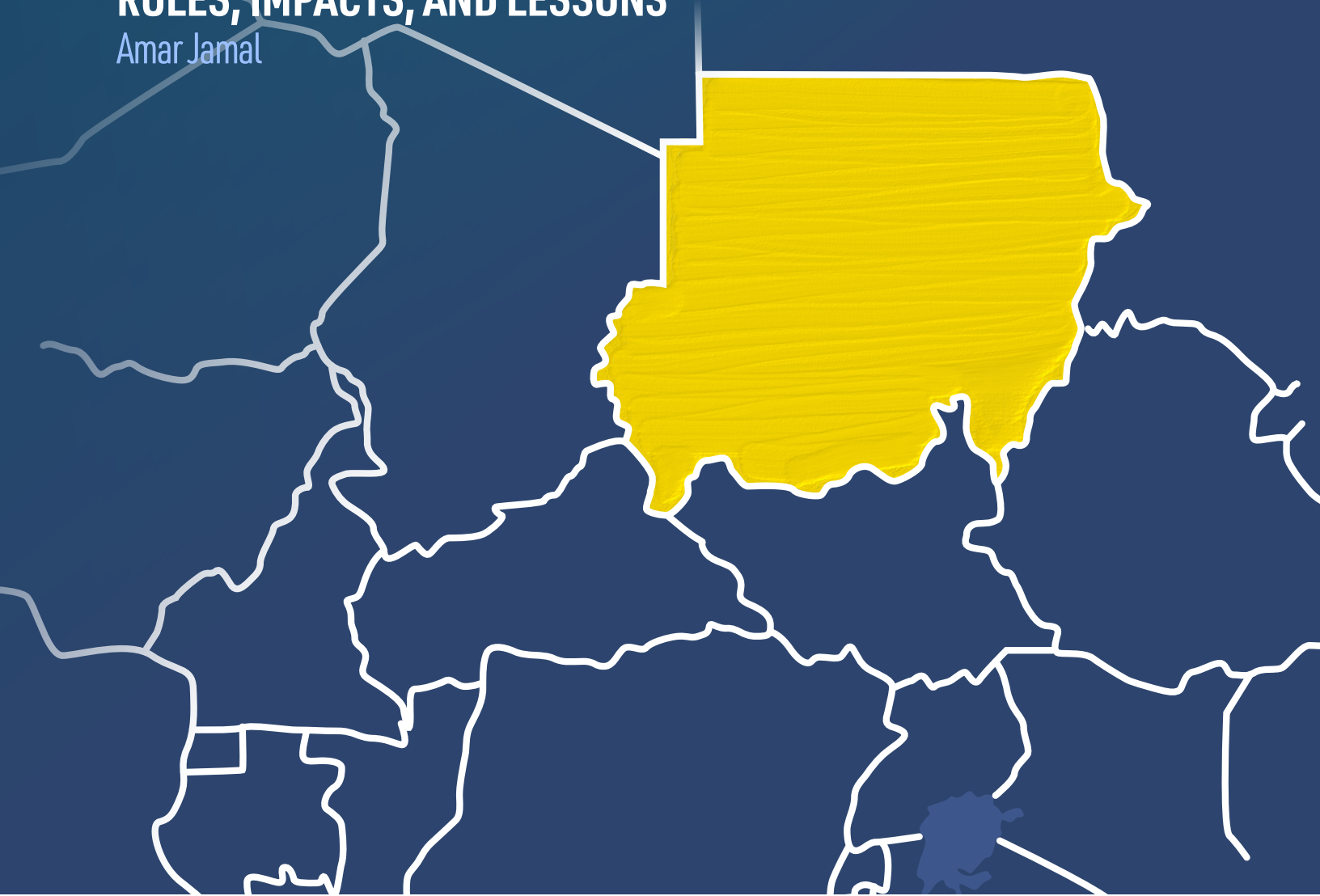


# KEY ACTORS IN THE JUBA PEACE AGREEMENT

ROLES, IMPACTS, AND LESSONS

Amar Jamal



**Rift Valley Institute**

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## **THE PROJECT**

The Juba Peace Agreement (JPA) project, which began in 2022, is a collaboration between the Rift Valley Institute (RVI), Confluence Advisory (CA)—the research partners—and the United States Institute of Peace (USIP), which has funded and supported the project.

The project sought to conduct research that would do three things: 1) map out the key actors in the JPA; 2) explain the political economy of the agreement; and 3) set out a series of policy recommendations, and lessons learnt, for international actors involved in the process.

The project started in the aftermath of the October 2021 coup and its conclusion takes place whilst Sudan experiences a devastating national conflict with fighting widespread from Darfur to Khartoum. Amidst the current war, it is all too easy to forget the national peace agreement that preceded it. While the JPA was undeniably flawed, there is much that can be learnt from how the agreement was reached, what it sought to achieve and the mechanisms that were designed, although largely never activated, as part of it.

## **THE AUTHOR**

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## **THE PARTNERS**

The Rift Valley Institute works in Eastern and Central Africa to bring local knowledge to bear on social, political and economic development.

Confluence Advisory is a policy ‘think-and-do’ tank based in Khartoum.

The United States Institute of Peace is a national, nonpartisan, independent institute, founded by Congress and dedicated to the proposition that a world without violent conflict is possible, practical and essential for U.S. and global security. In conflict zones abroad, the Institute works with local partners to prevent, mitigate, and resolve violent conflict. To reduce future crises and the need for costly interventions, USIP works with governments and civil societies to build local capacities to manage conflict peacefully. The Institute pursues its mission by linking research, policy, training, analysis and direct action to support those who are working to build a more peaceful, inclusive world: <https://www.usip.org/about>

Thanks also to the team of research assistants who contributed vital material and insights to the project.

## **EDITING**

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# SUMMARY

The Juba Peace Agreement (JPA) was negotiated beginning in September 2019 in the South Sudanese capital by representatives of Sudan's new civilian-military transitional government and a collection of Sudan's armed and civilian opposition groups comprising the Sudanese Revolutionary Front (SRF). Initial agreement was reached in August 2020 and the official signing took place on 3 October 2020.

Despite the participation of the armed groups, with the goal of resolving all of Sudan's various violent conflicts at once, the JPA negotiations were not the direct result of their military campaigns. Rather, the talks grew out of a civilian protest movement that had forced the removal of former President Omar al-Bashir from power in 2019 and pressured the generals who ousted him into forming a transitional government with the civilian movement leaders. Indeed, the military capacity of all the armed opposition groups had been significantly degraded, in some cases non-existent, compared with the various high points of their rebellions in the 2000s and 2010s. Two of the groups—SPLM/A-N (Al-Hilu) and SLM/A-Abdelwahid (SLM/A-AW)—rejected the process entirely. Still, some of the armed actors who signed the JPA—particularly the SPLM/A-N (Agar) and the Darfuri groups—had, through their rebellions, contributed to longstanding crises that ultimately led to the ouster of Bashir and his National Congress Party after three decades in power.

