

A Political Process Besieged

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The Final Political Agreement is under threat from many quarters and processes. The agreement, which builds on the Political Framework Agreement signed on 5 December 2022 between the FFC Central Council and its allies and the military, is being adopted in a context dominated by uncertainty, mistrust, and polarization. Even before being formally adopted, the agreement is beset by threats in a context of accusations and counteraccusations between all political, military, and civilian actors. This opinion piece lays out some of these risks and considers what the impact of the final agreement may be.

History of the agreement

The Framework Agreement signed in December was founded upon the Draft Transitional Constitution produced by the Sudanese Bar Association (SBA). It was adopted against the backdrop of a political stalemate that had paralyzed the country since the 25 October 2021 coup jointly undertaken by Lt.-Gen. Abdelfattah Al-Burhan, the Commander-in-Chief of the Sudanese Armed Forces (SAF), Lt.-Gen. Mohamed Hamdan Dagalo (a.k.a. Hemeti), commander of the Rapid Support Forces (RSF), and commanders of other security agencies.

When the Framework Agreement was signed in December, reactions oscillated between total rejection, reservations, cautious optimism, and a “wait and see” attitude. These stances were mostly driven by concerns about the trustworthiness, motivations, and intentions of both the FFC Central Council and the military establishment. There were questions about the military’s commitment to the agreement, guarantees of this commitment, mechanisms, and operationalization, particularly of provisions pertaining to the military. There were also concerns about the inclusiveness of the political process that led to the agreement and consensus-building around it, especially given the involvement of actors not considered “revolutionary forces” or those affiliated with the ousted Islamist regime of Omar al-Bashir. There were also questions about “under the table” deals rumored to accompany the agreement promising immunity, including from financial accountability for some of the military who signed the agreement.

Following the completion of all the workshops stipulated in the Framework Agreement, the FFC Central Council announced a new time frame: assigning the 1st of April for the signing of the Final Political Agreement, the 6th of April for signing the Interim Constitution and the 11th for the announcement of the new civilian transitional government. However, that timeline was missed. Even before it was signed, the final agreement is beset with a multitude of intersecting risks that render the transfer of power from the military camp to a new, united, and stable civilian government a profoundly complex endeavor.

Threats to the new agreement

A legitimate concern of most Sudanese is whether the military is “committed” to the process.

It is useful to focus less on intentions and more on actions, processes, and indicators. The basic assumption should be that Al-Burhan’s ultimate goal is not to leave power, but to cement his position until elections are held at the end of the transition.

One possible tactic for this, which should be of concern, therefore, is the manner in which Al-Burhan appears to be tactically navigating his relationship with the two key competing civilian blocs, the FFC Central Council and the Democratic Bloc. There are indicators that the SAF leader has been playing these groups against one another, sending both messages that he supports their vision and political stances regarding the transition. Despite his public statements proclaiming his adherence to the political process and ensuing agreements, some say that Al-Burhan is encouraging the Democratic Bloc's fierce opposition to the political process. These tactics may be intended to delay the process, derail it, or control its outcomes. The Bloc's current and future opposition could provide Al-Burhan with a strong excuse to renege on the process.

Another important risk is the conflict and divisions within the military component, including the complicated Burhan-Hemeti relationship and its political impact. The messaging of both the RSF Leader and the SAF Commander-in-Chief at the signing of the preliminary agreement and to both the Sudanese and international communities has been indicative of their political competition, how they want to be perceived locally and internationally, and their future political ambitions.

A key source of contention between the RSF and the SAF, has been on the issues of military "reform" and "integration" and each side's visions of what they should look like. The military has resisted reform both in and of itself and civilian involvement in any reform process, specifically. The integration of the RSF into the regular army, provided for in Framework Agreement's security and military reform component, has become a serious, and ever more visible, area of conflict. Although both entities publicly supported the principle of integration, they have very different conceptualizations regarding the time frame in which this should take place. Al-Burhan is pushing for as short a time frame as possible (SAF has suggested two years) while Hemeti is advocating for a more extended period (RSF has suggested 10 years). The numbers of proposed years for the integration changed more than once during the negotiations. Another contested issue is that of "command and control." The inability of the two military sides to agree on these issues impacted the outcomes of the Security and Military Reform Workshop.

