

United States Institute of Peace
Association for Diplomatic Studies and Training
Sudan Experience Project

Interview # 35 –Executive Summary

*Interviewed by: W. Haven North
Initial interview date: November 2, 2006
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In the context of the North-south agreements, the interviewee cited the Darfur conflict, the Ceasefire Commission set up in 2004, and the African Union Mission (AU) in Darfur. Both the Justice and Equality Movement (JEM) and the Sudan Liberation Army (SLA) were aware of the CPA and what was happening in the South; they were not interested in secession rather in more involvement in the governance of Sudan and more resources for Darfur—the distribution of resources is disproportionate. It was never a Christian-Islam fight; nor just Arab and African tribes; Darfur is a complex ethnic dynamic.

The impact of the CPA was to show the SLA and the JEM that SPLA was successful. If something is to be done for the Darfur groups, it would completely alter the CPA, which was a 50/50 deal between Khartoum and the SPLA—there is only one pie so everybody would have to give up more. The leaderships of the JEM and SLA have pretty good information about the CPA, but not the general population.

The Ceasefire Commission had a lot of incidents to investigate on all three sides; reports were written after much contentious discussion and forwarded to Addis Ababa. The AU Mission was mandated to monitor the ceasefire, but there was never a ceasefire to monitor; it was civil war from day one—the belligerents were the SLA and JEM and the Government of Sudan. The Arab tribes—the Janjaweed— were not signatories to the ceasefire and are the biggest violators. I doubt that the leaderships of the rebel forces have very good control of their groups—they are losing it. The Minni Minnawi is a very fractured movement.

The mandate of the AU Mission expired on September 30 and has been renewed for three months—a short-term fix with the intent to get it “rehatted” to blue helmets. Reinforcing the AU Mission would be reinforcing failure. There are other groups—NGOs—pushing for more outside involvement, e.g. for no-fly zones, which is basically a declaration of war. The ceasefire agreements never got to the discussion of political objectives.

The UN agreement with the Government, contrary to the ceasefire agreement, had the Government forces moving when the ceasefire agreement called for all units to stay in place. The result was to increase the violence in the area. The U.S. government has done quite a bit diplomatically, but some hard decisions are going to have to be made quickly as to what is Plan Two, if Bashir says absolutely no.

On lessons, the ceasefire agreement did not include everyone. The UN cut a deal with the Government of Sudan and cut out all of the other stakeholders. That was a fundamental flaw. There has to be someone to articulate what the end state will be, e.g. for the AU Mission.

On the military mission side, the AU Mission refused to accept advice from NATO; for example, on Standard Operating Procedures. The language issue was a big deal.

On prospects in the coming months, the interviewee is pessimistic for Darfur as well as the South. It is a brutal tribal and ethnic war in Darfur; there is no military conclusion without a political solution. So everything we do to help the IDPs and refugees in Chad is a band-aid on its second chest wound—just temporary and short-term.

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Q: To provide a context for the interview, describe your association with Sudan and the CPA (Comprehensive Peace Agreement) so we know what area you are especially knowledgeable about.

A: My experience in Sudan was as a member of Special Operations Command Central. I spent time in the Khartoum Embassy and in June of 2004 I was assigned to be the first U.S. Military representative to the Africa Union Mission in Darfur. So I was then in Al Fashir the 13th of June, 2004, to mid-December, 2004. During that time I went back and forth between Al Fashir and Khartoum, but the majority of that time I was in Al Fashir working as both a military observer, an operations officer to the African Union Mission in Sudan and also the United States Observer in the Ceasefire Commission.

Q: Do you have an understanding of the CPA itself?

A: I do, although it is mainly just the very basics.

Q: What were the basics?

A: The basics of the agreement are, of course, between the Government and the SPLA (Sudan People's Liberation Army) generally. I have a copy of it right now, it was signed on 9 January, 2005. It discussed the end of the civil war between the North and the South, and established the government that was due to work for six years prior to another vote, a referendum in 2011 to see if the South would secede.

Q: What was the association of Darfur, since that is your special area, to the CPA arrangement?