The dynamics leading up to and through the JPA negotiations reflected the fact that coalitions and alliances opposed to the Bashir regime over the years were not static; rather, there was a continuous process of alliance-making and division, which is a common feature of armed groups in rural Sudan as well as a characteristic of political parties and movements in cities and urban areas. The armed groups and the civilian opposition, too, had an uneasy relationship throughout the protest movement and after Bashir's ouster, and those tensions contributed to the shape of the peace agreement that was eventually negotiated. Some of the armed groups aimed to end the hegemony of Sudan's so-called 'riverine' elite. But most of the civilian opposition leaders and political parties that allied with the armed groups of the Sudan Revolutionary Front (SRF) against Bashir in 2019 under the umbrella of the Forces of Freedom and Change (FFC) coalition were from this same elite. Distrust was rife. The problems in the relationships between and among the armed groups and political parties were more personal than ideological. The armed groups suspected the civilian parties did not see them as worthy of the benefits of the agreement – particularly elevation of key SRF leaders to senior positions in the administration. Conversely, the civilian members of the FFC always suspected that the armed groups wanted to engage in a separate negotiation in pursuit of their own, narrower interests.

During the FFC's negotiations with the Transitional Military Council (TMC) after Bashir's ouster, the SRF felt marginalized and preferred to engage in its own, separate negotiations with the TMC – a precursor of what was to come during the peace process in Juba. When, in July 2019, the FFC signed the Constitutional Charter with the TMC to form a civilian-led transitional government, and did so without the SRF on board, this effectively ended any prospect of the SRF becoming part of the transitional administration.

The Constitutional Charter did, however, include a key provision that the armed groups had demanded – that the new government prioritize negotiation of a peace agreement to address Sudan's violent conflicts. Backed by

the United Arab Emirates (UAE), the parties decided to conduct the negotiations in Juba, South Sudan, in part to leverage the relationships between the South Sudanese government of President Salva Kiir and the Sudanese rebel leadership dating to the time before the Sudanese civil war that ended with the Comprehensive Peace Agreement that created South Sudan. Another set of close ties that was influential in Juba's role was the connection between Tut Kew Gatluak, Salva Kiir's security advisor, and Mohamed Hamdan Dagalo 'Hemedti' – leader of the Rapid Support Forces and the pivotal security actor in post-Bashir Sudan.

Though the Sudanese government side in the Juba negotiations – the transitional administration —was ostensibly civilian-led and the country's official military was headed by General Abdel Fattah al-Burhan, Hemedti emerged as the crucial player on the government side. While the formal negotiations took place during the day, Hemedti and his team engaged in the most consequential deal-making after hours, in coordination with Burhan, effectively wresting control of the process from the civilian negotiators via his familiarity with the style of politics generally practiced by the armed actors from Sudan's peripheries. Notably, some of the armed groups eventually sided with the military component of the transitional government—actively or tacitly—during the coup in October 2021.

The negotiations also had an added layer of complexity: they were organized into six geographical tracks roughly corresponding to armed and civilian opposition movements with origins and support bases in specific areas of the country, although not all of the tracks had active conflicts or armed groups. Rather, those civilian or political representatives were included to broaden the base of support for the talks.

Yet, the negotiations never really took sufficient account of the local political and social dynamics in the areas covered by the tracks. And while most analysis of the JPA focuses on the elite players – government and armed groups – it tends to ignore the views of one of the key stakeholders; the Sudanese people, particularly those most affected by conflict. This author's research visits to Blue Nile, Eastern Sudan, and Darfur, including displacement camps, in July to October 2022—a full two years after the signing of the JPA—revealed a prevailing view among the populace that, however much they might support the contents of the agreement, they had little hope that any of its ambitious agenda would ever be implemented. They had yet to see any changes affecting them in a positive way, and thus felt it was unlikely the JPA would offer little improvement in their lives of deprivation and outright physical danger.

Worse still, in several regions of Sudan—Blue Nile state and Eastern Sudan, to give two examples—the impact of the JPA was to fuel conflict, stemming from a political process that paid too little attention to how the political elites in each area would use the JPA to further their own interests, or those of their ethnic or political groups, to the exclusion of others.

## **Key players in the Juba Peace Agreement at a glance**

Key players involved in the Juba Peace Agreement came from three main groups: 1) Sudan's civilian-military transitional government, with the military leaders ultimately being much more significant than the civilian negotiators; 2) the leaders of the main Sudanese armed groups that agreed to participate in the process; 3) key figures in the government of South Sudan who hosted and, to some extent, mediated the process.

### **Sudan's civilian-military transition government**

#### **ABDEL FATTAH AL-BURHAN**

Chairman of the transitional government's Sovereign Council and head of the Sudan Armed Forces; Chair of the High Peace Council, which oversaw all aspects of the peace process.

#### **MOHAMED HAMDAN DAGALO 'HEMEDTI'**

Deputy Chair of the transitional government's Sovereign Council and Commander of the paramilitary Rapid Support Forces (RSF); played lead role in negotiations from military side.

#### **ABDALLA HAMDOK**

Prime Minister in the transitional government from August 2019 – October 2021 and November 2021 – January 2022; leader of the civilian component of the transitional government during the JPA negotiations; led separate talks with the SPLM/A-N (Al-Hilu) faction without success.

### **Sudanese armed opposition**

#### **JIBRIL IBRAHIM**

Leader of the Justice and Equality Movement (JEM) and of the Sudan Revolutionary Front; appointed Minister of Finance in February 2021 after signing the JPA.

#### **MINNI MINNAWI**

Leader of the Sudan Liberation Movement/Army – Minni Minnawi (SLM/A-MM); head of the Darfur Regional Government; split from the SRF during JPA negotiations but signed the agreement.

#### **MALIK AGAR**

Leader of the Sudan People's Liberation Movement/Army-North (Agar) (SPLM/A-N (Agar)); former president of the SPLM/A-N and governor of Blue Nile state.

#### **EL-HADI IDRIS**

Chair of the Sudan Revolutionary Front (SRF) and leader of the Darfuri armed group Sudan Liberation Movement/Army – Transitional Council (SLM/A-TC).

