

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

Interview #42 –Executive Summary

*Interviewed by: Sam Westgate
Initial Interview Date: November 7, 2006
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The interviewee is an informed Southern Sudanese USAID employee who observed the peace process in the 1990s and has been involved in CPA implementation. As a member of a minority tribe in Southern Sudan, he has been particularly concerned with the rights of marginalized groups there.

The observer found NGOs to be of great influence in the CPA process, groups that aligned themselves either with the North or the South of Sudan. Pressure from these NGOs, from IGAD, and from the international community were highly instrumental in getting the central Sudanese government and the SPLM to come to an agreement. The provision for a 2011 referendum was an absolutely necessary clause in the CPA, without which no agreement would have been reached. The observer is, nevertheless, skeptical that a referendum will actually take place.

The informant also noted that the implementation of the CPA has been spotty. Self-determination for the people Abeyi remains unimplemented. Central government troops remain in places like Wau and Malakal, even though they were supposed to be removed under the agreement. The central government has also employed Southern Sudanese irregulars to disrupt the roads from Uganda and Kenya. In addition, oil revenues are not properly shared with the South, nor has the promised census been conducted.

Another problem as far as implementation is concerned, is the difficulty for international aid workers to get visas to Sudan. If visas are granted, the visitors are confined to a 25-mile radius from the presidential palace in Khartoum. Poor roads, lack of infrastructure generally, and corruption have hindered implementation as well. The corruption is endemic among Southerners as well as Northerners.

Ethnic differences thus far have not toppled the agreement, but the observer fears that the North is exploiting ethnic conflict among the Nuers, Dinkas, and Muries. He also fears that the central government is beginning to feel hemmed in, that its problems in Darfur may cause it to reignite trouble in the South and in the East. He feels that the only way the future of Sudan can be secured is for the international community to continue to exert pressure on central government. The international community must be part of a promised committee to oversee the implementation of the CPA.

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Q: Are you a Sudanese national or are you a Kenyan?

A: I am a Sudanese national but I have been living in Kenya for the last 15 years.

Q: Could you describe the role you played surrounding the Sudan Comprehensive Peace Agreement?

A: Following the signing of the agreement on the 9th of January, 2005, we began trying to come up with the support to the destroyed economy, i.e., the reconstruction of South Sudan and USAID has been very much instrumental. Before the agreement was signed, USAID was involved in providing support in terms of humanitarian assistance. USAID was also supporting a number of programs, including education, and it was carrying out reconstruction of schools in those areas that were under the then SPLA. And therefore now, when the peace agreement was signed, we now have to do the same things but with the government of the day.

Q: In what ways were you involved with any of the negotiations in the lead-up to the signing of the CPA? Were you actively involved?

A: Though I was not directly involved in the negotiations, I was involved in getting word out how the agreement was going. I was involved in providing humanitarian work inside Sudan.

Q: And you were involved in this even before the agreement was signed?

A: Certainly, since 1996. Today I have been involved in work inside South Sudan with the marginalized groups.

Q: As to your ethnic background, you are a Southern Sudanese and what is your specific ethnic background?

A: I come from a tribe called Podulu and the umbrella group is called Bari.

Q: So you've been involved with humanitarian efforts in Southern Sudan, starting in 1996.

A: I escaped into Kenya in 1991, that is in November. When I came here I was supported by a Christian organization. After I was established in Kenya, that very organization decided to recruit me to serve the people inside South Sudan.

Q: You were, in a sense, an observer all along of the process of putting together the Comprehensive Peace Agreement. Can you tell us who you thought were the most important parties to the talks at the time, the most important Sudanese parties?

A: Well, of course, when we really talk of the most important parties, the parties which were actually concerned with the negotiations were the NCP, the National Islamic Front or National Islamic Party as well as the SPLM. These are the principal parties that were really involved in the negotiations, because they are the ones who controlled the armies, the ones who controlled the political arena at that time.

Q: In the South, were there any additional parties directly or indirectly involved? You mentioned the SPLM but were there other groups whose voices were heard by the SPLM and by John Garang himself? Was there a consultative process?

A: Yes most of the groups that were there, really the women's groups were there and the church groups also were there. However, they did not go alone as themselves but they have to be part and parcel of the SPLM. The other ones had to be part of the National Islamic Front.

Q: Were the SPLM or even the other parties to the agreement, international or otherwise, were they listening to these nongovernmental organizations, these NGOs, the church groups and other groups?

