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ICG

international crisis group

SUDAN'S OTHER WARS

I. OVERVIEW

The two-party framework in which Sudan's peace talks are being held is not adequately addressing all the country's current armed conflicts: especially the long-running rebellions in the "Three Areas" (Abyei, the Nuba Mountains and Southern Blue Nile) in the North, and the more recent outbreak of armed conflict in Darfur in western Sudan. The discontents in these regions have thus far largely been viewed as of secondary importance to those of the South, but they must be taken into account if a sustainable national peace agreement is to be reached. There is a real potential for those who feel ignored by the Inter-Governmental Authority on Development (IGAD) peace process to undermine any deal that is between only the Khartoum government and the rebel Sudan People's Liberation Army (SPLA). It is therefore incumbent upon the IGAD mediation team and the international observer countries to ensure that the grievances driving conflict in these areas are fully dealt with in any comprehensive peace deal.

The Three Areas lie in the geographic North but have been fighting alongside the SPLA since the mid-1980s. Much of the tension there is fed by the same factors that led to the long running war in southern Sudan: a central government that has exploited local resources, imposed its religious and cultural beliefs on historically diverse populations and consistently pitted local tribes and ethnic groups against each other for short term tactical gain. Many communities across Sudan feel deeply marginalised a result of these practices. Failure to achieve change peacefully has pushed more and more of them into armed confrontation with central authorities. Their fear of being shunted aside in an SPLA-government peace has led them to intensify conflict as a way of calling attention to their problems before any agreement is signed.

The nascent armed rebellion in Darfur, now at risk of escalation, has shocked much of Sudan. The concerns of communities in this region – particularly the Fur, Zaghawa, Massaleit, and other African peoples of western Sudan – mirror not only the situation in the Three Areas and the South, but also that of the Beja in eastern Sudan and the Nubians in northern Sudan. A threatened massive military response by the government in Darfur would take a tremendous toll on the civilian population while only deepening resentment.

Thus far IGAD's general strategy has largely been to focus on resolving Sudan's civil war within the North-South paradigm that led to the Machakos Protocol in July 2002, including provisions for a self-determination referendum to be held in the South and *sharia* law to continue in the North.[1] Yet the continuing difficulties in the Three Areas and recent violence in Darfur make clear that all Sudan has a shared problem: the marginalisation of peripheral regions and groups by successive governments in Khartoum. The clear danger is that as long as these groups continue to feel marginalised and their views are not represented in the IGAD process, the pull toward violence will remain compelling.

The discussions on the Three Areas must be clearly linked to the IGAD process and the interests of the disaffected populations further accommodated. The violence in Darfur should be the subject of a separate and concentrated initiative – by the Khartoum government, strongly encouraged by the international community – to end hostilities and ensure that the issues are also addressed within the IGAD process.

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[1] The Machakos Protocol calls for a six-month pre-interim period after a comprehensive agreement is signed, followed by a six-year interim period, after which the people of the South could hold a referendum to choose between remaining united with the North, or secession. See ICG Africa Report No. 51, *Sudan's Best Chance for Peace: How Not to Lose It*, 17 September 2002.

II.   CAN PEACE BE MADE IN PARALLEL?

A.   NEGOTIATIONS AND VIOLENCE

Negotiations on the Three Areas have not been conducted as part of the primary peace talks between the Sudanese government and the SPLA chaired by IGAD. They have, rather, been chaired by the Kenyan government and treated as something of a sidebar. The March 2003 round met with limited progress. Consequently, the mediation team abandoned a thematic approach and is now allowing all issues to be discussed in the same session. A short consultation with the parties on the Three Areas at the end of May will likely be followed in July by a broader discussion on the details a framework agreement on outstanding issues. [2]

Although little of substance was achieved in the March 2003 negotiations, the mere fact that they took place is a positive sign that mediators, observers and the parties recognise that a peace agreement must be comprehensive if it is to endure. The talks provided a backdrop for two important developments: the extension of the memorandum of understanding on the cessation of hostilities through 30 June 2003, and the extension of the mandate for the Civilian Protection Monitoring Team through 31 March 2004.

The status of the Three Areas is vitally important to any agreement for several reasons. Insurgents from these areas have been fighting alongside the SPLA throughout most of the civil war, and any agreement that excluded their concerns would likely see them continue their armed struggle. Located between North and South, the Nuba Mountains, Abyei and Southern Blue Nile risk dragging southern Sudan back into the battle if they maintain their revolt. They could also turn against the South if they felt the SPLA had abandoned their demands.[3]

In many ways, the Three Areas are also a microcosm of Sudan's war as a whole. Abyei is predominantly Dinka populated, ethnically connected to both the greater Bahr El-Ghazal region and much of the SPLA leadership. The Nuba Mountains and Southern Blue Nile have majority Muslim populations, of African rather than Arab heritage, which have joined the war directly as a result of what they view as neglect and unfair treatment by the central government. Many root causes of the broader conflict, such as religion, race, resource distribution, and political marginalisation, are present in the Three Areas. Successfully addressing their problems would send a clear sign that the government was willing to alter practices which have made so many Sudanese feel that Khartoum is a hostile force in their daily lives.

These three officially acknowledged "contested" areas outside the South are not the only ones vying for the attention of the government and the international mediators. Regional conflicts in other parts of the North also challenge the government's assertion that the crisis can be resolved along a strictly North-South axis. Taken together, these regional conflicts demonstrate that people in marginalised areas of northern Sudan remain willing to resort to armed struggle after decades of peaceful protests for greater political power, cultural autonomy and revenue sharing have failed. Regional and ethnic political formations that were established in the mid-1960s to promote the aspirations of their peoples steadily gave way to armed groups in the face of continued negligence from successive central governments. New rebel groups in these areas all sought the SPLA's help to establish themselves, and some, like those in the Nuba Mountains, Southern Blue Nile, and the southern Abyei area, became integral parts of that movement while preserving their own regional agendas. Khartoum unfailingly responded to the early manifestations of armed unrest in the North with heavy-handed military crackdowns that indiscriminately targeted and further alienated the population, sending droves of recruits into the camps of the armed regional movements.

The birth of a new Darfur-based rebel group in mid-February 2003 marked a serious escalation of

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[2] The dynamics of the current negotiations, and the possible compromises that could eventually form a final agreement, will be examined in greater detail in the next ICG report on Sudan.
[3] The cultural and historical links between the people of the Three Areas and neighboring groups to the North and the South make it extremely likely that any continued conflict

would spill across their borders. See: Justin Korbett and Paul Murphy, "The Heart of a Peace Agreement for Sudan: An analysis of the three contested areas", as documented in "Sudan: Plea to include disputed regions in peace talks" *IRIN*, 8 April 2003.

fighting in western Sudan that had previously been dismissed by the government as banditry and tribal disputes. The capture of Gulu in the Jebel Marrah Province of Southern Darfur State by the nascent Sudan Liberation Army (SLA) may well signal a major new development with important ramifications for the peace process.[4]

Northeastern Sudan, another area whose concerns have been outside the peace talks, has also known recurrent civil unrest and fighting. The traditional home to the Beja people, eastern Sudan has its own distinct history of oppression and marginalisation from which the political and military wings of the Beja Congress have emerged to fight alongside other armed groups in the East. The Nubians in an under-developed part of northern Sudan are another under-represented group whose discontent is growing. However, extensive migration of young people from the region, largely for economic reasons, makes it unlikely that the Nubians would resort to arms.

Given all this, it would be easy to dismiss Sudan as an endless series of brushfires, erupting anew in one region as they diminish in another. Yet, the negotiations on the Three Areas provide an opportunity to create an important peace template by dealing with the core issues of how the country has been governed from the centre. They also invoke a distinct tension for the international community, which is both eager to minimise the distraction of northern Sudan and achieve a lasting deal between SPLA and government, and aware that the inclusion and governance issues are fundamental to whether Sudan breaks out of its cycle of conflict.

As one observer notes, "The Three Areas can be used to set up stronger state platforms. Peace is a decentralising factor, and decentralisation in the Nuba Mountains and Southern Blue Nile could help stop the war. It could also help the situation in other parts of the North".[5] A senior Western diplomat saw the same glass as half-empty, not half-full: "The Three Areas have the capacity to derail the final solution because of the inconsistent and illogical manner in which they must be dealt with. There is an assumption that the sides will compromise on their positions after an agreement is reached on the other issues, but this may not happen".[6]

The Three Areas pose a challenge to both the SPLA and the government. The former has taken a firm stand throughout this process that the insurgencies are part and parcel of its own, and that the people of these regions must be granted the right to self-determination. The SPLA argues that this means each of the Three Areas should have the option to choose between joining the North or the South during the interim period, before a broader self-determination referendum for southern Sudan. However, southern Sudanese are not of one mind on the issue. Many fear that the Three Areas could endanger their gains in the IGAD process. According to one SPLA member from the Nuba Mountains, "The SPLA's original vision for unity is based on the restructuring of the country. The Machakos Protocol is betraying that concept. If the government succeeds in splitting the SPLA from the Three Areas, we'll both end up with nothing".[7] An SPLA commander from Southern Blue Nile expressed similar sentiments: "The Three Areas are tied to the naval cord of the SPLA. If they cut it prematurely, they'll lose both the child and the mother".[8] Thus far, the SPLA leadership has held firm that its interests remain fundamentally intertwined with those of the Three Areas.