### **South Sudanese government**

#### **SALVA KIIR MAYARDIT**

President of South Sudan; sought rapprochement with Khartoum during South Sudan's civil war to prevent Sudanese backing for SPLM-IO rebels; agreed to limit support to Sudanese rebels in return.

#### **TUT KEW GATLUAK**

Key security advisor to Salva Kiir; chair of the South Sudanese mediation team during the JPA negotiations; favoured interlocutor between Khartoum and Juba during second civil war due to close links with former President Bashir; also close to Hemedti.

# BACKGROUND

The Juba Peace Agreement was signed initially in August 2020 and formally that October. The signatories were representatives of Sudan’s civilian-military transitional government and a collection of Sudan’s armed opposition groups organized as the Sudan Revolutionary Front (SRF), as well as an armed splinter group, the Minni Minnawi faction of the Sudan Liberation Movement/Army (SLM/A-MM), and civilian groups from the regions that had opposed former President Omar al-Bashir.

The talks had their origins in the August 2019 Constitutional Charter negotiated between the Forces of Freedom and Change (FFC – the revolutionary coalition of civilian and armed groups that had precipitated Bashir’s ouster that summer) and the Transitional Military Council (TMC) that had taken over temporarily after Bashir’s removal. The Declaration, which established a civilian-military transitional government, included a provision that prioritized the negotiation of a peace agreement to resolve Sudan’s long-standing and varied violent conflicts around the country.

In an effort to represent those varied concerns, the negotiations became particularly complex, being organized into six geographical tracks to cover Darfur, the so-called “Two Areas” (South Kordofan and Blue Nile), Eastern Sudan, the North, the Centre, and Tamazuj (relating to groups from the border regions of Darfur and South Kordofan).<sup>1</sup> These tracks mostly corresponded to armed and civilian opposition movements with origins and support bases in these areas. Not all of the tracks had active armed groups involved and were represented by civilian groups, some of which had histories as armed movements – for example, in Eastern Sudan – while others did not, such as those in the North or Centre. The latter two had not experienced armed uprisings and weren’t influential, but were included in the talks to achieve a more broad-based agreement.

Furthermore, not all of Sudan’s armed opposition groups were involved in the talks and not all signed the agreement. Two of the groups—SPLM/A-N (Al-Hilu) and SLM/A-Abdelwahid (AW)—rejected the process entirely. The negotiations were ambitious and expansive, and were organized around three themes:

1. National issues: the nature of the state and the management of pluralism, system of governance, division and distribution of resources and revenues, security arrangements, participation in the transitional authority.
2. Special issues: ecology, nomads, *kanabis*<sup>2</sup> (migrant workers).
3. Regional issues; via tracks.

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1 The Tamajuz militia was essentially formed during and for its involvement in the JPA.

2 For more on the kanabi track of the JPA, see Edward Thomas, ‘Paying for Peace: Understanding the political economy of the Juba Peace Agreement’, Rift Valley Institute, September 2023: “the Kanabi Committee looks like a far-sighted provision of the peace agreement: an attempt to address the situation of migrant workers – a vast social group whose experiences sum up the Sudanese crisis. From the perspective of the ‘tenants’ or heritable leaseholders, the committee is likely to spark reactions or even violence. Many observers doubt it will ever be formed – partly because they believe kanabi residents are not very politicized... Although the situation in the kanabi is a small political game, it affects millions of lives, and it sums up the complexity and depth of the problems that need to be addressed for lasting peace in Sudan.”



A key backdrop to keep in mind is that Sudan's armed groups did not force the government to come to a peace deal – from a military perspective, they had posed little threat for several years. Their military capacity had been significantly degraded, in some cases non-existent, compared with the various high points of their rebellions in the 2000s and 2010s. Rather, the armed groups that participated in the JPA process took their opportunity to have significant influence on the back of a national political change facilitated by mass civic mobilization.

Nevertheless, the actions of Sudan's armed groups over several decades had played a significant role in weakening Bashir's government. Through the 1980s and 90s, the armed group known at the time as the Sudan People's Liberation Movement/Army (SPLM/A) had waged war against the Khartoum government, finally ending with the Comprehensive Peace Agreement (CPA) in 2005 and the eventual secession of South Sudan in 2011. But fighting in two Sudanese states along that border, South Kordofan and Blue Nile (known as "the Two Areas") resumed even before the official secession, pitting the Sudanese government against the new SPLM/A-North (SPLM/A-N).

Such ongoing insurgencies against the Bashir government—particularly in Darfur and the Two Areas—had required the government to commit significant resources to counterinsurgency activities. To augment his own military, Bashir had supported rural militia forces that were deployed to fight the rebels in the country's peripheries – in the words of longtime Sudan analyst and Tufts University Professor Alex de Waal, "counter-insurgency on the cheap."<sup>3</sup> The most notorious of these was the *Janjaweed* militias, which had become infamous internationally due to their violent suppression of the Darfur rebellion in the early 2000s, leading to indictments by the International Criminal Court for Bashir and other senior members of his regime.

These tactics, combined with Bashir's support of international jihadist groups and harbouring of al-Qaeda leader Osama bin Laden long before the Sept. 11, 2001, terror attacks on the United States, contributed to Sudan's economic and diplomatic isolation, including its 1993 placement on the U.S. list of State Sponsors of Terrorism. Adding to the Bashir government's woes, when South Sudan seceded in 2011, it took with it 75 percent of oil reserves, which were mostly located in the border areas with Sudan's new southern neighbour. As a result, Sudan suffered a long and painful adjustment to a post-oil era, only partly compensated for by a gold boom in the 2010s.<sup>4</sup>

Sudan's diplomatic isolation began to soften in the late 2010s, as the United States lifted most sanctions in 2017, as a reward for the Bashir government ending support to militias and allowing humanitarian access. But by this time, the economic and political damage was done, and the economic crisis eventually began to be felt in the once-relatively wealthy center of the country, dire conditions that much of rural Sudan had experienced for decades. That pressure helped precipitate the urban revolution that ousted Bashir. That, in turn, brought to power a civilian-military government with ambitions to tackle Sudan's most enduring problems, including its stalled, but unending, wars. Only then, in December 2020, did the United States finally remove the country from its State Sponsors of Terrorism list.

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3 Alex de Waal, "Counter-insurgency on the cheap," London Review of Books, Aug. 5, 2004, <https://www.lrb.co.uk/the-paper/v26/n15/alex-de-waal/counter-insurgency-on-the-cheap>.