A: I should say yes, because by then actually the role of the NGOs was very, very strong and in fact if it were not for the NGOs it would have been difficult actually to make things move in South Sudan. The NGOs were really very strong in that. However, they did not go as a group, but actually joined together with one of the other two parties, but as a neutral party that really assisted. Both parties, particularly the SPLM, used to consult with some of these groups.

Q: So you did find that there was a consultative process, in your observation of these groups?

A: Well, it was complicated, in the sense that the two parties were really too rigid. If not for the press, especially of the international community, it was going to be difficult to reach an agreement in 2005. It was not going to be easy. There was a point actually when the two leaders, Osman Taha and Garang, the two of them then decided to come up with something.

Q: How did you feel the role was of the regional states, the so-called IGAD group, surrounding Sudan? Do you think that they were major players in the negotiations?

A: To be honest, without the IGAD group I do not think peace would have been signed. The IGAD group was very instrumental, especially again the support from the IGAD friends, that is from Europe. Without the IGAD countries I do not think the two parties were going to agree. The IGAD members were also experiencing difficulties due to this war.

Q: Do you think that their role was more influential than that of the international players, states like the U.S., the UK and Norway? Or were they equally of influence?

A: I would say both. The international community and the IGAD countries were very, very influential because there was a time in fact when the U.S. was suggesting that if the two parties, the SPLA as well as the Sudanese government, were not reaching agreement in Kenya, that negotiations move to Washington. And because of the IGAD countries, the IGAD countries were saying, "No, we have the capacity to solve this problem here. Whoever wanted the peace process to be realized should come and join the IGAD countries." The world had actually a single voice, a voice that was saying, "Peace must be brought to Sudan and the suffering of the people must be arrested."

Q: I am sure you followed the negotiations closely. Did you notice any important turning points in the negotiation where issues became resolved?

A: One of the important turning points was the issue to allow a referendum in the South, the people of South Sudan would be given that opportunity for self-determination. And without that point I do not think an agreement could have been reached. So that point was one of the important points. Again, the Sudan government was also able to realize that if they could not accept that point, then there was not going to be an agreement.

Q: When you look back on the negotiations did you feel that in terms of the U.S. in the process, is there anything that the U.S. should have done differently?

A: Well, I really do not think that, because if it would have done differently perhaps peace would not have come and perhaps the U.S.A. would have been accused of not complying with what the IGAD countries were doing at all. It is what the IGAD countries were proposing that led to the signing of the agreement. So I don't think that there could have been any other way that the U.S. could have done differently.

Q: So in your view the U.S. had an appropriate and timely role in the negotiations?

A: I should say yes. You know that the government in Sudan, the Islamic government, if the U.S. would have done it differently, without joining the IGAD countries, it would have been accused as a country that is against perhaps even the North.

Q: Then, you were satisfied, from your point of view, with the role of the U.S. negotiators. Let us move to the next question. What do you think are the primary

shortfalls in the Comprehensive Peace Agreement that have led to problems with implementation? What have been the problems with implementation?

A: I have just come from Juba and I have been with the people. The fact is I think some of the time the agreement really is not being addressed as it was signed.

Q: In what ways are they not addressing the agreement?

A: And I would say that the Sudan government really, to some extent, it is very, very reluctant to implement all those things that were agreed with the international community and the IGAD countries.

Q: And why do you think that is? Is it because of the complexity of the agreement itself and the number of commissions that have been required?

A: Not necessarily so, but there are some aspects that if done, things could have perhaps moved pretty fast. The implementation looks like the government is selecting certain aspects. Those that are strategic in nature they do not want. One is, for example, the Abyei Commission, the Abyei Protocol, which was to give the people of Abyei that right to decide for themselves. That actually is likely to be a bone of contention between the two parties to the agreement, that is the North and South, and until that is straightened out we are likely to run into a number of problems there.

Q: That is a border issue, largely, correct?

A: That is right. A border issue.

Q: Are there any other border issues that you find to be sensitive, other than Abyei?

A: One which of course is still dragging is the one in Blue Nile. If you see places like Wau and Malakal, the government is supposed to move out its troops, but still they are continuing to linger there. The fact is that some of the soldiers who were removed from places like Juba in South Sudan, the capital, actually most of them are not taken directly to the North but they are actually put on the border between the North and the South. Something may be wrong somewhere.

Q: So that you found that there has not been complete withdrawal of the troops in those two areas?

A: Correct. If anything, that is frustrating. Remember that in the last two or three weeks the road that connects Uganda and Kenya to Juba in south Sudan has experienced an incredible ambush, vehicles were burned, people got killed. That is the element and it would look like, again, the government has a hand in it. It uses those soldiers who they use as militia to actually disrupt the road from Kenya and Uganda. It means a lot. Why did you again have to sponsor people who one could even call terrorists? Why should the government have to do that? When I came from Juba those elements are still

shooting sometimes in the town and those are the people who are actually supported by the government in Khartoum.