As documented in earlier ICG reports, the Sudanese government has acknowledged that special circumstances in these areas need redress yet fears that should it accede to SPLA demands for the Three Areas, other regions such as Darfur and eastern Sudan would use this as a base for their own claims to self-determination.[9] It remains deeply concerned that any settlement of the Three Areas issue would quickly cause other regions to demand equal treatment and constitute a de facto reward for revolt. It considers it has a vested interest in limiting discussions largely to North-South lines, while insisting that IGAD's mandate is limited to the conflict in the South. The government also remains convinced that the South would like opt for independence as part of any referendum, thus making the idea of giving any

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[4] The SLA originally emerged under the banner of the Darfur Liberation Front. It changed its name in mid-March 2003.
[5] ICG interview, 12 May 2003.

[6] ICG interview, 13 May 2003.
[7] ICG interview in Nairobi, 27 March 2003.
[8] ICG interview in Southern Blue Nile, 15 April 2003.
[9] See ICG Report, *Sudan's Best Chance for Peace*, op. cit., and ICG Africa Report No. 55, *Power and Wealth Sharing: Make or Break Time in Sudan's Peace Process*, 18 December 2002.

additional territory to the South far less attractive – particularly since the Three Areas are rich in resources.

B.   THE STATE OF THE "THREE AREA" TALKS

Formal negotiations over the status of the contested areas of Abyei, the Nuba Mountains and Southern Blue Nile began, after a delay of nearly three months, on 4 March 2003, chaired outside the official IGAD framework by Kenya under General Lazaro Sumbeiywo. In order to accentuate the distinction between these talks and those chaired by IGAD, the government of Sudan insisted that fellow IGAD partner countries Uganda, Ethiopia and Eritrea, all present during the regular negotiations, be excluded (international observers were allowed to attend).

The Sudanese government has adopted a strategy of downplaying the demands of the Three Areas and maintaining that the claims of each can be dealt with locally. It has repeatedly argued that these areas lie outside the mandate of IGAD.[10] The government insists that tensions in these regions are largely driven by under-development due to the war and that these problems can be mitigated by its normal administrative procedures when peace comes. It has resisted calls for self-determination or a separation of religion and state for these areas, arguing that the Machakos Protocol only calls for a self-determination referendum in the South while mandating that *sharia* law shall remain as a source of legislation throughout the North. However, the government's insistence on holding the talks on the Three Areas outside the IGAD forum runs counter to its argument that Three Areas issues should be resolved by the terms of the Machakos Protocol – which was negotiated under IGAD.

The SPLA is also in something of a rhetorical bind in that, if the Three Areas are dealt with through IGAD,

it could have a more difficult time maintaining that they should be allowed a referendum on whether to join the North or the South before a larger referendum on southern self-determination is held.[11] Although the government and the SPLA continue to haggle over whether the Three Areas will be placed in the "basket" of issues being handled through IGAD, it appears increasingly likely that there will continue to be a parallel negotiating structure.

The question of Abyei is a long-standing issue stemming from British colonial times, and there is a strong constituency among many southerners, especially Dinka, for the its return to the South. Southerners are generally more divided in their support for the Nuba Mountains and Southern Blue Nile. However, an All-Nuba conference held in December 2002 and a SPLA consultative conference held in Southern Blue Nile that same month both reached consensus that the SPLA should represent their communities in the peace process. The presence of SPLA Chairman John Garang at the All-Nuba conference would seem to indicate that these are issues on which the SPLA will not lightly compromise, particularly the calls for self-determination and separation of religion and state.[12] This message was reiterated during Garang's visits to Southern Blue Nile, during the SPLA regional convention, 5-7 May 2003, and again on 13 May.[13]

Since the two parties entered the negotiations with diametrically opposed positions on self-determination and state and religion, mediators sought to move the discussions toward those problems that originally fuelled the calls for self-determination.[14] Nine of the fifteen days of negotiations in March were spent simply trying to hammer out an agenda. The SPLA initially showed some flexibility, and agreed to have talks on the Three Areas move forward within three sub-committees, each to be led by a person from that region.[15]

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[10]   The government argues that IGAD's mandate is exclusively to solve the war in the South. The position put forward by IGAD in 2000 recommends that Abyei, Chali el Fil and Kafia Kingi be granted a referendum to choose their preference between North and South. It recommended that the Nuba Mountains and Southern Blue Nile be granted a "self-determination within a united Sudan", explained as a referendum with a number of options relating to their administrative preferences within a federal setup, but without the option of joining the South. IGAD Advisory Non Paper 1: Self Determination, October 2000, p. 5.

[11] ICG interview in Nairobi, 18 March 2003.
[12] Garang pledged at the All-Nuba Conference to the Nuba people: "We will not let you down. Whatever agreement we reach in IGAD we'll include you…The Nuba did not let me down in the fighting and I will not let you down in the negotiations". Summary Report of the first All-Nuba Conference, Kauda, Nuba Mountains Region, 2 – 5 December 2002.
[13] ICG interview in Nairobi, 21 May 2003.
[14] ICG interview in Nairobi, 26 March 2003.
[15] The SPLA initially wanted all three areas to be discussed under one committee, and the delegations to be open to all

Disagreements over the agenda were eventually put aside when the parties agreed on new methodology proposed by the mediators. It called for the SPLA and government to begin by stating the "root causes" of the conflict they felt were applicable to their specific regional sub-committee. These causes would then be grouped together under common headings (e.g., economic, political or cultural). The next step would be for the parties to suggest their possible solutions, after which they were to discuss and agree on common criteria for evaluating them. They would only begin to discuss the solutions, however, after the criteria were set.

Unfortunately, none of the sub-committees progressed very far. The Abyei body was never officially convened due to disputes over representation; the Nuba Mountains' did not move beyond listing root causes, while the Southern Blue Nile's made it as far as listing possible solutions. However, the sessions did allow for some basic grievances to be aired, and encouraged the parties to think beyond their oft-stated rhetorical positions.

The failure to achieve substantial progress in any of the sub-committees, while obviously a result of multiple factors, would seem to indicate the relative unwillingness of either side to negotiate seriously at the current juncture.[16] Both held their ground on all major issues and were able to show their respective constituencies that remained firmly committed. The

international environment also was unfavourable for rapid movement. In particular both parties wanted to know the result of the Iraq crisis and the determination the U.S. administration would make under the Sudan Peace Act about whether the Sudanese government was operating in good faith before making any substantial concessions.[17]

The talks also moved slowly in part because this was the first time that the parties have formally discussed the Three Areas, and the issues raised by the SPLA proved quite difficult to address.[18] As noted, the government is afraid of setting any precedent of "appeasement" that can be used by other areas in the North. According to one member of the government delegation, "We can't seriously discuss the Three Areas, or we'll get into deep waters".[19] Finally, progress was slow because of the tremendous reservoir of distrust between the parties. Both have taken steps that left the other convinced they were not negotiating in good faith. The SPLA has generally failed to convince the government that it is sincerely interested in unity after the interim period of an agreement, and the government has failed to convince the SPLA that it is willing to fully share power with southerners.[20]

III. UNDERSTANDING THE THREE AREAS

Finding solutions for the Three Areas appears all the more vital given the escalating violence in Darfur and the need to develop models for resolving conflict in marginalised regions across the country without unravelling the progress already made on the conflict in the South.[21] While each has a unique history, it is often argued that the Nuba Mountains and Southern Blue Nile can be addressed through a common formula while Abeyi must be treated distinctly. The former are commonly associated with each other, given their shared positions toward the North, and it is likely

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members of the SPLA and government, regardless of where individuals came from. The final arrangement meant that Nhial Deng Nhial, the head of the SPLA delegation, was not directly involved in these negotiations, as he is not from any of the three areas. The SPLA had wanted him to remain intimately involved in order to monitor and control all discussions and possible compromises closely. The SPLA delegation had come under fire during their National Leadership Council meeting in Rumbek in late February/early March 2003 for the "unnecessary concessions" it made on wealth sharing during the previous round of talks. ICG interviews in Nairobi and southern Sudan, March 2003.

[16] An early indication that the parties were not ready to negotiate seriously came through their competing propaganda efforts. The day after the parties agreed on the new open format, the government released an erroneous report, broadcast over Khartoum-based Radio Omdurman, stating that the SPLA had agreed to drop self-determination and religion and state from the agenda. The press report also claimed that the government was negotiating with individuals from the three areas rather than with the SPLA. The next day the SPLA issued an erroneous statement broadcast on al-Jazeera that the SPLA delegation for the Three Areas was being led by Nhial Deng Nhial.

[17] On 21 April 2003, the Bush administration determined that the Sudanese government was negotiating in good faith. This postponed for at least six months the possibility of additional U.S. assistance to the Sudanese opposition under the law.
[18] ICG interviews, March 2003.
[19] ICG interview, 26 March 2003.
[20] ICG interviews, March and April 2003.
[21] ICG interviews, May 2003.

that they would be subject to the same provisions in an agreement.