4 See Thomas, 'Paying for Peace'.

## Relationship between the armed and civilian opposition

While the armed groups fighting Bashir's government and the civilian opposition to his regime had the same general objective—his removal from power and the dissolution of his National Congress Party (NCP) system—the relationship was often an uneasy one. In January 2019, two weeks after the December 2018 start of the popular movement to oust Bashir, the newly formed FFC issued the “Declaration of Freedom and Change.” It outlined the movement's goals: the resignation of the president, the formation of an inclusive national transitional government; an end to Sudan's wars; the return of displaced people and refugees to their places of origin, with compensation; and solutions for the country's persistent and pervasive land disputes that often turned violent and were seen as a root cause of much of the country's conflict.<sup>5</sup>

The groups that signed the declaration included most of the Sudanese opposition factions, including the Sudanese Professionals Association, the National Consensus Forces alliance, the Sudan Call alliance, the Opposition Unionist Gathering, Resistance Committees, some women's groups, and other entities and initiatives. The Sudan Revolutionary Front (SRF), a coalition of armed groups largely from Darfur and the Two Areas,<sup>6</sup> signed the declaration as a faction within the Sudan Call, which was an alliance of political, civil society, and armed groups formed in 2014.

The inclusion of armed groups within the predominantly civilian movement that had coalesced around the objective of removing Bashir from power in 2018-19 posed some fundamental problems. While the preamble of the Declaration of Freedom and Change stated that the tool for regime change would be “peaceful struggle,”<sup>7</sup> the armed movements had spent decades fighting the government and its militias, sacrificing thousands of lives in the process. Also, one of the core ideological principles of the armed rural movements was that any restructuring of the Sudanese state must be based on ending the hegemony of the Sudanese elite – often referred to as the “riverine” (Nile) or “urban” elite. However, most of the political parties that allied with the SRF as part of the FFC belonged to this elite social group.

The different visions of the political/civilian and armed groups had long been an issue in their attempts to forge effective alliances. For example, the New Dawn Charter, signed by the SRF and the National Consensus Forces (NCF), a coalition of political parties,<sup>8</sup> in Kampala, Uganda, in January 2013 to usher in cooperation between the armed groups and political parties to Bashir, fell apart almost immediately after many of the political parties that had been a part of the negotiations withdrew their support because of disagreements over whether or how to include the objective of the armed groups to overthrow the government through armed action.<sup>9</sup> It was notable

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5 Declaration of Freedom and Change, 1 January 2019, <https://web.archive.org/web/20190716004035/https://www.dabangasudan.org/uploads/media/5cf94b02b2055.pdf>.

6 The Sudan Revolutionary Front (SRF) was formed in November 2011 bring together Darfur rebels and the Sudan People's Liberation Army – North (SPLA-N), which had restarted its war against the government in South Kordofan and Blue Nile (the Two Areas) earlier that year. For more on the SRF see, Andrew McCutchen, ‘The Sudan Revolutionary Front: Its Formation and Development’, Human Security Baseline Assessment, Working paper 33, Small Arms Survey, October 2014, <https://csf-sudan.org/library/the-sudan-revolutionary-front-its-formation-and-development/>.

7 Declaration of Freedom and Change.

8 The National Consensus Forces was a coalition of Sudanese political parties that was formed in 2009 during the National Unity Government that followed the signing of the Comprehensive Peace Agreement in 2005.

9 The NCP government at the time was able to influence some of the establishment opposition political parties, including the Umma Party and Democratic Unionist Party (DUP), to abandon the New Dawn Charter, citing its apparent violation of Sudan's political party law that prohibiting armed action.

that when the Sudan Call was formed in December 2014 with an agreement signed in Addis Ababa, Ethiopia, in another effort to forge cooperation among armed groups, political parties, and civilian opposition, it did not mention the armed struggle.<sup>10</sup>

After the revolution against Bashir broke into the open in December 2018, variations of such divisions – and halting efforts at unity – continued. At one point, when the FFC initially signed a political agreement with the TMC on 17 July 2019, the SRF rejected it.<sup>11</sup> Specifically, the SRF saw the initial six-month deadline to achieve peace as too short.

Also, the three main armed groups that rejected the final version of the Constitutional Charter signed with the TMC—Malik Agar’s faction of the Sudan People’s Liberation Movement/Army (SPLM/A-N (Agar)), Jibril Ibrahim’s Justice and Equality Movement (JEM), and the Minni Minnawi faction of the Sudan Liberation Movement/Army (SLM/A-MM)—wanted the Charter to state clearly that peace talks in their conflict-affected states (Darfur, South Kordofan, and Blue Nile) would be a top priority after the formation of the transitional government. They also demanded that those accused of war crimes, crimes against humanity, and genocide—including Bashir—be handed over to the International Criminal Court (ICC).

While there were some attempts to bring the different parts of the opposition movement back together, these ultimately failed, and the FFC signed the Constitutional Charter with the TMC without the involvement of the SRF. The agreement formed a transitional government headed by civilian Prime Minister Abdalla Hamdok, though in reality, the terms of the agreement gave most power to the military, which held the chair of the Sovereign Council. But it also pledged to “Work on achieving a just and comprehensive peace, ending the war by addressing the roots of the Sudanese problem, treating its effects, taking into account the provisional preferential measures for war-affected regions, underdeveloped regions and the most affected groups.” It further stated that, “During the first six months of the transitional period, the priority is to work seriously to establish peace...”<sup>12</sup>

## The road to Juba

On 11 September 2019, the Juba Declaration of Principles was signed between the SRF and the transitional government, setting out the main participants and a timetable for negotiations of what would become the Juba Peace Agreement.<sup>13</sup>

The United Arab Emirates, which had made clear its desire to play a lead role in the talks, identified Juba as a suitable location, based on historical links between players now in the South Sudanese government and Sudan’s

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10 ‘Sudan Call Declaration’, Sudan Tribune, 3 December 2014, <https://sudantribune.com/articles51948/>.

11 Interview with Mohamed Adam Ahmed (Kash), Sudan Liberation Movement-MM, and member of the Darfur Track Coordination in North Darfur State, El Fasher, 19 September 2022. The SRF was not alone in rejecting this political agreement. This decision was shared by a number of different groups, including the Displaced Persons and Refugees Bloc of the Sudan Call, the Darfur Lawyers Association, the National Consensus Forces Alliance, and the Sudanese Journalists Network. This collective rejection caused the postponement of the signing of the Constitutional Declaration until consensus was achieved amongst the civilian groups.

12 ‘Sudan Constitutional Declaration August 2019’, ConstitutionNet, International IDEA, Undated. <https://constitutionnet.org/vl/item/sudan-constitutional-declaration-august-2019>.

