

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

Interview # 83 - Executive Summary

*Interviewed by: Sam Westgate
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The interviewee is a well informed official of an international government organization assigned to work on Sudanese issues. As an Africa expert during the CPA negotiations, he followed the negotiations from a European capital, and now follows the CPA implementation process from Africa.

The informant noted that in the U.S. proved to be very influential in the CPA process after the appointment of Senator Danforth as special envoy. Prior to that, the U.S. was not necessarily a “reliable” partner, and he cites the precipitous withdrawal of U.S. peacekeeping forces from Somalia. The U.S. role in the peace process in Sudan was positive, although individual negotiators sometimes resorted to “bullying.” Of the other international actors, the informant was not very appreciative of Norway, saying that their position was often to offer financial aid, much of which proved later not to be forthcoming.

Of the regional organizations, IGAD was paramount in its influence, even though structurally it was traditionally a weak collection of states. Of the IGAD countries, Kenya was cited for its leadership role and for hosting the negotiations that resulted in the CPA. Some of the regional states may have had secret influence, but it is difficult to know what impact they had. NGOs also played a role, although their strength was to provide background “pressure” for the negotiations to move forward rather than influencing any specific aspect of the negotiations.

In terms of implementation, the official feels that the CPA would have benefited if a technical secretariat had been set up to make legal corrections to the document. He does not find the CPA document too complex, but rather feels that the complexity of the North-South situation must be matched by complexity in implementation. He observes that the CPA itself was only one factor in the ongoing Darfur crisis, where there are many competing interests at work. The interviewee is skeptical that any disinvestment campaigns or sanctions will have any effect on any future resolution of the Darfur crisis.

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A: I am an official with the European Commission, having served previously at headquarters in Brussels, as the desk officer for several African countries. I joined the EC delegation to Sudan in 2004 and will stay until mid-2008.

Q: Can you describe for us, please, the role that you played either in the negotiation of the Sudan CPA or as an informed observer?

A: I was not present in Naivasha. That said, when I was in Brussels, I followed this issue as a country desk officer -- our reports from our partners and from our own delegation in Naivasha. So I analyzed the incoming documents, provided synthesis for the hierarchy in Brussels and later on, when I joined the delegation, I followed it remotely because this delegation was not present in Naivasha but our partners in Kenya instead. Once the agreement was signed, we started here right on the spot to get heavily involved in monitoring the implementation of the agreement. I can come to that later, if you want.

Q: Yes, first of all, characterize for us, if you can, from either your own or from the EU's point of view, what you thought the U.S. role was in the negotiations.

A: Well, a couple of points. We had certainly wished that the U.S. could bring in its political influence. We should not fool ourselves. There are only a few major powers around the world that can actually bring in their weight and get people moving. Whether we like certain policies of the U.S. or we do not like it, we have to acknowledge that they can have an impact, and in this negotiation we were all more or less heading in the same direction. It was very much hoped that the U.S. would be influential, let me put it that way.

If I may add another comment to clarify what I mean here, I do not attempt to make any political statement in this regard. In Somalia, this was during the Clinton administration, the U.S. was not a reliable partner. You had actually the strength to achieve something but your government did not play.

So, coming back to Sudan, we were all hoping, certainly, that there would be a coherent policy which would be strictly followed through. The appointment of the special envoy,

Senator Danforth, was certainly a good sign that the administration took it seriously, appointed someone senior who could commit time to deal with this issue.

Q: Can you characterize for us the most important Sudanese parties in these talks?

A: In my humble assessment, there were, for us, actually only the two key persons, the two senior negotiators. Obviously there were other people in the background, but I think it was very much felt either we get those two key figures to agree to something or we can forget about it. We can agree I think that both parties are very much hierarchical, the SPLM more than the NCP.

Q: Would you characterize either party as having a constructive role or did either party act as a spoiler at various times in the negotiations?

A: This was an intense negotiation, with many, many, many difficult and interesting things at stake, so one can understand that. In comparing it to other international negotiations, I would like to make particular reference to the Darfur Peace Agreement negotiations, to the Algiers agreement between Eritrea and Ethiopia and to a few other ones, I think this did not go too badly. This is easy to say with hindsight. There were actually a number of moments we were really tired of all these guys: "Stop spoiling!" But with hindsight -- not too bad.

Q: In terms of the international organizations that were involved, let us say, IGAD, the UN, the EU, the AU or its predecessor, the OAS, which ones did you feel played a constructive role? In many cases this would be of course a support role.

A: I have some difficulty to answer that question, for one reason. I have been working with an international organization for some time. I am a strong believer that we should talk more about people than institutions, quite often actually it is the people who really make the difference.

Now, to come back to your question, I would certainly rank IGAD highest. In general terms we see IGAD as a rather weak organization, but in that case, due to the chief negotiator, they were certainly a key to success.