A.   ABYEI

The long history of Abyei makes it one of the more contentious issues in the current negotiations and helps illuminate how what was once a North-South war spread to traditionally stable areas and undermined local balances of power between neighbouring ethnic groups. Abyei is inhabited by the Ngok Dinka, kin to the Dinka community in the South, yet historically at peace with their neighbours to the northwest, the Misseriya Arabs. Close personal relationships between the leaders of these communities was a key factor in maintaining peace. In an attempt to institutionalise this alliance, Kwol Arob and Deng Majok, the chiefs of the Ngok Dinka throughout the first half of the twentieth century, chose shortly before independence to remain in the northern administrative area of Kordofan rather than joining their Dinka relatives in the South. The two leaders felt that if Abyei was annexed to the South, those ties between the Ngok Dinka and Misseriya would erode and the better armed Misseriya might be prompted to seize Dinka land in search of water and grazing areas for their cattle. In short, the Ngok Dinka of Abyei acted as a bridge between South and North.

This relationship was mutually beneficial, and both profited from a flourishing trade in grain, livestock and other commodities. This economic interdependence help underpin an enduring peace even as the first civil war erupted around them. By 1965, however, Abyei was drawn into the national conflict, when the Ngok joined the military wing of the Southern Sudan Liberation Movement. The Sudanese government, using a strategy it has often deployed, mobilised Misseriya militias to attack the Dinka. This strategy was later accelerated by President Nimeiri and Sadiq al-Mahdi with the onset of the second civil war. Under the current government, the Misseriya militias and other similar groups were formally integrated into the Popular Defence Forces in 1989 to serve as a de facto reserve for the national army.

The 1972 Addis Ababa agreement, which ended the first civil war, attempted to settle the dispute over Abyei's administrative status. Representatives of the Southern Sudan Liberation Movement and the

government each asserted rights to Abyei. To resolve the impasse, a provision within the peace agreement granted the people the right to choose their place in either South or North through referendum.[22] This vote never occurred, and in 1982 President Nimeiri unilaterally abrogated the agreement, setting the scene for resumption of the war in the South.[23]

1. Growing oppression under the Nimeiri government radicalised the Ngok Dinka youth in Abyei and spurred them to rebel by 1981, serving in military units that would become one of the precursors to the SPLA. The Ngok Dinka took a much more central role in the second civil war than the first. In turn, the government relied more heavily on sponsoring Misseriya and Baggara militias to counter Dinka-dominated rebels.[24] The government's pursuit of a proxy war further polarised Ngok-Misseriya relations, driving many in Abyei to ally closer with their relatives in Bahr al Ghazal while increasing their mistrust of Khartoum and the Kordofan state government.

2. The second civil war displaced large numbers of Ngok, and their land was redistributed by the government to the Misseriya and other groups. At the peak of the crisis between 1985 and 1987, Maraheel militia of the Misseriya burned almost all Dinka villages of rural Abyei, looted cattle and abducted Dinka women and children as war booty. The Dinka were forced to flee to Abyei town and deeper into the northern states. Young herders crossed the River Kiir to the SPLA-controlled Toag area with what herds survived the cattle raiding. Forced displacement by the government only accelerated with the discovery of oil in the region. By one account, almost all Ngok who had inhabited the Abyei area before the war were displaced.[25]

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[22] Chapter II, Article 3 of the Addis Ababa Agreement.
[23] See: Douglas H. Johnson, *The Root Causes of Sudan's Civil War* (Oxford, 2003).
[24] For an extensive overview of the government's war strategy see ICG Africa Report No. 39, God, Oil, and Country: Changing the Logic of War in Sudan, 28 January 2002, Chapter 5.
25 Douglas H. Johnson, "Conflict Areas: Abyei", A Summary and Elaboration of Points Raised in the Presentation and Discussion on Abyei, 18 January 2003,

Not surprisingly Khartoum and the SPLA have adopted opposing strategies in the Abyei dispute. The government has largely insisted that Abeyi is a local and internal issue that does not require negotiation with the SPLA. It continues to reject any referendum, despite the 1972 Addis Ababa agreement. A member of the government delegation defended this position, arguing that circumstances have changed considerably: "In the Addis Ababa agreement, Abyei was supposed to choose between two Sudanese provinces, and the South only had self-administration. Today, the South has the right to self-determination, including an option for secession. We can't risk letting part of the North secede with the South".[26] The government also maintains that Abyei includes all the Misseriya, since the Ngok Dinka are only one of five groups in the Misseriya Ruling Council.[27] Government officials also point out that the Misseriya Arabs have become a key constituency for the ruling National Congress Party, and granting the Ngok Dinka of Abyei the option to join the South would have high political costs in any election held during a potential interim period.[28]

In contrast, the SPLA has emphasised the provision within the Addis Ababa agreement that grants Abyei inhabitants – defined as the nine Ngok Dinka sub-groups in Abyei – the right to a referendum on whether to join the South. They argue the Ngok Dinka voluntarily chose to remain in the North prior to independence, largely to serve as a link between North and South. However, because of vastly changed circumstances, the social contract that bound the Ngok Dinka and Misseriya is no longer valid.[29] In theory, a referendum on Abyei's future would precede the main southern referendum on potential secession.

Recent efforts have been made to address the local dimension of the conflict. While the close personal ties that linked the two communities have badly frayed with the years of violence, local communities undertook several reconciliation

initiatives backed by the Dutch embassy, the United Nations Development Programme and the European Union. On 31 January 2002 the leaders of the Ngok Dinka and Misseriya signed the Abyei Declaration, pledging to "co-exist and work to restore the historic relationship which we have inherited from our forefathers. We undertake to jointly work to develop our area and….are committed to putting aside our differences and ensure order and justice among us".[30] Roughly a year later, the Abyei Community-Based Peace Initiative, funded by the U.S. Agency for International Development (USAID), brought together representatives from both communities in an effort to reinvigorate the reconciliation effort. These initiatives have had moderate success as there has been reduced fighting in the region over the last several years.

A number of further steps must be taken at the local level, however, to stabilise the relationship between the Ngok Dinka and the Misseriya, and questions relating to land ownership and borders will be central to restoring peace. Any likely solution will need to include restoration of seasonal access for water and grazing for Misseriya herders, development of a system to share power and wealth between the communities and establishment of some form of separate interim administration. The Ngok Dinka far prefer traditional African customary law to *sharia,* and an accommodation on the laws governing the area will also be crucial. Promoting the return of internally displaced persons and restoring a local system of dispute resolution would also help considerably.[31]

Talks have largely stalled, however. The Abyei sub-committee had not even officially begun before the SPLA rejected the head of the government delegation – a Misseriya Arab from outside the traditional boundaries of Abyei. The SPLA referred to the understanding that all sub-committee delegations were to be headed by someone from the area concerned and appeared to be concerned that the government was attempting to expand the definition of Abyei citizenship to include all

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unpublished memorandum prepared for the IGAD talks and in ICG's possession.

[26] ICG interview in Nairobi, 26 March 2003.

[27] ICG interview in Nairobi, 24 March 2003.

[28] ICG interviews, March 2003.

[29] Francis M. Deng, "Abyei and the Challenge of Sustainable Peace in the Sudan", 1999, unpublished briefing note provided by the author.

[30] IRIN, "Massyiria-Dinka Agreement to Boost Peace Process," 22 February 2002.

[31] See Francis M. Deng, "Sudan Peace Talks and the Prospect for Interim Reforms in Abyei", March 2003; and Francis M. Deng, "Self-Determination and Self-Administration: The Critical Choice for Abyei", unpublished articles in ICG's possession.

Misseriya and weaken SPLA claims of racial, ethnic and historical association between the Ngok Dinka of Abyei and the South. However, some modest progress was made in defining the parameters of a citizen of Abyei. [32]

B.   THE NUBA MOUNTAINS

The Nuba Mountains provide a geographic linchpin between North and South and between Arab and African. They are home to between 1.3 and 1.6 million people. This culturally diverse population speaks as many as 50 different dialects, and the "Nuba people" represent a number of tribes, with varied cultures, traditions and beliefs. [33] Historically, the eastern part of Nuba was home to the Tegli Kingdom, which, after pledging allegiance to Islam in order to avoid slavery, provided non-Muslim Nubans as slaves for slave traders from the North and abroad – thus becoming both the protector and oppressor of the Nubans. The Tegli Kingdom remained independent until 1900, when it was overthrown by the Mahdiyya and brought under central control.

