLA-MM) and Abdul Wahid (SLA-AW). The second was made on 11 November 2011 after the JEM joined. On 19 February, the SRF elected Malik Agar the alliance chairman and the heads of the three other major movements, Jibril Ibrahim (JEM), Abdul Wahid (SLM-AW) and Minni Minawi (SLM-MM) its deputy chairmen. They have been joined by al-Tom Hajo from the DUP and Nasr al-Din al-Hadi al-Mahdi from the NUP.

## APPENDIX D

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters is in Brussels, and the organisation has offices or representation in 34 locations: Abuja, Bangkok, Beijing, Beirut, Bishkek, Bogotá, Bujumbura, Cairo, Dakar, Damascus, Dubai, Gaza, Guatemala City, Islamabad, Istanbul, Jakarta, Jerusalem, Johannesburg, Kabul, Kathmandu, London, Moscow, Nairobi, New York, Port-au-Prince, Pristina, Rabat, Sanaa, Sarajevo, Seoul, Tbilisi, Tripoli, Tunis and Washington DC. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Sierra Leone, Somalia, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Malaysia, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in

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**November 2012**

## APPENDIX E

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## APPENDIX F

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