13 ‘Sudan armed movements: Juba declaration is a major step forward’, Radio Dabanga, 11 September 2019, <https://www.dabangasudan.org/en/all-news/article/sudan-armed-movements-juba-declaration-is-a-major-step-forward>.

armed groups. Both factions of the SPLM/A-N (before its split into factions in 2017) had fought during Sudan's civil war (1983-2005) alongside the SPLM, which then essentially became the government of South Sudan after the CPA, and the SPLM/A-N and JEM played a crucial role supporting Kiir's government during its war against the SPLM-IO from December 2013.<sup>14</sup>

Hamdok's transitional government saw those historical ties as potentially useful, and appeared to believe that South Sudanese President Salva Kiir—and perhaps more importantly Tut Kew Gatluak (a key advisor to Kiir on security, and previously close to Bashir)<sup>15</sup>—might be able to persuade the Sudanese groups to come to an agreement.

It was also during South Sudan's civil war that relations between the governments in Khartoum, Juba, and Kampala stabilized. So Juba as a location for these talks was supported by other countries in the region, as well. That also included Chad, which had hosted a meeting between Minni Minnawi and Hemedti in June 2019 and historically had been an important player in the Darfur wars.<sup>16</sup>

### **Structuring the peace talks: formal and informal, as splits emerge**

When the parties to the peace process assembled in Juba to negotiate the agreement after the September 2019 signing of the Juba Declaration of Principles, it swiftly became clear that there were two parts to the negotiations. First, there was the 'official' process where representatives of the SRF negotiated with civilian members of the transitional government in the way envisioned. But there was also a parallel process spearheaded by Hemedti and his team—in coordination with Burhan—outside of the official process. This was where the real negotiations and politics took place, steering the JPA towards its eventual outcome—a means of disbursing political patronage to a few key rebel leaders.

At the outset of the negotiations in Juba, it was agreed that they would be organized into tracks, something that the government side and South Sudanese negotiators initially opposed, fearing that it would further complicate an already complex process.<sup>17</sup> Eventually, worried that the SRF might disintegrate, which would make further progress in the negotiations impossible, they agreed. Darfur and the Two Areas were the two regions of the country where rebel groups could claim to be active and control some territory (particularly South Kordofan, the largest area of SPLM/A-N control). However, after lobbying from groups who were present in Juba from Eastern Sudan, a strategically important region with a dormant rebellion (see below), they also gained their own track. After this, it was agreed that central and northern Sudan should also get their own tracks, although their inclusion

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14 For more on this see International Crisis Group, 'Sudan and South Sudan's merging conflicts', Brussels: International Crisis Group, 29 January 2015.

15 Tut Kew Gatluak is a Bul Nuer from the Gok section. A former NCP member, during the second Sudanese civil war he coordinated contact between Bashir and the Bul Nuer militias of Paulino Matiep, which Khartoum sponsored to fight the SPLM rebels. After Bashir's exit from power, Tut remained a key figure in Juba and coordinated contact with the transitional government, particularly Hemedti, with whom he is said to have business interests.

16 For more on this see, Jerome Tubiana and Aly Verjee, 'Chad, and Darfur, After Bashir: Will Sudan's western neighbor be the next African country to oust its leader?', United States Institute of Peace, 2 May 2019, <https://www.usip.org/publications/2019/05/chad-and-darfur-after-bashir>.

17 WhatsApp conversation with Mohamed Ahmed ali Mahala, Director of the Office Mohamed Hassan Eltaishi, Member of the Sovereign Council, 7 January 2023.

in a peace negotiation—despite having no active armed rebellions—was always something of a stretch.<sup>18</sup>

[The case of Eastern Sudan and its corresponding track illustrate the failure of the JPA process to properly take into account local power dynamics, thus creating more political instability and conflict. There has been little obvious benefit for more than a handful of local political leaders who gained from their elevated positions by virtue of the agreement, a result that is emblematic of the JPA as a whole. See the accompanying text box for more on that.]

Soon, disagreements emerged within the SRF between the movement’s chair, El-Hadi Idris (Chair of the SLM/A-TC), and Minni Minnawi, who wanted to restructure the leadership to be more horizontal and increase his own power. On 15 May 2020, Minni Minnawi presented a memorandum to Tut Gatluak, chair of the South Sudanese mediation team, announcing the division of the SRF into two factions, one led by the SLM-Minnawi and the other by El-Hadi Idris – effectively the remaining part of the SRF. He made it clear that the SLM faction was ready to continue negotiations and cooperate with the mediation team. In response, the SRF denied the split and claimed that eight out of the nine groups represented within the SRF remained part of the original movement. Even though the SLM broke away from the SRF, Minni Minnawi negotiated separately on behalf of the SLM and still joined in the signing of the Juba Peace Agreement five months later in October 2020.

The divergence of political interests among the opposition groups that signed the Juba Peace Agreement hindered the implementation of important elements, foremost being the security arrangements protocol. These divisions weakened the SRF’s relationship with the military component of the transitional government and also decreased support for the SRF from the FFC, which believed that the armed groups had rejected many of the principles that united the armed and civilian groups in the overthrow of Bashir in 2019.

### **Why did some groups choose not to join the negotiations?**

In the case of the two major armed groups that were holdouts and refused to join the JPA process, it is possible that their military strength and significant local constituencies made them less easily swayed by the promises of political and economic advancement under the patronage of Sudan’s new military leaders. The most militarily capable was SPLM/A-N (Al-Hilu). It holds a significant amount of territory—mostly in the Nuba mountains region of South Kordofan state, and also a smaller part of Blue Nile state.<sup>19</sup> In its stronghold of South Kordofan, it draws most of its support from the Nuba people, which are a non-Arab community comprised of as many as 50 smaller ethnic groups.

The SRF had agreed to integrate Al-Hilu’s forces into the SRF as part of the JPA. But the SPLM/A-N (Al-Hilu) leadership was always wary of the peace process, particularly that it was effectively led by the military component of the transitional government, sidelining its civilian partners. Al-Hilu met with Hamdok more than once during

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18 The Northern Track was signed by Mohammed Ahmed Sir al-Khatim (Northern Entity) and the Central Track by al-Tom Hajo (Opposition DUP – a splinter group from the Democratic Unionist Party).