After independence, the first all-Nuba political party, the General Union of Nuba, was formed in 1964 to represent the region's interests in the central government. The Nuba Mountains entered the civil war in 1984 in response to growing political and economic oppression in the region, much of ɨ manifested through land grabbing by a wealthy northern elite. [34] Led by Yusuf Kuwa and Daniel Kodi, who were both elected to parliament at the time and were heads of an underground Nuba

movement called Komolo, they joined with the SPLA. [35]

Although fighting has continued in the Nuba Mountains and Southern Blue Nile, both areas have generally been overlooked in attempts to end the civil war. They are also excluded from the UN's umbrella Operation Lifeline Sudan for delivery of humanitarian aid to the South, and until recently received little outside assistance. [36] The status of the Nuba Mountains, however, was greatly elevated when U.S. Special Envoy John Danforth negotiated a six-month humanitarian cease-fire in January 2002. This has been extended twice and is set to expire on 19 July 2003. Although the ceasefire does not address the region's political grievances, it does facilitate desperately needed humanitarian aid and provide a measure of stability. It has encouraged intense cross-line exchanges and the return home of some villagers displaced by the war, which in turn has facilitated the building of political consensus among Nuba elites from areas controlled by both the government and the SPLA.

In early December 2002, an All-Nuba Conference was held in Kauda, in order to allow people to determine their priorities for the ongoing IGAD peace talks. Attended by over 380 participants from both government and SPLA-controlled areas and visited by SPLA Chairman John Garang, the delegates reached a number of common positions. The most significant mandated the SPLA to represent the people of Nuba in the peace process, and "the unambiguous alignment of the Nuba people with the SPLM/A during the interim period as the only means to create the opportunity for a democratic and unimpeded process of self-determination". [37] The conference also saw unification of the four Nuba political parties and creation of the United Sudan National Party under the presidency of Bishop Philip Abbas Ghaboush.

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[32] The SPLA and government agreed that Abyei citizenship required all of the following criteria: 1) connection to Abyei through the paternal bloodline; 2) that the person was born and raised in the area; and 3) that at least one parent have affiliation to one of the tribes that resides in Abyei. The SPLA claims that the lead government delegate does not qualify as a citizen of Abyei under this criteria. ICG interview, 24 March 2003.

[33] Johnson, *The Root Causes of Sudan's Civil War,* op. cit., p. 131.

[34] *Justice Africa*, "Prospects for Peace in Sudan", March 2003. Approximately 28 per cent of the Nuba Mountains were under externally owned agricultural schemes when the Nuba Mountains ceasefire agreement was reached in January 2002. ICG correspondence, 9 December 2002

[35] ICG interview in Nairobi, 27 March 2003.

[36] Operation Lifeline Sudan conducted its first assessment mission into the Nuba Mountains in September 1999. It continued attempts to access the region for the next several years but without much success, due largely to government tactics of delay or denial. The Nuba Mountains now have a separate mechanism for humanitarian intervention under the ceasefire agreement. For more of the history and challenges of Operation Lifeline Sudan, see ICG Africa Report No. 54, *Ending Starvation as a Weapon of War in Sudan*, 14 November 2002.

[37] Summary Report of the first All-Nuba Conference, Kauda, Nuba Moutains Region, 2 – 5 December 2002.

Subsequently, Sudan's Foreign Minister Mustafa Ismail dismissed Garang's visit as propaganda and accused the SPLA of standing in the way of the "sweeping trend for peace".[38]

A conference in Kampala in November 2002, under the auspices of Justice Africa, also examined future possibilities for the Nuba Mountains and Southern Blue Nile. Participation included representatives of civil society from government- and SPLA-held areas, and also from regions non-aligned with either side. Despite the organisers' efforts to represent a wide range of opinion, the SPLA unfortunately boycotted the conference and the government attempted to derail it by packing it with handpicked leaders. Participants concluded that the Nuba Mountains and Southern Blue Nile should have autonomy during the interim period, and that each area should have the right to self-determination, including the option of secession (not defined as choosing between the North or the South), but that steps must be taken to make unity a priority.[39]

A fierce public denunciation campaign by the government against Nuba leaders who took part in the Kauda and Kampala conferences only produced their further cohesion. Alarmed by their growing assertiveness, the government hurriedly sought to co-opt other Nuba traditional and political personalities to defend its position.

The sub-committee for the Nuba Mountains made very little progress during its March 2003 round, deadlocking over the SPLA's attempt to advance the notion that the lack of self-determination and the need to separate religion from state were fundamental causes of the conflict.[40]

C.   SOUTHERN BLUE NILE

Southern Blue Nile also sits between North and South, Arab and African. Termed the Funj Region by the SPLA, it corresponds with the Blue Nile state in the current government administration. Historically, the Funj Kingdom ruled over much of Sudan. The eleven tribes that compose the Funj are primarily Muslim, but include followers of Christianity and traditional beliefs.[41]

Since independence, Southern Blue Nile has been a source of wealth for northern Sudan. The central government launched its first agricultural schemes there in 1964, and large mechanised developments, owned almost exclusively by wealthy northern Sudanese and, in a few cases, by investors from the Middle East, now occupy nearly half the area.[42] The central government repeatedly authorised the displacement of thousands in order to carry out these programs. Local inhabitants generally serve as labourers on the farms, with the vast majority of the profits flowing out of the area.

The first contact between the SPLA and Southern Blue Nile occurred in May 1984, when a small group of local intellectuals and military fled to Ethiopia to contact the insurgency. The first SPLA military operation in Southern Blue Nile took place in 1985, two years before the SPLA captured the city of Kurmuk for the first time. Shortly after Mengistu Haile Mariam was driven from power in neighbouring Ethiopia in 1991, the SPLA was completely evicted from Southern Blue Nile. Fighting resumed there five years later, and in 1997 the SPLA captured Kurmuk again as well as Yabus and Gessan.[43]

Like Nuba, Southern Blue Nile has remained outside the mandate of Operation Lifeline Sudan, so very limited humanitarian or development aid

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[38] "Sudan says its Nuba region will not fall for Rebel propaganda", Agence France-Presse, 9 December 2002.
[39] Kampala Declaration of the Nuba Mountains and South Blue Nile Civil Society Forum, 21-24 November 2002.
[40] The government objected, despite the fact that each party should have been free at that stage, according to the methodology employed by the mediators, to declare its own views. The government demanded that the issues be footnoted to indicate that they had been suggested by the SPLA. The SPLA refused this, and the talks ended with the sub-committee stuck on the point.

[41] From the early sixteenth century, the Funj Kingdom stretched as far north as Khartoum until its destruction at the hands of the Ottomans in 1821. The eleven tribes that form the Funj people are the Hamij, Gumuz, Berta, Ingessana, Jumjum, Uduk, Koma, Kooma, Rakrek, Bani-Shangol (or Batawit), and Buron.
[42] Osama bin Laden owned an agricultural property, rumoured to be a cover for a training camp, in Kudum in Southern Blue Nile, until he was expelled from Sudan in 1996. ICG interview in Southern Blue Nile, 14 April 2003.
[43] The government recaptured Gessan from the SPLA in May 2002. ICG interviews in Southern Blue Nile, April 2003.

has reached the area, although a handful of international humanitarian NGOs have been operating there for the past few years. A trilateral agreement between government, SPLA and UN in January 2003 allowed the latter UN humanitarian access for the first time.[44] However, bureaucratic snags continue to hamper the delivery of food.[45]

The people of Southern Blue Nile held a consultative conference of their own in mid-December 2002, hoping to replicate the success of their neighbours in the Nuba Mountains. Perhaps because of the outcome of the All-Nuba Conference, the government denied permission for delegates from government-held areas to attend the conference in Kurmuk. Nonetheless, some 480 delegates agreed on several core points: the region should be granted the right of self-determination through a referendum; an autonomous government should be established under the broader administration of the southern government for the interim period; and a secular constitution should be instituted.[46] Although they are currently fighting against the government, the people of Southern Blue Nile are generally perceived to be supportive of a unified Sudan, and many are opposed to an independent South. As one local resident summed up, "We are in a struggle for the unity of Sudan. We're not interested in joining either the North or the South. We joined the struggle to change the political organs of the Sudan. It's wrong for the South to destroy the unity of Sudan".[47]

Subcommittee negotiations have been far more fruitful than those for the Nuba Mountains or Abyei. Indeed, the substantial movement raised hopes that an overall agreement could be reached for the area. The parties listed their respective views on the root causes of the conflict and a number of potential solutions. However, the SPLA chose not to go farther, in an effort to express solidarity with the Nuba Mountains and Abyei.[48]

IV. NO MONOPOLY ON MARGINALISATION: DARFUR, THE BEJA AND THE NUBIANS

Tensions in the arid and isolated western region of Darfur, home to an estimated seven million predominantly Muslim inhabitants, reached new heights in late February 2003 when several hundred rebels from the previously unknown Sudan Liberation Army (SLA) captured Gulu, capital of Jebel Marrah Province. The timing – within a week of the launch of the first substantive negotiations on the Three Areas – gave rise to considerable speculation.

Some suspected that the SPLA was directly supporting the insurgency, either to strengthen its position at the peace table or to unravel the talks altogether. The SPLA has officially denied links to the fighting. Others suggested that the rebels were backed by disgruntled former elements of the National Islamic Front government loyal to Islamic ideologue Hassan al-Turabi and eager to upend the peace process. There have even been suggestions from government circles that pro-Turabi elements worked in concert with al-Qaeda elements to help foment the situation, as well as counterclaims that the government has hyped the idea of possible links between the rebels and al-Qaeda in order to gain U.S. sympathy.[49] It is impossible at this juncture to make a firm call as to the origins of the fighting or the exact composition of the SLA.