Despite intense efforts by the Central Council and the International Community, there has not been a breakthrough on these issues, up to the scheduled April 1 date for the signature of the final agreement. Absent an agreement between the two sides, the signing of the Final Agreement had to be postponed.

This disagreement, combined with Hemeti's statements criticizing attempts to backpedal from the agreement and the fact that he has continued to speak and act independently of the army, increased the tension to extreme levels in the last weeks.

The RSF leader appears to have decided that, for the time being, his political interests align with the Framework Agreement, and he has been warning against backing away from it. His political ambitions have not been abandoned, but he seems to have reached the conclusion that relying solely on military power to maintain them is not enough and that he needs some level of civilian support at this stage. The Central Council seems to be aware of this tactical shift and is trying to use it in its favor. Politically empowering the RSF comes with its own risks which the Central Council seems willing to take.

However, there are indicators that the Sudanese Army's top brass are growing more and more disgruntled with Hemeti's powerful political and economic status and his actions. This also appears to be highlighting different streams of thinking within the SAF, particularly on issues related to dealing with the Islamists and the influence of the RSF, which could further threaten the long-term stability of the agreement.

On the civilian side, the political conflict between the FFC and the Democratic Bloc reached its peak as the negotiation of the final agreement entered its last stages. The Democratic Bloc, comprised of a number of political parties, including one faction of the Democratic Unionist Party (DUP-Jaafar Al-Mirghani); two signatories to the Juba Peace Agreement (the Sudan Liberation Movement (Minni Minnawi) and the Justice & Equality Movement (JEM); and some tribal leaders, The Democratic Bloc has been intensifying its rhetoric of rejection. When the Framework Agreement was signed, the bloc rejected it as "bilateral," "exclusionary" and characterized it as "hijacking the political decision." Its members underscored that there are other actors on the political scene, including themselves, not included in the FFC Central Council who should not be "forced" to accept the Central Council's political vision.

The FFC Central Council refuses to allow the Democratic Bloc as a unit to sign the Framework Agreement and join the political process, declaring that it is only reaching out to three of its members, the JEM, the SLA (Minni Minnawi) and the DUP-Jaafar Al-Mirghani, accusing the rest of the Bloc's members of paving the way for and supporting the army's 25 October coup. The Central Council also considers that most of the Bloc's members have no credible political constituencies and that others are fronting for loyalists of the Bashir regime.

Until recently, the Central Council seemed optimistic that its intense efforts to convince the two JPA signatories to join the process would succeed. They also seemed to believe that the army leadership had the ability to convince the two armed movements to sign. So far, however, the two armed movements have stood their ground, refusing to join the process separately and demanding to join as part of the bloc. Though some believe the two movements are being mainly spurred by their desire not to lose the gains in power and wealth sharing they made through the Juba Peace Agreement, fearing a reopening of that agreement, the groups insist that they are concerned about the Central Council's control of the political process and the imposition of a certain political vision. Recently, the two armed movements threatened to use "all options," including mobilizing the street against a new civilian government and blocking roads should the FFC Central Council finalize the political process and form a new government without including them.

Leaders of the bloc claim that "the street" does not support the agreement, while the Central Council insists that the agreement has gradually gained support from the Sudanese people. The reality appears to be that many Sudanese are still monitoring to see if, and what the agreement would actually mean, and what change it brings on the ground to impact their lives.

One of the illustrations of the hurdles laying ahead is the "blockage of eastern Sudan" and of access to Port Sudan, by the tribal chief of the Hadandwa people Mohamed El-Amin Tirik and his followers in a replay of the similar action in September 2021 that did the most to undermine the civilian-led government of Prime Minister Abdalla Hamdok and paved the way for the October 2021 coup. In 2021, the High Council of Beja Nazirs and Independent Chieftains headed by Sayed Tirik closed ports and highways in East Sudan for weeks. The civilian government at the time said the closure caused a serious shortage in the country's strategic

supplies including wheat and life-saving medicine. Initially, Tirik's demands were to cancel the Eastern Sudan Track protocol in the JPA. Later he called for the dissolution of the civilian-led transitional government, a demand which many Sudanese at the time saw as one of the acts which paved the way for the coup.