19 In 2017, the Al-Hilu faction of the SPLM-N split from the Malik Agar faction of the SPLM-N (mostly present in Blue Nile) and ended up attracting more support from some communities in Blue Nile than the Agar faction, despite the latter being the former governor of the state. See ‘What next for Sudan’s peace process? Evolving political and security dynamics in the Two Areas’ Rapid Response Briefing, Rift Valley Institute, March 2022.

the period of the JPA negotiations (in Juba and Addis Ababa), but the talks didn't progress very far.<sup>20</sup> Al-Hilu commented later, in early December 2022 and thus long after the October 2021 military coup, that 'what matters to [SPLM/A-N (Al-Hilu)] is addressing the roots of the problem and achieving comprehensive peace, not the division of power among the political elites'.<sup>21</sup>

Similarly, Abdelwahid El Nur's faction of the Sudan Liberation Movement/Army also refused to join the negotiations in Juba. The group controls territory in the inaccessible Jebel Mara region of Central Darfur, gaining support mostly from among the Fur ethnic group. Taking an even stronger position than Al-Hilu, Abdelwahid rejected any involvement in the peace process unless it was truly civilian-led and refused to meet with Hamdok entirely.

### Key players in the Juba Peace Agreement at a glance

The desire for an Eastern Track in the JPA peace process, even though there was no active armed group operating in the region, is a legacy of the perceived failure to properly implement the 2006 Eastern Sudan Peace Agreement in the region, combined with its strategic economic importance to governments in Khartoum.

Eastern Sudan is comprised of Red Sea, Kassala, and Gedaref states. Under then-President Omar al-Bashir's National Congress Party, some of the ethnic groups living in the east—particularly the Beja—felt that the Bani Amer (originally a sub-group of the Beja living in the Sudan/Eritrea borderlands) had been unduly favoured by the Bashir regime and had encroached into Beja lands. So with the arrival of the transitional government, they had high hopes of an effort to redress this perceived imbalance.

Instead, the JPA process only made the problems worse. This was partly because the leaders of the eastern groups included in the peace process—Beja Congress-In Opposition and United Peoples Front for Liberation and Justice (UPFLJ)—were not considered to be effective representatives of the Beja community. A rally in November 2019 in Port Sudan held by Al-Amin Daoud, leader of the UPFLJ, in support of the process, led to violence between the Bani Amer and Beja communities, with at least six people killed and accusations by some Beja that Daoud did not represent their interests. Despite attempts to de-escalate the situation, the violence peaked in 2020 with a state of emergency declaration after clashes between the Bani Amer and Beja broke out in August following an announcement that individuals from the Bani Amer community would be the new civilian governors of Kassala.

20 'Hilu meets Hamdok ahead of the launch of peace talks in Juba', Sudan Tribune, 25 May 2021, <https://sudantribune.com/article67706/>; 'Sudan's transitional authority endorses Hamdok-Hilu agreement on peace talks', Reliefweb, 15 September 2021, <https://reliefweb.int/report/sudan/sudan-s-transitional-authority-endorses-hamdok-hilu-agreement-peace-talks>.

21 'Tripartite mechanism, non-signatories discuss peace, political settlement in Sudan', Sudan Tribune, 1 December 2022, <https://sudantribune.com/article267663/>.

Despite the JPA signing in October 2020, implementation never started in the East. As the military component of the transitional government began looking for allies in its battle with the civilian component for control, the military in 2021 found a willing partner in the Beja, which organized a blockade of key ports in eastern Sudan in September 2021 through the Beja High Council (and allies), under the leadership of Nazeer Tirik.

The Beja vowed they would only reopen the ports if the eastern track of the JPA was suspended. The blockade remained in place until November 2021, seriously disrupting Sudan's economy, including oil exports. Finally, that month, soon after the removal of Hamdok as prime minister in the October 2021 military coup, the military agreed to address the Beja High Council's demands. The following period, however, was an uneasy truce, with no apparent attempt either to implement or renegotiate the JPA in the east.

The eastern track thus illustrates how the design of the JPA – failing to properly take into account local power dynamics – created more political instability and conflict. There has been little obvious benefit for more than a handful of local political leaders who gained from their elevated positions by virtue of the agreement, a result that is emblematic of the JPA as a whole.



# THE PLAYERS

## Sudan's Civilian-Military Transitional Government

### ABDEL FATTAH AL-BURHAN

Chairman of the transitional government's Sovereign Council and head of the Sudan Armed Forces; Chair of the High Peace Council, which oversaw all aspects of the peace process.

Burhan's Sovereign Council effectively wielded presidential power in the transition following the ouster of Bashir. And during the JPA negotiations, he and his team coordinated with paramilitary Rapid Support Forces Commander Mohamed Hamdan Dagalo 'Hemedti' in unofficial – but ultimately more influential – negotiations with the armed groups than the formal talks that were led on the government side by civilians.

As the accompanying main paper notes, Western diplomatic missions viewed Burhan as somewhat pragmatic based in part on the fact that he was not an Islamist, and so they felt they could negotiate successfully with him.<sup>22</sup>

### MOHAMED HAMDAN DAGALO 'HEMEDTI'

Deputy Chair of the transitional government's Sovereign Council and Commander of the paramilitary Rapid Support Forces (RSF); played lead role in negotiations from military side.

Though the government side in the Juba negotiations was ostensibly civilian-led and the country's official military was led by Burhan, Hemedti emerged as the crucial actor on the government side. While the formal negotiations took place during the day, Hemedti and his team, in coordination with Burhan, engaged in the most consequential deal-making after hours, effectively wresting control of the process from the civilian negotiators through a form of politics that made sense to armed actors from Sudan's peripheries. This was where the real negotiations and politics took place, steering the JPA towards its eventual form as a mechanism to disburse political patronage to a few key rebel leaders.

Since 2015, Hemedti had built his Rapid Support Forces (RSF) militia into the main instrument of the government's counterinsurgency campaign, particularly in Darfur (although the RSF was also deployed to the Two Areas with less success). Following the success of its military campaigns, particularly against JEM in 2014-15, Hemedti became a key broker in the region, building up the economic power of the RSF through control of gold mines and, allegedly, illegal smuggling networks, as Sudan experienced a gold rush following the decline of its oil economy after South Sudan's secession in 2011. Hemedti also had a history with Tut Kew Gatluak, South Sudanese President Salva Kiir's security advisor and one of the hosts of the Juba talks (see below).

Hemedti outlasted his original patron, Bashir, and became a key member of Burhan's Sovereign Council, which effectively wielded presidential power in post-revolution Sudan. It was therefore no surprise that Hemedti would

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22 Joshua Craze and Kholood Khair, 'Remains of the JPA', Rift Valley Institute, forthcoming.



prove to be an effective player in the JPA process, practicing a sophisticated strategy of divide and rule and persuading malleable (and pragmatic) actors such as Minni Minnawi to side with the military during the October 2021 coup.