Q: How did you find that the U.S. delegation related to these international actors? Did you perceive that their role was positive, the U.S. delegation, was it indifferent, can you characterize it in any way?

A: In a general sense I think it was perceived positively. Sometimes, perhaps, there is a general problem with some American negotiators, sometimes they acted too bullying. Perhaps that is a problem of cultural communication.

Q: What non-state actors were involved in the process? I'm speaking of NGOs, religious groups, both local and international. Can you characterize their contributions?

A: It is difficult to assess that, what was really their impact. I think it is certainly true that those organizations made us international organizations and states, the United States and other countries, made us actually work. They were certainly a big pressure on all of us to get something achieved. In that respect, certainly they had an impact. They certainly also had an impact with regard to them providing background analysis, policy papers, etc. But I could not attribute a single success to one of those organizations, let me put it that way.

It is the same, I think, in many different situations. If you are interested in that stuff, you read all their input. You think, "Oh my God, it is almost always the same story!" But there are always very interesting bits and pieces you get from that policy paper or from this input or that advocacy campaign and if those civil society groups are doing a good job or you have background talks with them, you can actually really graft ideas from them. But it is extremely difficult to allocate a certain percentage of success to them.

Q: But you would say they were more than just background noise in the process?

A: Oh, definitely. I should not perhaps do so, but let me make a nasty comment. You may have your own views on the Darfur crisis, but all these disinvestment campaigns and Save Darfur! campaigns that are running now just add to the background noise, because the solution and the analysis provided does not help at all. Sorry to say that. It is a harsh judgment.

But in the negotiations, actually we could also learn something from them, from some of them.

Q: Could you also describe the role of some of the regional states surrounding Sudan? What were their roles, if you could characterize them briefly? I am of course discussing Kenya and Ethiopia and even Eritrea, Chad was not really a player, but even Egypt. Can you characterize their positions, or their influence?

A: That's not too easy to answer. Here again, it pretty much depends on the personalities involved. Certainly Kenya has played a decisive role. The Eritreans I am not sure, the Ethiopians I am also not sure, particularly because of the personalities of the people they sent. Now, to be extremely frank with you, I think our knowledge or I should say even our intelligence on how much those states actually contribute to countries like Sudan is unfortunately a bit more limited.

If you were to ask me, "What is the influence of France or the UK or Germany on this or that policy proposal?" it is far easier for us to gather information, to get an idea and to analyze it in their cultural, political and historical context.

With regard to the countries you mention, perhaps to better explain myself I'll give you one silly example. I cannot exclude that, for example, at a certain stage, President Isaias Afworki from Eritrea may have picked up the telephone and sent one of his special

advisors to one of the parties and had talks. This is something you may not necessarily really know.

Q: And now maybe you can describe the role of the major powers in the negotiations? I am specifically referring to the UK, Norway and the U.S. How could you distinguish their roles in the negotiations?

A: Well I think the UK played certainly a decisive role, very much committed to achieve a good result, somehow hampered by their colonial past. Not too much, but still in their background. I think what helped was that they had a pretty good knowledge of the country and that was really appreciated, I would say.

Now with regard to the U.S., certainly a decisive partner, obviously. They put a lot of strength into it. They pushed, they pulled. I am not one hundred per cent sure whether perhaps it was a bit unbalanced towards the South, not one hundred per cent sure. And certainly some difficulties to get engaged from the State Department side into talks with the NCP.

And with regards to Norway, they are always good people but we are today even hampered by some of the promises they made which they have not lived up to. Money can not resolve all problems. I will give you one telling example. At a certain stage of the negotiations the southern Sudanese came up with the idea of having their own currency. Economically that makes sense. Politically, well, from their perspective it made sense and the North for very understandable reasons did not like it at all. Nowadays we are not completely pleased with them because the Government of National Unity keeps on begging us to get funding and always says, "Yeah, but Hilde Johnson promised that money should not be a problem to resolve this," which is true. Now the Norwegians do not put money into it. That is just one anecdote out of many. Certainly the Norwegians are very pleased. They are neutral people in general and are accepted as good negotiators but perhaps they have a bit overemphasized their role because now to actually fulfill what they have promised, it is getting more and more difficult for them over time.

Q: Could you characterize for us some of the major turning points in the negotiations? You already mentioned the appointment of Senator Danforth as special envoy. Were there any other special what we could call turning points--now the fashion is to say "tipping points," it seems?

A: Well I think what was actually a good move was the Nuba Mountains ceasefire.

Q: Were there other points that you could characterize as turning points?

A: I would rather see it as a process. I would not emphasize too much on turning points. I think what we can certainly say was the parties certainly became more and more convinced when they saw that the international community was actually persistent in their efforts. We have not had that too often in history that a number of major

international players keep working on issues. The international community has a certain tendency to forget about things and to jump from one highlight to another. I think that might have also helped.