Despite these increasing threats, the FFC Central Committee continues to assert that it will finalize the agreement and form a new government at the beginning of April. Drafting of the Final Agreement was led by a Drafting Committee made up of representatives of 11 civilian signatories of the Framework Agreement, 1 SAF member and 1 RSF member. According to the FFC Central Committee, this final document is founded upon the Framework Agreement, the Political Declaration discussed with non-signatories, the Draft Interim Constitution, and the recommendations of the five workshops on Dismantling the Former Regime, the Juba Peace Agreement, East Sudan, Justice and Transitional Justice and Military and Security Reform. The Central Council plans to commence the nomination of government officials at the Sovereign, Executive and Commission levels through committees soon. Hours before the scheduled signing, the Council was still trying to reach consensus on issues including the structure of the Sovereign Council, names of government nominees and the number of seats of the Legislative Council.

The FFC-Central Council has particularly struggled to reach an agreement on the PM's position. There are indicators that there is no appetite among many of the forces within the Council to bring back the former PM, Abdalla Hamdok. At the same time, these political forces do not seem ready to accept a PM who is a member of a political party. The Central Council insists that this time positions will not be divided among political parties as they were in the previous transitional government. Finding a PM and members of the Sovereign Council and Cabinet who are acceptable to ordinary Sudanese presents a critical challenge.

Further, the escalating ethnic tensions in the country represent a major challenge to the process.

Former regime elements are a constant threat to the transition. There are different streams of thinking within them on how to react to the political process and ongoing developments. One is to try to control the process behind the scenes if it continues to move forward, the other is to sabotage it.

Competing interests of regional actors will also impact upon the next phase.

Concluding thoughts

To conclude, the political process initiated on 5 December by the signing of the Framework Agreement has progressed to signature of the Final Agreement. Despite this, many factors continue to threaten to impede the process from reaching the outcomes projected by the FFC Central Council. These include, but are not limited to the military's changing tactics, the shifting dynamics between SAF and the RSF, the difficulty of agreeing on, and implementing effective measures on security and military sector reform, building peace, blockages of East Sudan and other areas, justice, and transitional justice and how to translate the recommendations of all the workshops into actions that have actual impact on people's lives.

Further, there are many actors who still oppose the Framework Agreement and the FFC's political process including some Resistance Committees, the Communist Party, some civilian groups, and other Sudanese citizens who perceive the process as a concession to the military and a departure from the principles of the Sudanese Revolution. Street protests continue to be organized by some resistance committees. These actors will maintain their resistance to the process even after the formation of a new government.

From the other side, should the Democratic Bloc members scale up their opposition to the process, whether by mobilizing their constituencies on the ground to protest, blocking areas, or carrying out other disruptive actions, this would create a scenario where a new government, even if formed, is destabilized and chaos ensues. Instead of focusing on vital issues such as the economy, improving the livelihoods and security of the people and providing services, the new government would divert all its energy to firefighting.

More importantly, this would provide justification for Al-Burhan to backtrack on the process even after a new government is formed. He could use his characteristic excuses of the inability of civilians to agree and the army's unwillingness to side with one bloc at the expense of the other, and threats to the country's national security as a pretense for creating a new government and pushing for early elections which he is more likely to be able to control. The opportunities for Al-Burhan to renege on the agreement constitute the most important threat to its implementation.

At the same time, the FFC Central Council should be more cognizant of the fragility of the process it has initiated and the questions, uncertainties, weaknesses, and political and security threats that plague it - even if it is "technically" progressing. Issues of inclusivity, representation, legitimacy, and guarantees will continue to haunt the process. At one level, the FFC's ability to reach as wide a consensus as possible on the issues and form a government acceptable to ordinary Sudanese will be a determinative factor in securing popular support and buy-in for the next phase. On the other, the group is also staking its reputation on the ability to deliver an agreement.

Many Sudanese fear the political process will end up regenerating the old state model and keep them trapped in the cyclical pattern of transitions aborted by authoritarian rule. These fears are legitimate.

Even in the aftermath of the signing of the final agreement and the formation of a new government, the political and security dynamics of the coming period, and how the different civilian and military actors will deal with them, will be critical in shaping the second phase of Sudan's transition.

Lastly, without adequate buy-in, trust and support from the Sudanese people, the political process, even with its signed agreements and new government, will still not succeed in the long-term in strategically moving Sudan forward on the path of democratization that Sudanese carried out a revolution to attain.