Hemedti also had developed strong relationships with regional political leaders, such as Khamis Ambdallah Abbaker in West Darfur; Nimir Abdelrahman (former chair of the SLM/A-TC), the governor of North Darfur; and Ahmed al-Omda, Governor of Blue Nile state (appointed by armed group leader Malik Agar). This enabled Hemedti to put pressure on and cut deals with the negotiating teams from the different armed groups, persuading enough of them that it would be in their best interests to side with the military – or at least not actively oppose it – in its struggle for control over the transitional government. That struggle culminated in the October 2021 coup.

Hemedti was supported in the JPA negotiations by his brother, Abdel-Rahim Dagalo, who was his deputy and derived his authority from his association with Hemedti.

## **ABDALLA HAMDOK**

Prime Minister in the transitional government from August 2019 – October 2021 and November 2021 – January 2022; leader of the civilian component of the transitional government during the JPA negotiations; led separate, though unsuccessful, talks with the SPLM/A-N (Al-Hilu) faction, which did not participate in the JPA process.

An economist by profession and former United Nations official, Hamdok became prime minister of Sudan in the transitional government that emerged from the August 2019 Constitutional Charter that was negotiated between the revolutionary Forces of Freedom and Change and the Transitional Military Council in Addis Ababa. (The Sudan Revolutionary Forces coalition of armed groups, which had been part of the FFC, withdrew from those constitutional talks after feeling sidelined, so they were not really on board with the transitional arrangement that had been negotiated, though the SRF did go on to participate in the JPA process.) Under the terms of the Constitutional Charter, the new transitional government was to be civilian-led, but in reality the terms of the agreement gave most power to the military, which held the chair of the Sovereign Council.

In the JPA negotiations, the civilian component represented the transitional government in the formal negotiations, and envoys from the talks in Juba regularly returned to Khartoum to brief Hamdok. But he and his team were consistently undermined by back-channel talks that Hemedti was conducting, in coordination with Burhan, with Sudan's armed groups after hours in Juba. Two of the groups – SPLM/A-N (Al-Hilu) and SLM/A-Abdelwahid (SLM/A-AW) – rejected the process entirely. Hamdok sought to bring the most militarily capable and most powerful of the two in terms of territorial control, SPLM/A-N (Al-Hilu), into the process through separate negotiations, but that effort failed. SLM-AW, objecting that the process was not truly civilian-led, refused to meet with Hamdok.

In October 2021, Hamdok was removed as prime minister in a military coup and kept for weeks under house arrest, before ultimately being reinstated in November 2021. That second stint in office also was cut short, however, when he was forced to resign amid street protests against the military's continued dominance of governance and political life in Sudan.

## **Sudanese Armed Opposition**

## **JIBRIL IBRAHIM**

Leader of the Justice and Equality Movement (JEM) and Secretary-General of the Sudan Revolutionary Front; appointed Minister of Finance in February 2021 after signing the JPA.

JEM was one of the three main armed groups, with Malik Agar's faction of the Sudan People's Liberation Movement/Army and the Minni Minnawi faction of the Sudan Liberation Movement/Army (SLM/A-MM), that rejected the final version of the constitutional charter signed with the Transitional Military Council that resulted in the August 2019 formation of the officially civilian-led transitional government.

In common with Minni Minnawi, Jibril Ibrahim's JEM sided with the military during the October 2021 coup that initially toppled Hamdok as prime minister, although JEM remained part of the SRF.

## **MINNI MINNAWI**

Leader of the Sudan Liberation Movement/Army – Minni Minnawi (SLM/A-MM); head of the Darfur Regional Government; split from the SRF during JPA negotiations but signed the agreement.

Minnawi's group was one of three armed groups, with Malik Agar's faction of the Sudan People's Liberation Movement (SPLM/A-N (Agar) and Jibril Ibrahim's Justice and Equality Movement (JEM), that rejected the final version of the constitutional charter signed with the Transitional Military Council that resulted in the August 2019 formation of the officially civilian-led transitional government.

In the Juba talks, the actions of Minni Minnawi signalled the direction of travel for many of the non-government armed groups. Shortly after the onset of negotiations, disagreements emerged between him and SRF Chair El-Hadi Idris (see below). On 15 May 2020, Minni Minnawi presented a memorandum to Tut Gatluak, chair of the Southern Mediation Committee, announcing the division of the SRF into two factions, one led by the Minni Minnawi and the remainder by El-Hadi Idris. Minni Minnawi made it clear that his faction was ready to continue negotiations and cooperate with the mediation team. The SRF denied the split and claimed that eight out of the nine groups represented within the SRF remained part of the original movement.

Minni Minnawi ultimately signed the peace agreement in October 2020, and, as a reward for his tacit support to the military component of the transitional government, became governor of the Darfur region in August 2021. His actions over time have made it clear that he accepts as a given the military's domination of political and economic life in Sudan. Along with Jibril Ibrahim's JEM, Minni Minnawi supported the October 2021 coup that initially removed Hamdok from power.

## **MALIK AGAR**

Leader of the Sudan People's Liberation Movement/Army-North (Agar) (SPLM/A-N (Agar)); former president of the SPLM/A-N and governor of Blue Nile state.

Malik Agar's faction emerged in 2017, when the SPLM/A-N, which the previous year had agreed on a cessation of hostilities with the government of then-President Omar al-Bashir for the Two Areas, split into two. The armed group controlled the southern part of Blue Nile state, along the border with South Sudan's Upper Nile state,

and parts of the Ingessana Hills. After the split, the Blue Nile faction was led by Malik Agar, an Ingessana and former governor of the state. After the 2019 revolution against Bashir, given the relative military weakness of his faction, Malik Agar had little option but to join the Juba peace process. This was in contrast to the SPLM/A-N (Al-Hilu), whose larger forces and stronger political following in South Kordofan—and to some extent in Blue Nile—enabled al-Hilu to reject the military-dominated JPA process.

Agar's faction was one of three armed groups, with Jibril Ibrahim's Justice and Equality Movement (JEM) and the Minni Minnawi faction of the Sudan Liberation Movement/Army (SLM/A-MM), that rejected the final version of the constitutional charter signed with the Transitional Military Council that resulted in the August 2019 formation of the officially civilian-led transitional government.