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[44] "Humanitarian Access granted for Kassala state, Southern Blue Nile", *IRIN*, 22 January 2003.
[45] For example, the government allowed UN humanitarian workers access to Southern Blue Nile on several occasions in February and March 2003, only to deny access to their exit flights, leaving the humanitarian workers stranded on the pretense that they had failed to register their flight intentions through the correct channels with the government. The UN then renegotiated the arrangement with the government, and finally agreed to give 72-hour notice of any UN flight coming to Southern Blue Nile. "Sudan: UN gains access to Southern Blue Nile", *IRIN*, 12 March 2003.
[46] "Let Us Not be Denied the Right to Decide our Future", Final Statement of the Funj Civil Society in South Blue Nile, January 2003.
[47] ICG interview in Southern Blue Nile, 16 April 2003.

[48] ICG interview, 21 March 2003.
[49] The arrest of eighteen Saudis and one Palestinian by the Sudanese government during a raid of an unauthorised military training camp in western Sudan in late May 2003 raises a number of questions about links between Sudan and international terrorism. See "18 Saudis, one Palestinian arrested for 'unauthorized military training,' face extradition", Associated Press, 1 June 2003. No direct link has been shown, however, between this group and al-Qaeda. It has also been reported that these individuals may belong to the orthodox Islamic group "Ansar al Sunna". ICG correspondence, 2 June 2003.

What is clear is that a substantial part of the violence can be traced directly back to local conditions in Darfur. Indeed, the rebellion there has similarities with those in other regional conflicts within Sudan. The government used hastily assembled militias drawn from local Arab tribesmen to crush an earlier revolt in the region in 1991-1992. Like many of the other regional conflicts, the rebels forged strong alliances with the SPLA, which allowed the latter to gain a political and military beachhead in the heart of the country.

A.   THE DARFUR CRISIS

During its alliance with General Nimeiry's junta, from the late 1970s to the mid-1980s, the precursor of Sudan's current ruling Islamist faction invested considerable resources and political capital in an effort to build support in Darfur. While the population was overwhelmingly Muslim, its diverse ethnic composition made it a natural competing ground for politicians. In the 1986 democratic elections, however, the region voted overwhelmingly for the opposition Umma Party, a clear blow to the Islamist hardliners. Of the three deputies that the National Islamic Front did secure, one later defected to the Umma Party and another to the Democratic Unionist Party. Blamed for the National Islamic Front's political debacle in Darfur, its own local leader, Yahiya Ibrahim Bolad, defected to the SPLA and led the 1991-92 armed insurgency against the government in the region.[50]

Government policies were instrumental in transforming "traditional" tribal conflicts over access to receding grazing land and water into a new type of conflict driven by a broader ethnic agenda. The old competition over natural resources was considerably aggravated by Khartoum's deliberate policy of co-opting Arab nomadic tribes in its war against the SPLA and against other disgruntled elements within Darfur. The contribution of Arab tribesmen of Darfur in defeating the 1991-92 incursion of the SPLA increased their leverage with the government. They immediately received direct dividends, with creation of new local administrative units including councils, provinces and sub-states that gave them a tribal platform for the first time. The new units were created at the expense of the African groups, further alienating them from the government.[51]

The policy of arming Arab militiamen also led to an open race for small arms and triggered a dramatic increase of violence. In an effort to defend themselves, the African groups who found themselves at the receiving end of the virulent militarism of their Arab neighbours increasingly resorted to the black market and to smuggling firearms from Chad and Libya. Over the past few years the situation of the sedentary Fur, Massaleit and Zaghawa tribes, all dependent on subsistence farming, has been exacerbated by repeated and deadly raids on their villages by government-backed Arab nomadic tribesmen. Hundreds of civilians have been killed and many more wounded and forced to flee after scores of villages were burned. The victims of these raids suspect that they have been specifically targeted in a government-backed effort to gain control of fertile areas in their traditional domain, so that Khartoum can reward the nomadic communities that have served as its de facto militias. The land of many of these nomadic communities are increasingly threatened by desertification. The fact that other tribes in Darfur have come under similar attacks has led to a growing sense of ethnic solidarity among "African" tribes in the region.

When the National Islamic Front split into two fiercely competing factions in 2000, the breakaway Popular National Congress (headed before his arrest by former Vice President Hassan al-Turabi, the architect and spiritual guide of the Islamic

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[50] Arab warriors played a decisive role in the defeat of an SPLA incursion in northern Darfur in 1991-92. Had it not been for the rapid mobilisation of these "Fursan" (Arabic for Knights) by the then National Islamic Front governor al-Tayeb Ibrahim Mohamed Khair, and the generous distribution of small arms to them from government armouries, the army could have faced a humiliating defeat and the opening of a new front in the western part of the geographic north. The humiliation would have also been political. Yahia Ibrahim Bolad, who commanded the force, was a committed member of the ruling Islamist party and friend of the governor with whom he had done prison time during their years of student activism. The governor oversaw the capture and summary trial of Bolad and his public hanging.

[51] Starting in 1987, the Khartoum government used the Rezeigat cattle herders of southern Darfur as proxies to destabilise the SPLA's human and wealth base. Their deadly horse-mounted raids on the Dinka of Bahr al-Ghazal are well documented. The strategy led to the gradual militarisation of the tribes in the entire region of Darfur, not only its southern fringes. See ICG Report, *God, Oil, and Country*, op. cit., Chapter 5.

movement), tried to broaden its support by reaching out to Sudan's majority African population. It sought to distance itself from the same state-directed Arabism that it had wanted to impose when it was in government. The Popular National Congress signed an agreement with the SPLA in February 2001, committing the two parties to unseat the government through a political uprising. Reacting to the threat, the government relentlessly cracked down, and it continues to persecute the party, including Hassan al-Turabi, who remains under house arrest.

The Popular National Congress also argued in a widely circulated pamphlet ("The Black Book") that the ruling party was blocking people from Darfur and other regions from the upper echelons of public service. Detailed lists of senior state employees classified by rank, ethnicity and region appeared to lend considerable credence to these allegations. The primary beneficiaries of the government's approach were said to be party members from riverain northern Sudan, particularly the Shaigiya and Ja'aleyein Arabs. In a determined bid to damage the government's moral credibility further, the defectors claimed this favouritism was directly aimed at facilitating rampant corruption in the lucrative oil sector. These charges risked introducing ethnicity as a more powerful factor in northern Sudanese politics than ever before while giving Western governments and disaffected minority groups a new card against the Islamists.

An added twist to the troubled relations between the Islamists and Darfur came from Dr Khalil Ibrahim, a veteran Islamist and former minister in the current government who is the founding chairman of the Sudanese Movement for Justice and Equality. In exile in Germany, Ibrahim has emerged as one of the most vocal self-appointed spokesmen of the Fur rebellion. He was among the leading organisers of a widely publicised conference held in Germany in early April 2003 from which a union of a "Marginalised Majority" emerged. Several member organisations of the opposition National Democratic Alliance attended, including the SPLA, the Sudan Federalist Democratic Alliance and the Beja Congress. Ali al-Haj, the second ranking member of the Popular National Congress, also participated in the meeting.[52]

1.   SLA Agenda and the Government Response

It is against this background that the debates about the origins and intent of the SLA and the violence in Darfur should be interpreted. Shortly after the existence of the SLA became known, a senior security aide told the Khartoum press that no links could be traced between the "events in Darfur" and either the Popular National Congress or the Communist Party. Instead, the official alleged that the political leader of the SLA, Abd al-Wahid Mohammad Nur, was a Communist Party member who had joined the SPLA and somehow also had links with exiled opposition parties from Darfur, the Sudan Federalist Democratic Alliance and the Sudanese Movement for Justice and Equality.[53] Several commentators suggested that the SLA is composed primarily of Zaghawa, many of whom received military training in Chad, Libya and the Central African Republic.[54] Other sources claimed that the armed rebels who launched the SLA are predominantly Fur and Zaghawa, and include smaller numbers from Darfur's Arab tribes.[55]

Adding to the confusion, two exiled Darfur parties issued competing and contradictory statements in which both claimed responsibility for sponsoring the fighters on the ground. Dr Sharif Harir, the vice-chairman of the Sudan Federalist Democratic Alliance, claimed that the fighters in Jebel Marra were its military branch.[56] In contrast, Dr Khalil Ibrahim of the Sudanese Movement for Justice and Equality claimed to be both the political leader of the rebellion and the author of the Black Book.[57] After repeated denials by SLA field commanders of any links to the Sudanese Movement for Justice and Equality, Ibrahim's group issued declarations that offensives were carried out by a "joint" force of its own fighters and the SLA's.[58]

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[52] See the first communiqué of the Union of the Marginalised Majority at : http://www.hornofafrica.de.