A: The Ceasefire Commission was established because of a ceasefire agreement signed in N'Djamena, Chad in 2004. That set up the commission, which had representatives from the Sudanese Government, the Chadian Government, from two of the main rebel forces, the Justice and Equality Movement and the Sudanese Liberation Army. I got to know representatives from all of those sides, and I tried to develop relationships and talk to them to try to get to the motivation of the rebels in Darfur and why they were fighting. Certainly they looked to the example of what was happening in the South. Both the JEM (Justice and Equality Movement) and SLA (Sudan Liberation Army) leadership consistently said that they were not interested in complete secession, but rather that they were really more interested in more involvement in the governance of Sudan and more resources for the three Darfur provinces. So in that sense there is a parallel. For the South, that was the only way to get the attention of Darfur, that being an

unarmed rebellion. If you read the manifesto of the Justice and Equality Movement, which is called the Black Book, it points out a lot of the same things that certainly the SPLA and John Garang were fighting against, which is the four Northern Nile tribes in Khartoum for the most part ran Sudan. There was the disproportionate distribution of resources.

Also, one other point, which was certainly a difference between the SPLA's fight and the JEM and the SLA's fight, is religion. Ninety-eight percent of Darfur is Muslim; it was never a Christian-Islam fight. So that was a difference, although certainly there were ethnic issues, although they are over simplified in the press; it is a much more complex ethnic dynamic in Darfur; it is not just Arab and African tribes; it is a very complex situation that has been over simplified.

Q: Does the SPLM make any efforts to include the Darfur group or the other rebel groups in their negotiation of the CPA?

A: We did have rumors of that, just rumors. During my time there we had split up Darfur into sectors. Sector two was a small mission in Nyala, which is in the South. There were rumors and accusations and during my time, the process of investigating ceasefire violations was generally one of the two sides, be it the rebel side or the Government. They would make an accusation and then we, being the Ceasefire Commission and a team of military observers, would then investigate. Most of these things were brought to the Ceasefire Commission's attention by one side or the other. The accusations that best describe them were from the Government of Sudan, who accused the SLA of receiving support from the SPLA. We did have rumors and that is really as far as it went. There was no investigation that I knew of or was involved in that ever really proved that at all.

Q: Were there a lot of these incidents that you had to investigate?

A: In general, yes, there certainly were. From the time I got there in June. That is part, of course, the problem with the mission, the African Union Mission, was mandated to monitor a ceasefire and there was, from day one, never a ceasefire to monitor, it was a civil war the entire time. There were atrocities being committed on both sides. Yes, we were very busy investigating attacks and various ceasefire violations on both sides. In fact, they were committed on all three sides, if you take into account the "Janjaweed," which is a bad term for them but the Arab tribes who are not signatories to the ceasefire agreement. You had the SLA and JEM and the Government of Sudan, but you did not have this third group of belligerents signed up to the ceasefire agreement so that was one of the big problems. Yes, we certainly were constantly investigating these violations and attacks.

Q: What happened to your investigations?

A: The investigations generally went roughly. The teams of military observers, the team that was investigating was designed by this ceasefire agreement and included two African Union military officers and the team leader and assistant team leader, and then you had a representative of each of the parties. So you had a Chadian officer, you had a Sudanese officer, you had a representative from the SLA, a representative from the JEM and then you had either an American, who is a civilian, a contractor with military experience, generally, or a European. This

small group then would go out to investigate the ceasefire violation and they would together try and figure out what happened and they would document it with pictures and interviews.

Q: You were talking about investigations into these incidences and what you did with them.

A: For the most part the difficulty was the two main sides, which was either the Sudanese officer or one of the rebel officers would have a problem with the way the report was written and then present it to the Ceasefire Commission. It was a painful process for the African Union team leader who was typically a South African, a Nigerian or a Ghanaian; they were charged with bringing all of the evidence together and putting it into a report to be presented to the Ceasefire Commission and then forward it on to Addis. It was never an easy process and obviously, if it was an accusation against the Government, the Government representative would try and stall or argue the Government's side whereas the opposite was true, if it was a ceasefire violation accusation by the Government against one of the SLA or JEM.