In the later JPA process, Hemedti had developed close ties with Ahmed al-Omda, whom Malik Agar had appointed as governor of Blue Nile state. The JPA granted the SPLM/A-N (Agar) a significant amount of political representation in Blue Nile – 30 percent of state-level government positions and the right to appoint the governor and cabinet. This brought Malik Agar and his supporters back to the forefront of political power in the state. However, in doing this, the JPA indirectly served to fuel existing tensions in Blue Nile over land and political representation, sparking a bloody conflict in 2022 that claimed hundreds of lives and displaced tens of thousands of people. The fighting was largely between the Hausa – a community of West Africa origin – and different parts of the Funj community, which in turn is made up of a collection of indigenous ethnic groups from Blue Nile, such as the Hamaj, Berta, and Gumuz . The SPLM/A-N has historically drawn most of its support in Blue Nile from indigenous communities, particularly the Ingessana, Uduk, and Berta. However, after the 2017 split in the SPLM/A-N, Malik Agar realized that his support in the state was not as strong as he had believed and was overdependent on the Funj. To broaden his base of support, he and other leaders of his SPLM/A-N faction made overtures to the Fellata community in Blue Nile—another group of West Africa origin—and to the Hausa.

Following the 2018-19 revolution against Bashir, the Hausa began to press for some of the benefits of the political changes, including for their own *nazara* (territorial unit) in Blue Nile. The Hausa raised the issue publicly in 2021, soon after the SPLM/A-N (Agar) had started running Blue Nile. The demands raised tensions with the Funj community, and when Malik Agar appeared to respond favourably to the request, violent conflict broke out. Ultimately, leaders from the Funj communities publicly blamed the SPLM/A-N (Agar) for the violence and insisted on suspension of the JPA, thus ending SPLM/A-N rule in Blue Nile.

## EL-HADI IDRIS

Chair of the Sudan Revolutionary Front (SRF) during the JPA negotiations and leader of the Darfuri armed group the Sudan Liberation Movement/A – Transitional Council (SLM/A-TC).

Not long after the start of negotiations in Juba, El-Hadi Idris, as SRF chair, lost the support of Minni Minnawi, who announced he was splitting from the SRF, apparently wanting a more horizontal leadership structure that would increase his own power. The SRF denied the split and claimed that eight out of the nine groups represented within the SRF remained part of the original movement.

In the October 2021 military coup, the faction of the SRF headed by El-Hadi Idris rejected the military's move and affirmed its commitment to the 2019 Constitutional Charter, implementation of the JPA, and membership in the FFC-Central Council (after the FFC split in 2021 into FFC-CC and FFC-National Charter). However, the

Central Council's three leaders (El-Hadi Idris, Agar, and Al-Taher Hajar, a leader of a Darfuri group called Sudan Liberation Forces Alliance remained in their positions as members of the transitional government's Sovereign Council even after the coup.

## South Sudanese Government

### SALVA KIIR MAYARDIT

President of South Sudan; sought rapprochement with Khartoum during South Sudan's civil war to prevent Sudanese backing for SPLM-IO rebels; agreed to limit support to Sudanese rebels in return.

Both factions of Sudan's SPLM/A-N armed group (before its split into factions in 2017) had fought during the country's civil war (1983-2005) alongside the SPLM, which then essentially became the government of South Sudan under Salva Kiir in its 2011 secession following the 2005 Comprehensive Peace Agreement. The SPLM/A-N and the Justice and Equality Movement (JEM) then later played a crucial role supporting Kiir's government during South Sudan's own civil war, when his forces fought the SPLM-IO starting in December 2013.<sup>23</sup>

Kiir was keen to play a constructive role—or to be seen as doing so—in the peace process in his northern neighbour. Already, he had been involved in resolving the differences between Sudan's Transitional Military Council and the Forces of Freedom and Change after a June 2019 massacre during an opposition sit-in in Khartoum. The South Sudan government also played a part in the reunification of the Sudan Revolutionary Front (SRF) in September 2019.<sup>24</sup>

So Sudan's Prime Minister Hamdok felt Kiir and his key security advisor, Tut Kew Gatluak (see below), could be influential in persuading Sudan's armed groups to reach an agreement with the Sudanese transitional government.

### TUT KEW GATLUAK

Key security advisor to Salva Kiir; chair of the South Sudanese mediation team during the JPA negotiations; favored interlocutor between Khartoum and Juba during second civil war due to close links with former President Bashir; also close to Hemedti.

Juba was selected as the location of the JPA talks in part because of the close relationship between Tut Kew Gatluak and Hemedti. Tut Kew Gatluak also was considered so close to Bashir that he the South Sudan advisor was sometimes referred to as Bashir's "adopted son." Sudan's Prime Minister Hamdok felt Tut Kew Gatluak and South Sudanese President Salva Kiir (see above) could use their connections with the Sudanese armed groups to persuade them to reach an agreement with the transitional government.

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23 For more on this see International Crisis Group, 'Sudan and South Sudan's merging conflicts', Brussels: International Crisis Group, 29 January 2015.

24 'Sudanese Revolutionary Front reunites factions, elects new chairman', Sudan Tribune, 3 September 2019, <https://sudantribune.com/article66186/>.

# LESSONS FROM THE JPA: PARTICIPATION

An examination of the participation—the actors and the nature of their involvement—in the negotiations that led to the Juba Peace Agreement elicits several lessons to take forward into similar processes in the future:

- The absence of the two most powerful armed groups in terms of capability and territorial control was a significant weakness of the talks. They apparently rejected the talks in part because it was clear that the military component of the new transitional government would be in control, rather than the intended civilian leadership, which stood contrary to what those armed groups had been fighting for over many years. These two armed groups may have been powerful enough to resist the lure of standard, transactional incentives such as personal benefits for key actors, and in any case, such transactional lures would be better replaced by substantive benefits that would accrue not—or not only—to individual leaders but to their own constituents. Even after two years, there was little obvious benefit from the JPA’s terms for local communities or for more than a handful of local political leaders who gained elevated positions. The international community can help participants identify ways to ensure relatively immediate short-term benefits, while planning and preparation is underway for more significant, longer-term outcomes.
- Such negotiations must properly and thoroughly understand and account for local power dynamics in regions affected by and represented in the process, to ensure that the representatives to the talks can convey the concerns in their areas and then help persuasively “sell” the agreement in the end. The danger of not doing so is acute, often creating more political instability and conflict rather than resolving it.
- Notwithstanding the failures of implementation, the durability of the JPA in any form depended substantially on the ability of the members of the FFC—armed and civilian—to maintain positive relationships with each other. This was especially difficult to achieve because the problems in the relationships between and among the armed groups and political parties were more personal than ideological. Mediators must be cognizant of such dynamics and account for them in the design of processes and agreements, and in decisions about diplomacy directed at the parties involved.