[53] "Security aide denies 'direct links' between opposition, Darfur clashes", *al-Sahafah*, 6 March 2003.
[54] ICG interviews, 14 May 2003 and 22 May 2003.
[55] ICG correspondence, 15 May 2003.
[56] ICG interview in Nairobi, 1 April 2003.
[57] "Khalil Ibrahim, "We published the 'Black Book' to unmask the hegemony of a minority group over the country," in Arabic, *Al-Hayat*, 6 March 2003; a summary of the interview in English is available in "Sudan's Darfur rebels say not fighting for secession", Agence France-Presse, 6 March 2003.
[58] See press release of Sudanese Movement for Justice and Equality dated 26 April 2003, posted at the website of the

An individual close to the SLA insists that the uprising has been indigenous and is led by young local elites with little or no political experience who have been motivated by resentment at the marginalisation of their region and the constant victimisation of their own communities.[59] This same source testified to the existence of some contacts during the SLA's formative phase with the SPLA, and qualified the relationships between the SPLA and the SLA as one of ideological solidarity rather than direct military support.[60]

Whatever the origins of the newly emergent SLA force in Darfur, the government has clearly been unsettled by its parallels to the SPLA. In a declaration released on 14 March 2003, the SLA claimed that it had taken up arms because of the central government's policies of "marginalisation, racial discrimination and exploitation that had disrupted the peaceful coexistence between the region's African and Arab communities".[61] The group said its objective was to "create a united democratic Sudan" by both devolving power and separating state and religion. Accusing the government of deliberately fuelling ethnic strife in the region, it called upon all Darfurians "from Arab background" to join the struggle against Khartoum, claiming they were victimised every bit as much as their African brethren.[62] The tendency of some groups to play up tribal and racial differences in the face of the erosion of state authority in post-independence Sudan has posed a direct threat to the social fabric in Darfur.

Following a number of serious clashes with government forces, the SLA asserted in mid-May 2003 that Khartoum was initiating secret contacts to settle the conflict peacefully and that it was open to these overtures. However, the SLA did set two preconditions for entering into formal talks with the

government: the cessation of the persecution of the people of Darfur, including what is said was a series of politically motivated rapes by government supporters and the cessation of propaganda campaigns against them.[63] A spokesperson insisted that the SLA was not secessionist and only sought fairer representation, respect for human rights and broader social justice.[64]

Khartoum has persistently tried to portray the events in Darfur as more criminal than political Its information minister chastened the Arab and international media for giving a political character to what he said was "ordinary events carried out by a group of armed bandits".[65] The government has claimed that the violence reflects "ordinary problems" between farmers and pastoralists, compounded by armed raids between the tribes and a spillover effect from wars in neighbouring countries.[66] Its consistent unwillingness to address the root causes of the conflict honestly make it unlikely that it will live up to its February 2003 commitment to local leaders to tackle the crisis through dialogue.[67]

In early April 2003 the SLA indicated to a mediation team sent to its stronghold that it would be willing to negotiate with government representatives. In spite of this promising indication, the government did not appear genuinely focused on resolving the conflict peacefully. In mid-April President al-Bashir told a meeting of local leaders in Al-Fashir, the historic capital of Greater Darfur, that his government had decided to "unleash" the army. He ominously declared, "Khartoum will not negotiate with those who raised the arms in Darfur and denied the authority of the state and of the law".[68] Tension rose dramatically as the government imposed a statewide

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youth branch of the Popular National Congress http://www.akhirlahza.com/lahza.home/Homeper cent20page.htm, on 27 April 2003.

[59] ICG interview, New York, 5 April 2003.

[60] ICG interviews, April 2003.

[61] "Ceasefire reportedly breaks down in Darfur", *IRIN News*, 20 March 2003; see also, "Darfur rebels adopt a charter", Agence France-Presse, 14 March 2003.

[62] It would be difficult for outsider to distinguish a Darfur Arab from an African, given that the identification is more cultural than racial. Centuries of common belief in Islam and intense socio-economic exchanges and intermarriages under Darfur's powerful sultanates have created a sense of identity in Darfur that blurs easy ethnographic distinctions.

[63] "Darfur rebels: Khartoum conducts secret contacts to initiate peace talks", *Al-Hayat*, 13 May 2003.

[64] "Darfur rebels threaten to target Sudanese army camps", in Arabic, *Azzaman*, 11 May 2003.

[65] "Sudan's Information Minister: 'Armed gangs' responsible for events in Darfur", *Azzaman* Newspaper, 15 March 2003, in Arabic.

[66] "Security aide denies direct links between opposition, Darfur clashes", *al-Sahafa*, 6 March 2003.

[67] See "Khartoum decides to settle armed conflicts in Darfur through dialogue", *Akhir Lahza* online newsletter, 14 March 2002, in Arabic, at: www.akhirlahza.com/1stper cent20pages/dailyarchive/dchive/dmar2003/14.3.2003.htm.

[68] "Bashir unleashes the army to terminate the rebellion and disarm the tribes in Darfur", in Arabic, *Al-Sharq al-Awsat*, 13 April 03. ICG correspondence, 27 April 2003.

curfew and declared a military operational area along the Sudan-Chad border. The government also secured a commitment of cooperation from Chad, which reportedly dedicated 2,000 troops to take part in joint operations against the SLA.[69] The fact that the SLA has been able to use the region's mountainous terrain to its advantage has often meant that only civilians are in place to bear the brunt of government counter-insurgency operations.[70]

2.   Intensified Conflict

Labelling it as their response to the president's threats and the aerial bombing of their stronghold of Gulu earlier in April, the SLA launched a major offensive on al-Fashir on 25 April 2003, employing "technicals" – light trucks mounted with machine guns. The offensive appeared to achieve three major objectives: demonstration that the SLA is a political and military force with which to be reckoned; destruction of helicopter gunships and planes that the government was using against the rebels and allegedly also to bomb civilians; and capturing arms, munitions, vehicles and other strategic supplies. The rebels shelled and briefly captured the airport and the local garrison of the army's artillery and armoured divisions, destroying ammunition and fuel depots, along with four government helicopters and two Antonov planes. The attackers retreated to their strongholds after a few hours of intense fighting, reportedly with loads of captured arms and munitions. While weapons continue to flow into Darfur from abroad, most SLA firepower appears to come from weapons looted from the government's own armouries.[71]

Vice-President Taha told the National Assembly, in a special session called on 5 May 2003 to discuss the situation, that the government was committed to restoring both development and law and order in the region. At the same gathering, the defence minister reported that 75 government soldiers had been killed and 32 captured by the SLA "outlaws", including the commander of air force combat operations.[72] Rebel officials claimed to have lost nine fighters in the attack, while killing 89

government soldiers.[73] In his statement to the session, the minister of interior said the government was sending reinforcements and relocating the army's senior command to al-Fashir to address the crisis.[74] Increased troop activity occurred throughout the country as reinforcements arrived from Port Sudan, and attack helicopters and combat aircraft were deployed to the region.[75] The government reportedly even transferred troops from the Nuba Mountains area, where an internationally monitored ceasefire is in effect. As it mobilised for the counterattack, the government dismissed the governors of northern and western Darfur along with top police, security, and army commanders in al-Fashir.[76]

Conflicting statements by senior officials in the immediate aftermath of the SLA offensive gave the impression of a government in disarray. The official army spokesperson, Lt. Gen. Mohd Bashir Suleiman, told a reporter force would not resolve the conflict and called for political dialogue,[77] in stark contrast to the president's directive to crush the rebellion by force. The secretary of the ruling party, Ibrahim Ahmed Omer, told journalists there was no SLA-SPLA link, directly contradicting the North Darfur governor (later sacked),[78] who had also claimed that the SPLA was making regular airdrops, and that SLA commander Abdalla Abakar and other leaders regularly shuttled on private planes between Jebel Marra and Nairobi to meet with the SPLA. The governor offered no evidence but further accused the SPLA of seeking to pre-empt army modernisation by supporting new

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[69] ICG correspondence, 26 April 2003.
[70] "Arbitrary detentions in Geneina and Kabkabya (Darfur, Western Sudan)", the Sudan Human Rights Organization in Canada, appeal received by ICG on 18 April 2003.
[71] ICG Interview, 18 April 2003.
[72] "Sudan says 'outlaws' killed 75 government troops, took 30 prisoners", Agence France-Presse, 6 May 2003.