Q: Are the troops there necessarily Arabic speaking or are there other troops that are being used by the central government?

A: In fact, even fellow Southern Sudanese are being used by the central government. For one thing, somebody is giving that support in terms of money. Consider that these are people who have been, over the years, in a war situation. They are very poor and therefore if given that opportunity that we will be saying to you, "Do this on our behalf" of course this is happening already. And this is likely to jeopardize the whole process.

Q: Let me step back a second. Are there any other additional problems with implementation that you would like to mention?

A: A number of issues, a number of issues, some of which are also related to the money that was supposed to come from the central government to the Government in South Sudan, those are all of them being delayed, if anything. What was agreed in the agreement, the cost sharing, the revenues from the oil are not being done the way they were supposed to be done.

Q: Oil is obviously a big issue. Do you have any additional comments on that? Let us put it in a specific context. As you know, in five years there will be a referendum in the South. This is foreseen in the CPA. What do you think will happen if these oil issues are not resolved?

A: Up to now, a census has not yet been done. Up to now people are not yet counted. Up to now people are not yet moved from the neighboring countries, from the internally displaced. These are things that are likely to delay the whole process. Of late, for example, U.S. citizens who are implementing humanitarian relief, they are being denied entry to Sudan. If they are to enter Sudan, they will only have to stay within 25 miles of the presidential palace. And this means a lot. Most of the support that is being used in the South, most of the support comes from the U.S. in terms of financial resources and if the implementers are being denied entry to the country, especially to South Sudan, then that means also the process is going to get delayed.

Q: So this is partially a visa problem, is it not? The issuance of visas? And the reluctance of the government to issue visas in a timely way is creating a problem. Am I correct in understanding this?

A: Precisely. Many of the activities are now not being implemented, because the people who are supposed to implement them are not there.

Q: Are not able to get into the country?

A: No, no, no. If anything, if they entered the country, they are now in Khartoum and they have to get cleared there before they can come down south. And that is taking a long time. If we are talking about displaced persons, people have to be brought back in time so that they are given the opportunity later on to exercise their right to self-determination. If they are not brought back from exile, what does that mean? It means a lot. If these incidents are continuing in town and along the road that would disrupt certainly the movement of these people back to their country, that means it will also create unnecessary delay. If people are told, some might decide even not to come back.

Q: The question of refugees, has that problem complicated in any way implementation of the CPA, the refugee flows?

A: The refugees are citizens of the country who are ultimately part and parcel to the implementation of the CPA. Be it in time for the referendum, be it now, they need to come home so that systems begin to work. If you go now to the hospital, one bed takes about three children. Two or three children are occupying one bed. The roads are not in place. We cannot get the resources from neighboring countries with this disruption now along the road. This is too much.

Q: So there are infrastructure problems and promises and projects that have not been completed and that is part of the problem? Do you see in the South itself, putting aside for a moment the central government, do you see any internal problems there that hamper the implementation of the CPA?

A: We need the systems to be in place. The police have to be in place. And after several months we actually did not have any single policeman in place. Again coupled with easy measures of corruption if you have put, the officials from the Ministries of Finance and Economic Planning are about two permanent secretaries, and other senior officers, have been suspended. And this also has surfaced in the Ministry of Commerce and Supply, and recently the permanent secretary was also suspended. The list is likely going to be more if the South Sudan government now steps in, following those who are considered as corrupt people. And those are the things that actually make things difficult even to win the confidence of the citizens, which as such means a lot. They are also likely to delay and derail the whole implementation of the process.

Q: So is it corruption you are identifying as largely on the part of the central government, or are there Southerners who are also corrupt delaying the process?

A: I should say on the part of the Southerners as well. It is not just everything that is being done, that is true, by the center. The leaders in the South are all, or at least half of them -- not to give a blanket statement -- but half, some individuals, maybe because of the of the war, did not have any opportunity to encounter money before, and they took advantage to take for themselves, starting at the beginning of the war. That is what part of them may say.

Q: In terms of other problems in the South, are ethnic differences causing any great difficulties, as far as the implementation of the agreement?