Q: Who made up the Commission?

A: The Commission was chaired by General Konko, a Nigerian brigadier general, the co-chair or vice chair was a French full colonel and then, you had a Sudanese brigadier general, a Sudanese colonel, two Chadian colonels (two so-called colonels); the rebels set their own ranks so there were two SLA and two JEM representatives. I was there in an observer status as the U.S. representative. There was also an African Union colonel, who was a Senegalese colonel at the time, so there was also an African Union rep.

Q: What did they do with their findings?

A: That led into a generally contentious discussion. These meetings would go on for two or three hours. They would receive the reports and, as it was during the investigation and report writing, each side would argue their case. For instance, if there was proof that the Sudanese supported an attack by air, which on occasion we did have and it was pretty obvious if you would go out there and see rockets from an MI-24; it was pretty easy to document that this was supported by Sudanese, but they would still nickel and dime it and really try and argue their points because they obviously did not want that evidence being sent back to Addis. So each report was debated before it was signed off on by all parties to go on to Addis.

Q: Do you think these ceasefire arrangements were having some effect on minimizing the violations?

A: No, I do not, maybe there was a short window where it might have but the fundamental flaw was that the biggest violators were the Arab tribes who were not signatories to the ceasefire agreement. So a lot of it was banditry, and a lot of it we could not prove. If there was an attack on IDPs (Internally Displaced Persons) or a village, there were AK47 shells on the ground; there were witnesses that said there were people in Sudanese clothing, men on horses in fatigues, but they all had the same gear, they all had the same clothing, so it was very difficult for us to say for certain who had committed a violation. These were fundamentals. Then the UN unfortunately in August came up with a completely separate deal with the Government that did not even include the SLA or the JEM. What that did is it actually increased the violence, because the Government began moving troops around when the ceasefire agreement dictated that they had to remain in

place. So from August to December, it increased the violence although that was due to the UN agreement.

Q: What was the UN agreement?

A: What the UN did, and that was Jan Pronk, is cut a deal with the Government directly. What they said is that it was the Government's responsibility to protect certain areas, certain IDP areas. But what that did was completely opposite to what the ceasefire agreement said. The ceasefire agreement mandated that every unit had to stay in place and so when the UN agreement came in and said that it required the GOS (Government of Sudan) forces to start moving, you have now GOS army units moving into areas that were held by the SLA and SLA attacked them. They said, rightfully, that they are violating the ceasefire agreement. We are staying where we said we would, per the AU (African Union) ceasefire agreement; the Sudanese soldiers are coming towards us so we are going to attack them. The Sudanese said this is the UN agreement; this is what we agreed to do. So in that sense it increased the violence in that area.

Q: The Darfur Peace Agreement was the one that set up this ceasefire arrangement? Or was that separate?

A: You mean the latest one?

Q: Yes, the one in Abuja was the Darfur Peace Agreement.

A: Yes, that was last May. Minni Minnawi who is a Zaghawa tribesman, split from the SLA and signed the DPA, the Darfur Peace Agreement in Abuja whereas the rest of them did not, so now he has this dynamic where you have part of the Minni Minnawi element that is teaming up apparently with the Government of Sudan going after some of the other SLA and JEM. So the Darfur Peace Agreement (DPA) has broken down and made things worse as well.

Q: Do you have any echoes of involvement in the implementation of the CPA that would have an impact on this area? The impact of Darfur and the implementation of the peace agreement or the ceasefire, is there any spillover from the CPA agreement that has had an impact?

A: In my opinion it did, because it showed these guys that the SPLA was successful. The SLA and JEM set out to get more, a bigger share of what was happening in the Government, so that was clearly something that they talked about even in 2004; they were watching to see how this deal would be cut with the CPA. If they were going to do something similar with the Darfurian groups, they would have to completely alter the CPA. If it is a 50/50 between Khartoum and the SPLA then all of a sudden you have the SLA and JEM; there is only one pie so everybody is going to have to give up more. They certainly did look at that and were aware of that. So I think in that sense, it probably did not help things.