[73] ICG interview, correspondence, 29 April 2003.
[74] "Five-hour parliamentary session on the situation in Darfur", *Al-Ray Al-Aam*, 6 May 2003; "Defence Minister: 75 troops martyred, 32 abducted during events in al-Fashir", *Al-Horiya*, 6 May 2003. See also coverage of the session in major Khartoum newspapers of 6 and 7 May 2003.
[75] ICG correspondence, 26 April 2003; see also "Presidents of Chad and Sudan meet to discuss rebellion in western Sudan", Associated Press, 13 April 2003; and "Sudan, Chad pledge security cooperation", Agence France-Presse, 13 April 2003.
[76] "Bashir sacks officials", Agence France-Presse, 9 May 2003.
[77] "Darfur fighters abduct commander of the Air Force of the Sudanese army", in Arabic, *al-Sharq al-Awsat*, 29 April 2003.
[78] "Secretary of ruling party denies existence of links between SPLA and events in Darfur", in Arabic, *al-Sharq al-Awsat*, 29 April 2003.

conflicts in the North.[79] While senior SPLA officials denied any direct connection with the SLA, they acknowledged that they do provide indirect political support by encouraging the government to negotiate a peaceful resolution.[80]

On 10 May, the SLA warned that the arrest of 150 people in al-Fashir and two other towns and the ransacking and torching of several villages in the wake of its offensive would only strengthen its determination to continue attacking government forces.[81]

3.   Fighting in Melleit and the Insurgency's Future

The SLA attacked and briefly held the border post of Melleit on 11 May 2003. With a population of 60,000, Melleit is the largest town in Northern Darfur after al-Fashir and an important transit point for trade with Libya. Meni Arko Minawi, the SLA's spokesperson, told the influential Arab daily *al-Hayat* that only light resistance was encountered during a raid that killed 25 government troops. The SLA acknowledged that it looted the local bank and customs post, indicating that these, as well as fuel and arms depots, were its main targets.[82] In a separate interview, the rebels appeared to taunt the government by allowing the paper to speak with the captured air force chief, who said he was abducted from the home of the al-Fashir garrison commander, professed sympathy with the rebels and appealed for an International Committee of the Red Cross intervention to speed his release.[83]

Independent sources confirmed the killing of four civilians and the destruction of several houses in crossfire during the raid on Melleit. They also noted that the SLA had looted a dozen government vehicles, including some from water yards on the outskirts of the town that are vital for the survival of the local population and their herds in the arid region.[84]

The raid on Melleit confirmed a pattern of attacks in which the SLA seeks to stock arms, fuel and food, perhaps indicating that it is bracing for an extended conflict. The use of technicals gives the rebels the ability to mount hit and run attacks maximising surprise. Melleit appeared to have been targeted to disrupt government supply lines to Kutum to the west, where there has been intense fighting. Melleit is also at a strategic crossroad, east of the town of Dongola, on the Nile, and the neighbouring region of Northern Kordofan. Reports of an incursion by rebels in that region reportedly led the government to reinforce security surrounding an important pipeline that crosses Kordofan, including subjecting travellers to strict searches.[85] A report that the SLA destroyed a pumping station on the pipeline is unconfirmed.[86]

There is credible potential for dramatic escalation in Darfur. There are already indications that government-supported ethnic militias are being drawn into the fight, and shortly after a summit between President al-Bashir and President Idris Deby of Chad, Sudanese Minister of Interior Gen. Abdel Rahim Ahmed Hussein announced to parliament that Chad has contributed three helicopters and seventeen vehicles to the campaign to crush the rebels. Independent sources indicated that Chad's contingent in Darfur is closer to 2,000 than the officially acknowledged 500.[87] During a meeting at al-Fashir of Sudan's police commanders in early May, the minister of interior directed the 23 other participating state police forces to send a company of about 100 policemen each to Darfur.[88]

The SLA confirmed the participation of Chadian forces in battle but also claimed that one Antonov it destroyed at al-Fashir was Syrian and said it was attempting to ascertain the nationality of a pilot of

[79] "North Darfur governor: 'there is a direct link between the SLA and the SPLA'", in Arabic, Sudanese News Agency (SUNA), at www.sudaneseonline.com/anews/ apr29-63412.html.
[80] ICG interviews, May 2003.
[81] "Darfur rebels threaten to launch new attacks on government forces", in Arabic, *al-Sharq al-Awsat*, 10 May 2003; "Darfur rebels threaten to target Sudanese army camps", in Arabic, *Azzaman*, 11 May 2003.
[82] "Darfur rebels: Khartoum conducts secret contacts to initiate peace talks", *Al-Hayat*, 13 May 2003.
[83] "Imprisoned commander of Khartoum base: I sympathise with Darfur fighters", in Arabic, *al-Sharq al-Awsat*, 11 May 2003.

[84] ICG correspondence, 15 May 2003.
[85] "Darfur rebels accuse Khartoum of using germ weapons against them", in Arabic, *Al-Hayat*, 19 May 2003.
[86] "The revolution of the marginalised majority in Kordofan is launched", in Arabic, Sudanese Movement for Justice and Equality, Communiqué No. 7, 16 May 2003, posted at http://www.hornofafrica.de/arabisch/v02_alsudan/f043.html.
[87] ICG correspondence, 7 May 2003.
[88] "Sudan seeks police reinforcements for troubled west", Agence France-Presse, 15 May 2003.

Middle Eastern features who was killed in the attack. It further alleged that government aircraft were using biological weapons and called for an international investigation.[89] The SLA also reported in mid-May that it had ambushed a pro-government militia near al-Gineina, the capital of Western Darfur, killing 100 at a cost of twenty of its own force.[90]

Despite repeated calls from all other political forces for it to tackle the rebellion through dialogue, the government appears committed to a military response. The current campaign has the potential to trigger intensified ethnic warfare and large-scale forced displacement of the Fur and other African peoples of Darfur. Members of a nomadic group, some said to be in uniform and to belong to a government militia, attacked several villages in Western Darfur on 23 April, killing 55, wounding twenty and looting livestock.[91] The World Organisation Against Torture expressed concern in late April about arbitrary mass arrests and a risk of torture for the Zaghawa people in Darfur.[92] Given the direct bearing on the IGAD process, the U.S.-led Civilian Protection Monitoring Team should investigate the events in Darfur, with special attention to reports of military actions against civilians.

The human cost of Darfur's hidden conflict have gone largely unreported. In an unprecedented (and likely partial) accounting, the minister of interior told the National Assembly on 5 May that 870 persons were killed in 23 "tribal conflicts" in Darfur during 2002 and the first four months of 2003, while 741 were killed in "armed robberies", including 180 civilians and 218 government soldiers.[93] The recent clashes added to the vulnerability of the population and curtailed humanitarian interventions by limiting the movement of humanitarian workers and their ability to interact freely with victims, including the rapidly growing numbers of displaced.

The timing of the first SLA attacks clearly demonstrates both the opportunities and dangers of the IGAD peace process. With many groups feeling marginalised within Sudan, more and more may reason that they can only achieve anything – and international recognition – by taking up arms. This underscores the challenges that excluded groups pose to IGAD talks between government and SPLA. A veteran politician from Darfur insisted "The neglect of the Darfur crisis in Machakos and the discussion of the three marginalised areas pushed sons of the area to take up arms to affirm their problems".[94] There is also considerable risk that both government and SPLA will seek to exploit the regional conflicts to serve their own purposes at the negotiating table.

The Darfur crisis has further exposed the structural imbalance of a peace process that only recognises the "three disputed areas" of Abyei, the Nuba Mountains, and Southern Blue Nile as worthy of attention, without acknowledging the simmering malaise that pushed the similarly marginalised peoples of eastern and western Sudan to confront the central government. One obvious conclusion the IGAD mediators and facilitators should draw is the urgent priority for representative, federal, decentralised and democratic government to be an outcome for the peace process.

B. THE BEJA OF EASTERN SUDAN

An estimated 2.2 million Beja live in Sudan. This population is largely dependent on herding and some subsistence agriculture both in the inhospitable terrain of northeastern Sudan and in a major government-subsidised irrigation scheme in the basin of the seasonal Gash River.[95] The Beja practice a more traditional and tolerant form of *Sufi* Islam than what the government has sought to impose on the rest of the country. Decades of negligence of their community, under both democratic and autocratic governments, has left the Beja highly vulnerable to malnutrition, famine and contagious disease.

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[89] "Darfur rebels accuse Khartoum of using germ weapons against them", op. cit.
[90] "120 killed in clashes between Darfur reels and trial militias", in Arabic, *Al-Hayat,* 14 May 2003.
[91] "Sudan: International community urged to act over Darfur", IRIN, 29 April 2003.
[92] Ibid.
[93] Coverage of the special parliamentary session on Darfur events, Khartoum newspapers of 6 and 7 May 2003. See *Alwan* of 6 May 2003.

[94] "Dreig: Considered the evolution of events a natural effect; NDA: Darfur events revealed that Sudan crisis cannot be resolved by partitioning it", *Al-Horiya*, 30 April 2002.
[95] Egypt and Eritrea are each home to some 200,000 additional Beja.

Underdevelopment has fuelled growing political awareness over time. Coinciding with the emergence of other regionally and ethnically based movements, the Beja Congress was formed in the mid-1960s to voice grievances against historical marginalisation. Other groups appearing on the national scene included the General Union of the Nuba Mountains, the General Union of the Ingessana, the General Union of Southern Blue Nile and the Front for the Development of Darfur. Frustrated by lack of progress, all turned to armed struggle by the early 1990s.

Local Beja populations were also deeply angered by a decision in the early 1990s to offer some of the most fertile land along the Gash River to government cronies from outside the region and investors from the Arab Gulf states.[96] Beja farmers were left to till smaller plots that were typically covered with shrubs and without reliable access to irrigation water.

Beja frustration reached new heights in the late 1990s as Khartoum aggressively promoted its version of Islam, launching army attacks on Beja mosques and religious schools.[97] In defending their decision to take up arms, Beja leaders point to a meeting between President al-Bashir and their representatives in Port Sudan in 1991. They allege that al-Bashir, when asked about the marginalisation of the Beja people, responded that they would need to fight for what they wanted.[98] The Beja Congress joined the exiled opposition group, the National Democratic Alliance (NDA), in 1995. Hundreds of young people went to training camps in Eritrea and returned to launch guerrilla attacks on government forces. Joining other factions of the NDA, including the SPLA's New Sudan Brigade, they established a Joint Military Command that enabled the former to conduct full-scale operations on the "eastern front" by 1997.