A: That is an element but it has not risen that far that it is going to jeopardize the agreement. Yes, there are incidents here and there, but they involve maybe recruitment. Some other ethnic groups might want to dominate. Yes, there is that kind of a thing, but it has not reached that level of really full-scale ethnic conflict in terms of fighting and whatever. However, it is there. As in many African communities that is a situation that we have got to live with, at least in the short run. But it is not to a great extent. Those who are really involved in that kind of hatred are those that are used really by the center, again. Like what is happening in the Upper Nile, within in the Nuer areas and the Dinkas and the Murles. These are incidents. But one other thing, it is very easy for the center to penetrate the South through those inclinations.

Q: So you are saying that the central government exploits ethnic tensions in Southern Sudan?

A: That is a hundred per cent correct. You might get it perhaps through the radio or perhaps through the Internet. That has been the problem. The war in the South would have ended a long time ago but because of the use of the extralegal differences, that is where the center gets it as an advantage really to enter the South and use an extralegal group against an extralegal group. But really it is due to the interests of both extralegal groupings that they might do that.

Q: This is in a way a side issue but do you feel that in any way the CPA process and the negotiations and now the implementation have laid a foundation for violence in Darfur?

A: You see, what has happened is that, again, everything now has to refer to the center. The center looks at it as if it is now losing control. If the South is to go and again the people in Darfur who are actually marginalized to that level, these are the people who were used actually to fight the war in the South. And now, when they realized that the South was now getting its freedom, they also decided to say, "Okay, we also need to have this end." These are people who are highly marginalized. Now, because the South is going and if Darfur is also going, Khartoum looks at it as if it is really going to be a double tragedy. In any case, if Khartoum is now going to sign an agreement with the South, then Darfur also comes up, then the government in Khartoum was going to be in a terrible situation. Those are the games that the center used to play. Now they have signed some kind of an agreement with the South, they want to deal with the situation in Darfur. After perhaps given the situation in Darfur, they will perhaps move on the East or move on the South. It is not easy for the agreement is to be implemented the way the international community looks at it, the way the IGAD countries look at it, the way the South Sudanese look at it. The crisis is going to repeat itself if serious measures are really not put in place by the international community. Something is likely going to go wrong somewhere.

Q: Do you have other comments that you would like to make on the CPA, either the CPA process itself or the negotiations or the implementation of that agreement?

A: You see, the implementation, it is a major, major, major, major determining factor. If it was agreed in the CPA that the government in Khartoum and the government in the South have agreed, for example, on the border issues with Abyei, it was agreed here. Why are they again breaking it, especially the center? And if they advance on it, that gives them the opportunity to continue breaking and breaking and breaking and if that happens, I would say to look into it and the international community must call the people, the two parties, together and say, "Hey, what is happening?"

But if we continue seeing the way things are done in this area, you see the Government of Sudan now it has violated this or the SPLA or the Government of South Sudan has violated that, without the international community coming out openly as a group and calling these fellows again to the round table and saying, "Something is wrong and it needs to be addressed."

I do not think we may reach good results by the way. Sudan now is actually playing games, testing the waters.

Q: So you feel that the international community has not exerted enough pressure yet on the central Government of Sudan?

A: I should say so. One thing is, take for example the issue of Abyei. Is it up to the two parties, the central government and the government in the South, to just sort this out, and to find the solution or the international community must come in and sit the two parties together and find who is wrong here? And if it takes longer and longer someone, somewhere is going to exploit the situation.

Q: As you know, the CPA, again, foresees a referendum in five years, in 2011. What do you think the results of this referendum will be?

A: I am not sure whether really within the five years the provision which says the people must go for elections may be there, I am not sure. That remains to be seen.

Q: So you feel that the referendum may not take place? That is your fear?

A: That is my personal feeling. That is my personal opinion. It may not be there, unless really the international community brings pressure on the two parties. And they were very, very, very, very concerned before the agreement was signed. Now that it is signed, there is some kind of a little bit of foot-dragging, if I may say so, and I think anything that is not implemented, we should question that particular individual who is trying to skip it and we say, "Why?" But if and I suggest that violations are being committed and there is no follow up, I tell you there was supposed to be a committee set up, that would look into it that the CPA is implemented. And that committee should have actually been comprised of IGAD and the international community.

Q: How would you describe the peace that has taken place, the cessation of hostilities, would you call this a relative peace, a fragile peace? Do you have a way of describing the conditions now in the South?

A: I would call it fragile. To me, it is fragile. That, I will tell you, that, again, represents a personal opinion, not the opinion of all the people. I might be biased but I think, the time now, it is fragile and unless serious efforts are put in place to address outstanding issues, it will be fragile.

Q: Do you have any additional comments you would like to make?

A: My addition would be that there has to be a committee comprising members from the IGAD countries and members from the international community, that should really be a way to go for the agreement.