Q: Where are we now in the Darfur and rebel movements in terms of possible peace agreements or solutions to the problem?

A: Now having a different perspective: I am a political officer in Kigali, Rwanda. We are sending Rwandan troops up to Darfur so I watch it from that sense. The U.S. Government is demarcheing the Rwandans to rehat a U.N. mission. Bashir refuses to let that happen and it does

not seem that that will happen. In that sense, it is at a standstill. I am not sure what is happening in the next month or two. But the Rwandans are very concerned because they have troops up there and an ineffective African Union mission with ineffective leadership at both a military level and the political level in Addis. So it is not improving as far as I can tell.

Q: Can anything be done with the African Union group to make them more effective?

A: There are about 7,000 now and the problem is it is just a short-term. The mandate expired on September 30, it was due to expire and it was only extended for three months, because the whole intent was to get it rehat to blue helmets. So it is only a short-term fix. It is being driven from the embassy in Addis as far as who is going to now support this African Union mission. It seems to me right now that it is just maintaining it; it is not reinforcing it. It would be reinforcing failure at this point, which is not what you want to do. At this point donor nations are reluctant to put a lot more into the African Union until a decision is made about the rehat.

Q: Are there any international groups or governments that are trying to work with the African Union or trying to work out separately some reconciliation in this area?

A: I met with the International Crisis Group folks several times when I was there; from what I have read about it they have as good of a read as any advocacy NGO (Non-Governmental Organization). There are so many different motivations of the groups, the MSFs (Médecins Sans Frontières) and the Oxfams, I do not know how helpful they are but the answer is yes, there certainly seems to be a lot of groups that are pushing for more involvement. But most of what I have seen are groups pushing, for example, for a no-fly zone; militarily, a no-fly zone is a declaration of war. If the U.S. and NATO were to go in and enforce a no-fly zone, that would be going in and fighting; I do not know if they recognize that. It is a rambling answer; I do not think that I have seen anything that has been helpful other than maybe educating the public on the issues.

Q: Are there any other governments or even the U.S., trying to do things independently on this, apart from the UN Security Council?

A: I can definitely tell you, again from my position as a political officer who delivers demarches regularly to governments this has definitely been an Administration priority. The Assistant Secretary of State for Africa has been in Khartoum several times and there were several times before. It has definitely been something on which the U.S. Government has been working very hard, primarily through the UN and the African Union. The Security Council is where it is breaking down because China and Russia will not support what the U.S. and France and Britain are pushing for, which is harder sanctions. The U.S. Government position still is that the African Union has agreed and it should change; it should be rehat to a U.N. mission but again, Bashir is not budging. We continue to push and the U.S. Government has done quite a bit diplomatically but some hard decisions are going to have to be made here very quickly as to what is Plan Two, if Bashir says absolutely not.

Q: In the CPA agreement there was a plan for both elections and a referendum; are any of those ideas spreading into this part of the world?

A: No, no. The ceasefire agreements never got to the discussion of political objectives. The ceasefire agreement basically tried to just stop the fighting which it did not do. My experiences with the SLA is that they were the bigger, more effective military force, but they have no political agenda, consistent political agenda, whereas the JEM, the Justice and Equality Movement, which, of course, has the power to help Turabi. Both SLA and JEM stressed that it was not independence so they would not be looking for a referendum to split from the country. They recognize that Darfur would not be an isolated separate country; Darfur is not viable. So they were never looking for independence, but they were looking for a greater share of the power and a greater share of resources.

Q: Did they spell out more precisely about what they meant by more sharing and involvement?

A: No, nothing stands out to me right now, and in these discussions, it was never very specific; it was all the resources are in Khartoum; look at our roads, look at our people. It was not, for example, specifically we need 25 percent of the ministry positions.

Q: There was never a vision about where they wanted to come out except this general desire for more involvement?