Beja military operations are currently on hold, however, and the front has been quiet since NDA forces captured Hamashkoreib in October 2002. After that, the Sudanese government exerted tremendous diplomatic pressure on Eritrea to cease aid to the NDA. This diplomatic pressure was coupled with overt efforts to support an emerging alliance among armed exiled Eritrean opposition groups.

Military activity was also cooled by IGAD's decision that the NDA would not receive a formal place in the SPLA-government negotiations.[99] This forced the NDA to rethink a strategy based on the idea that sustained military pressure would force the government to accept it at the talks. The NDA now appears increasingly reliant on the SPLA to represent its concerns at the negotiating table.[100]

Interestingly, despite launching an armed insurrection, the Beja Congress still plays a distinct role in Sudanese public life. Associations of elders and community-based organisations active in the eastern Red Sea and Kassala states routinely voice the concerns of their constituencies, challenging the ruling Islamist party to be more accommodating of Beja interests in state institutions and legislative bodies. Pressure from these quarters to open more higher education and employment opportunity for Beja youth has recently yielded some results. Community mobilisation during campaigns in eastern Sudan ensured the election to state assemblies and the national parliament of a number of deputies whose primary loyalty appeared to be to their community.[101] On 9 May 2003, five leading members of Sudan's national parliament representing the eastern states submitted a memorandum to President al-Bashir protesting the marginalisation of their region and demanding more political representation and development funds and participation of representatives from the eastern states in the peace talks.[102]

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[96] *Al-Horiya*, 30 April 2002, op. cit. Osama bin Laden had a large holding in the area in the mid-1990s.
[97] See "The Beja: homeland, population, and violations committed against", in Sudan Human Rights Organisation – Cairo, Human Rights Situation in East Sudan (Beja), *The Sudanese Human Rights Quarterly* – October 2000, pp 11-15.
[98] ICG interview, 9 April 2003.

[99] ICG interviews, Nairobi, Washington and Brussels, October-December 2002.
[100] For further details on these developments, see ICG Report, *Power and Wealth Sharing,* op. cit., and ICG Report, *Sudan's Best Chance for Peace,* op. cit.
[101] Because of the cultural and political marginalisation of their community, and the dramatic hardships it faces, Beja elites across the political spectrum tend to consider it to be at risk of political irrelevance and even physical extinction.
[102] "Nairobi talks postponed to tomorrow; new proposals on the three areas; eastern Sudan MPs demand quotas of political power and national wealth", in Arabic, *Al-Bayan*, 9 May 2003; See also "Eastern States call for proper federal rule", *Khartoum-Monitor*, posted on 22 April 03, at www.Khartoum-Monitor.com.

Beja Congress leaders continue to blame IGAD and its international partners for excluding the NDA from the peace process and argue that such talks are doomed to failure. Although Beja Congress leaders have never had a separatist agenda, they have not expressed resentment of the SPLA, and have even suggested that if they continue to be excluded from the Machakos process, they would consider a struggle for independence. Beja leaders contend that the government is only negotiating at Machakos to buy itself breathing room to crush the rebellions in Darfur and in the East.[103] Ideally, they would prefer to be represented as a distinct marginalised area within the peace talks, rather than working through either the NDA or SPLA. They view the models of federalism currently being negotiated largely as shams, arguing that a purely North-South peace would leave the government free to maintain an authoritarian approach to the North, including the Beja area, but they would embrace a federal solution that granted relative autonomy and a role in central government.

War has continued to compound the misery of the local population. Lack of rains during 2002 and early 2003 have made for poor crop yields. The Beja Congress' humanitarian arm, the Beja Relief Organisation, acting in coordination with other NDA humanitarian organisations, is ill equipped to address the region's considerable humanitarian needs.

C.   THE NUBIANS OF NORTHERN SUDAN

Exiled Nubian elites, whose communities live in the narrow fertile plains along the Nile in the extreme north of Sudan, are also eager for a voice in the peace process.[104] In February 2002 they launched a plea on the Internet for all Nubians to organise for a voice in the talks "before it is too late". The initiators argued that there was great international pressure for negotiators to accept "an agreement – any agreement", and that there would soon be an "opportunity for those who can apply pressure and organise to protect their rights".[105] The organisers of this initiative obviously want their community – which has never fully recovered from the collective trauma of its mass relocation in 1960 from the banks

of the Nile as part of the Aswan High Dam project to receive its share of any peace dividends.

Nubians are concerned that the ruling Islamist party remains intent on suppressing their cultural heritage. The government promotes Sudan's Islamic heritage to the near exclusion of all other influences. Efforts to popularise a monolithic identity in its educational and mass media policies have also included far reaching popular mobilisation programs. Nubians suspect that the Islamists sought to under-fund both the national museum and the government's department of archaeology as part of a systematic attempt to erase competing cultural identities. Under previous governments both had sought to preserve and display Sudan's Pharaonic monuments and surviving relics of Christian kingdoms, dating back to the seventh century – a heritage in which Nubians take great pride and consider an integral part of national development.[106]

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[103] ICG interview in Nairobi, 9 April 2003.
[104] These Nubians should not to be confused with the Nuba of south-central Sudan
[105] ICG correspondence, February 2003.

[106] See http://www.thenubian.net/.

V. CONCLUSION

The marginalised areas of Sudan – both those being discussed in the peace talks and those that remain outside those negotiations – pose a serious problem for peacemaking. The three contested areas of the Nuba Mountains, Southern Blue Nile and Abyei are all critical components of the war between the government and the SPLA, and their demands must be adequately addressed as part of a broad agreement under the auspices of IGAD. The ongoing fighting in Darfur, however, will also continue to present a challenge to the government, and to the peace process in Kenya alike. Further unrest in the East and the North, amongst the Beja and the Nubians respectively, underscores that Sudan's crisis is systemic, and that the solution can not be only a southern one.

Finding just solutions to the problems of these areas will require a complete about-face by the government in Khartoum. Historically, it has made its most meaningful compromises when negotiating from a position of weakness. However, buoyed by the decision of the UN Human Rights Commission in spring 2003 not to keep Sudan on its watch list and extend the mandate of the Special Rapporteur to monitor violations in the country, and having been granted a six-month grace period by the Bush administration's certification under the Sudan Peace Act that it is negotiating in good faith, the government likely is confident of its position at the negotiating table.

The danger that fighting will continue in these areas if an acceptable solution is not found is acute. In interviews with ICG, SPLA leaders from the Nuba Mountains and Southern Blue Nile predicted a continuation of the conflict in their areas until their demands are met.[107] Various sources estimate the size of indigenous SPLA forces from those areas at between 6,000 and 12,000 and 2,000 and 6,000 respectively.[108]

A concerted and coordinated international effort is underway to obtain a comprehensive peace agreement. A meeting between President Al-Bashir and SPLA Chairman John Garang in early April led to the highly optimistic, indeed unrealistic, declaration that this could be signed by June 2003. Although the round of discussions on security arrangements was ultimately not a success, and much more work must be done on further defining positions and potential compromises, the parties have now discussed, at least peripherally, all issues that will eventually form such an agreement. By including the legitimate concerns of the marginalised areas, however, the likelihood that the agreement will be sustainable nationally, and that this war-devastated country will once and for all find peace, would increase dramatically.

Khartoum/Brussels, 25 June 2003

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[107] ICG interview in Machakos, 15 May 2003.
[108] ICG interviews, May and June 2003.

APPENDIX A

MAP OF SUDAN

Department of Public Information
Cartographic Section

APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 90 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG'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, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, *www.crisisweb.org.* ICG 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 ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York, Moscow and Paris and a media liaison office in London. The organisation currently operates twelve field offices (in Amman, Belgrade, Bogota, Islamabad, Jakarta, Nairobi, Osh, Pristina, Sarajevo, Sierra Leone, Skopje and Tbilisi) with analysts working in over 30 crisis-affected countries and territories across four continents. In *Africa*, those countries include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in *Europe*, Albania, Bosnia, Georgia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East,* the whole region from North Africa to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Austria, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Luxembourg, The Netherlands, Norway, Sweden, Switzerland, the Republic of China (Taiwan), Turkey, the United Kingdom and the United States.

Foundation and private sector donors include Atlantic Philanthropies, Carnegie Corporation of New York, Ford Foundation, Bill & Melinda Gates Foundation, William & Flora Hewlett Foundation, Henry Luce Foundation Inc., John D. & Catherine T. MacArthur Foundation, John Merck Fund, Charles Stewart Mott Foundation, Open Society Institute, Ploughshares Fund, Ruben & Elisabeth Rausing Trust, Sasakawa Peace Foundation, Sarlo Foundation of the Jewish Community Endowment Fund and the United States Institute of Peace.

June 2003

APPENDIX C

ICG BOARD MEMBERS