A: Yes, that is accurate. I should also note that I was dealing more with the military guys. I had very little involvement with their political leadership. But it is certainly noteworthy that the top leadership was not able to articulate what they wanted as an end state.

Q: What do you view as the prospects now in the coming months?

A: I am pessimistic. And that goes for the South as well. I would be pessimistic in 2011, that the South is going to vote to stay with Khartoum and it is all interrelated. It is a civil war, but it is certainly not a genocide as was in Rwanda. This is something that has been going on. The Northern Arab tribes go North and South with the rains with their herds where the more agriculturally-based African tribes are growing their crops. They have had conflict for hundreds of years.

One side now has been weighted by the Khartoum Government but it is going both ways. It is a brutal civil war; it is a brutal tribal and ethnic war. It is a huge area the size of France; it is, militarily a black hole. There is not a military conclusion that can happen without a political solution, and there is not going to be a political solution any time soon. Everything we do as far as helping IDPs and the refugees in Chad is a band-aid on its second chest wound. It just is temporary and short-term.

Q: Do the leadership of these rebel groups have control of their groups?

A: No, that is a very good question and that is also something that I address. In fact, they were losing it when I was there and I doubt they have very good control. The SLA, which is really the more effective of the rebel forces, has different units; they have National Guard-like units that have no vehicles and just stay in their small area and defend their villages and their farms. You also have these mobile units of single males who are quite aggressive; they attack convoys. You go out into the desert and talk to these guys; you know the leaders by their satellite phone. But even then they were talking about how their political leadership, sitting in Abuja in the fancy

hotels discussing their future, were disconnected with them. There was one instance in which the African Union had to go in and pull out some NGO workers from a town that was under attack. This was Telela. The town was held by the Sudanese and attacked by the SLA. We flew in to evacuate these NGOs. There were two different elements that were not talking to each other attacking at the same time; they were Zaghawa and Fur, so you have two different tribal elements that theoretically are part of the same group, but they were actually conducting a military attack without talking to each other, which is amazing when you think about it. That illustrates what you see with the DPA, as well. Minni Minnawi, a Zaghawa, has now split from the Fur and those representatives, so you get into the ethnic and tribal divisions, in addition to the divisions between the so-called political leadership in Khartoum and Abuja. It is a very fractured movement.

Q: So there is no real leadership from the rebel side overall that can pull the groups together?

A: No, although, yes, it seems like Minni Minnawi does have control of some fighters who are teaming up more with the GOS now, but it is very fractured. We were tasked to collect leaders and fly them to Abuja, so we had to go out, bring them from as far away as Chad and collect them all so they could go to Abuja and conduct the talks. They were arguing, and that is normal, but I just never had the impression that there was ever one, John Garang, who was just a dynamic, charismatic guy, who spoke for all of them, from what I saw this was never the case.

Q: Is anybody thinking about an overall approach to the Sudan situation that relates to your area that might provide a way of bringing the groups together?

A: Honestly no. I have not seen anything; it was one of my issues when I was there as well; that seems to me to be a political question, a political issue. The African Union, even a UN force that would go in there, for them to be effective on the ground, they have to have an identified end state. You cannot build a mission on saving IDPs. You can do that, but that obviously does not address the root problem. Now it is purely a political question, and it is the will of the political leadership between the UN and the African Union and the international community to identify what the end state is; I have never seen that done. I have yet to see anyone come forward and say this is really what we are going on. And ultimately, the real answer is that it would have to be a different government in Khartoum; it would have to be a more representative government, which nobody of course wants; that is a very tough issue to address.

Q: Is there some aspect we have not touched on?

A: I will tell you one thing that caught me as I was reviewing some of my pictures and notes: there are flags that the SPLA used that I saw and took pictures of in Darfur as well.

Q: What does that mean; that the SPLA is getting involved?

A: I do not know. I just can tell you I did see in two different places, this was in Fur actually, in North Darfur, a Fur held area, a Jebel Mara. I did not know what they were at the time, I took pictures of the flag and somebody pointed out after when I was showing them that they are the same flag that the SPLA uses. It is pretty much anecdotal, I do not know what else that means, but it was an interesting observation.

Q: And I suppose whatever happens for the South in terms of the referendum or election, they would have some significant impact on Darfur area?

A: Oh certainly, most definitely. Yes, the JEM and the SLA look very closely at the CPA. I am sure they are taking that into account on their objectives; they would have to.

Q: Do they have a way of keeping informed of what is going on with the CPA?

A: Yes, surprisingly. Minni Minnawi has this title of special advisor to the president so he is there in Khartoum. It is amazing how fast they are able to disseminate information, even out into the field. So I would say yes, surprisingly they have pretty good information, a pretty good information network; they do watch that.

Q: What about the population generally? Do they have any idea what is going on?

A: No, probably not. They are generally looking to the educated leadership. Of course, the IDPs do, just because they are living in these camps, which have their own social network. They will have an idea what is going on, but from what I saw generally they are subsistence farmers who were trying to survive.

Q: One of the things that we are interested in here is what we can learn from this experience. Are there any lessons that stand out; something that should have done or should not have been done?

A: I understand the rationale with the ceasefire agreement, of course. It was premature in my opinion. The fundamental flaw in the ceasefire agreement was that they did not include everyone. They tried to get something done which again is understandable; it just did not work. I certainly would be more critical of the UN in that they should have known better. Kofi Annan came out in June and we briefed him; for the UN to cut a deal with the Government of Sudan was very poor foresight there. I am still amazed that they did that. They just completely cut out all of the other stakeholders. The belligerents. That was a fundamental error that is amazing to me that they made.

It gets to my comment a few minutes ago, politically there has to be someone that articulates what the end state will be. The mission, the African Union military guys can only be blamed for so much. They were told to just go in and report on what is happening. You cannot fault them for not being able to stop the atrocities being committed against civilians. The job of the political class is to tell the military what to do, which is to find an end state and let the military tell you how you are going to accomplish it. That was never done, so no one in the African Union Mission knew what the end state was supposed to be. It was management by crisis, it was just going from getting established and investigating, but there was never any planning and never anything from Addis Ababa or anywhere telling the military what their end objective was.

So that is my first and foremost lessons. I can detail a lot of criticisms of the military mission part and how that worked, but ultimately it has to be a political decision and directed by the real decision makers.

Q: What stands out in your mind on the military mission side of it? You said that there were some problems there. What are some of the big points?

A: The investigations themselves. This would be the growing pains of an African Union Mission. For whatever reason, they did not want to accept advice from NATO at that time. From day one they had problems with language, for example, with SOPs (Standard Operating Procedures). They did not have an intelligence officer and so everything was thrown together. Unlike a NATO operation where everyone can go and operate on the same procedures, you had Ghanaians, Nigerians, South Africans, Kenyans, everyone with different training and different levels of competence, so from that point it was really, really confused. It really sets you back when you are just spending too much time going through very, very basic stuff. They would not accept; but should have accepted, the NATO experts to come out and literally set up a joint operations center where they could run things. They did not have that; everything was done by cell phones and SAT phones. So, in that sense, it was not done well.

And then the language issue was a big deal, but this is something that just has to be done with peacekeeping operations. You have Rwandans and Nigerians who have different ways of doing things, but they are tasked with force protection. There was no strong leadership in that the Nigerians were not as good as the Rwandans with immediate action drills, for instance. If you are tasked with protecting a convoy, what do you do when you are attacked? There has to be common immediate action drills, common procedures for that, which was never the case and that is the military leadership's fault for not enforcing that. That is where you need good experienced officers to drive that and training.

Q: Are there any other points we have not touched on or any other lessons that you see from this experience? This has been very helpful.

A: Many times, as an operations officer, I was doing the briefing. For instance, we had Senator Brownback, we had Holbrooke, and we had some high name Americans that would go through. I would be in the odd position of briefing them on the African Union. It was illustrative of the mission itself that you had an American briefing Americans about what should have been a purely African Union Mission. I bring that up only because I have gone down the checklist of what I was briefing them, what I was doing, generally, I have covered everything.