In addition to that, for example, the Commission has reiterated its commitment to deliver a peace dividend and so on and so forth. I think we should regard that rather as a process.

Q: You are emphasizing process but at an earlier point I would say you emphasized personality. To what extent do you think personalities were a factor in the success of the negotiations, or even a failure at different points?

A: It is my deep belief -- and this does not only hold true, in my view, for the Naivasha negotiations, but for any negotiation -- personality is the chief issue. I have seen so many negotiations at higher levels where you can already smell right from the beginning this will never fly because the negotiator is not trusted, because he is not competent or his language is not the right one or everyone knows that he is not backed up by his government, etc. To answer your question, I think the fact that we had very good negotiators, where we assumed that they were fully backed up by their authorities, by their president and by their organization, was to me the key factor. It has to do with trust.

All these negotiations, they develop very much their own dynamic. You can turn such a negotiation around within one night, not necessarily but it is a possibility, if people trust each other.

Q: In hindsight, if you could have changed the policies or practices of the U.S. in the negotiations, what should have been done differently?

A: I will give you a challenging answer. I think one of the success stories, one of the very few success stories, in international ceasefires and peace agreements, was actually the fantastic JMC operation, the Joint Military Commission operation, in the Nuba Mountains. To me, it still serves, for many reasons, as a model example of how you can actually run such an operation. People in the Nuba Mountains still talk today about the JMC. If one could have expanded that idea of a JMC kind of operation to the whole North-South Sudan operation, that would have been a great thing.

Bringing in the UN is a fine thing, but we all know about the strengths and weaknesses of DPKO operations. I am not bashing my UN colleagues, but the UN has many problems. We are all the UN, obviously, but UN operations face many problems. I indeed believe if one would have pushed for not only Friends of Nuba but the Friends of Sudan or Friends of Naivasha or something like that, to run a five or ten thousand man peacekeeping operation of these friends, that could have been a great thing.

Q: In terms of the U.S. serious involvement in the negotiations, did you feel it was timely, or did you feel that there were many wasted opportunities?

A: We all have our views on the Clinton Administration, which was not really reliable in that respect, but I think with the appointment of Danforth -- no, I wouldn't have any major criticism, I must say, no, not really. There are other cases in the world where I would express more of an opinion on that.

Q: Again, in hindsight and perhaps even foresight, can you describe the primary shortfalls of the CPA that have led to problems with implementation?

A: It is always a question, if the glass half full or is it half empty? What can be achieved versus what has been achieved?

Q: Well, if I could give you some hints, in terms of these various protocols and the commissions that were called for, is the CPA in a sense too bulky a document, too many clauses, too many sub-clauses, to implement practically in the Sudanese context?

A: Okay, I see what you are hinting at. We are daily working with the CPA and its strengths and its weaknesses. Let me put it that way, in an ideal world it would have been good, we have what we at the Commission call what we call legal revisors, who are people who are native speakers in the language of the contract, and they have a legal background. They run through a document and say, "listen, while I understand the intention of the parties, this does not make any sense in English, so we have to revise it." In addition to that, an all-inclusive document would have been actually much appreciated. That would have been in an ideal world, give a technical secretariat two weeks or one week, something like that, to revise the document, suggest changes, give it back to the parties and say, "listen, we just made juridical changes to the thing and by the way we have to put it all together in one big book." That would be certainly helpful.

I would just leave the comment at that. I could obviously make some comments on single provisions of the CPA, but I would like to refrain from that, because this is so easy to criticize, that people have maybe overlooked something here or there. That would be totally unfair and actually I have been more supportive of the agreement.

Q: Do you find the CPA, as it is written, to be too complex or is that not the crux of the issue?

A: Well, to be frank with you, I am fully aware that politicians do not like complexity and perhaps Sudan is a country which is already in itself too complicated, in terms of national politics. We are here confronted every day with a country which is hypercomplex. You can not spend your days and nights working on east Sudan or on North-South without linking it to the other parts of the country. Whether this is a good or bad thing is another part of the story. I think everyone will agree with me that Sudan is simply a multifaceted country with so many different realities.

Q: So you feel in general that complexity must be met with complexity? You can not have simple tools when you are dealing with something so difficult?

A: Absolutely, absolutely. We and other organizations run some kind of CPA implementation matrix, where we just keep focus and say Paragraph 2.4.3 (i) has been already fulfilled, or not fulfilled, what is the problem, etc. These are long, long documents and sometimes we get tired of that. On the other hand, I am sorry to say all our countries, yours and mine, the U.S. and Germany, are also very complex countries with a lot of regulations and why not? I would not particularly bother about that. Obviously this poses huge challenges for these institutions but I could not see, really, under the present circumstance, any other possibility.

Q: What are the most important lessons that we and by we I mean the international community, can learn from negotiating the CPA and its implementation? Are there important lessons learned?

A: Yes, I would say it is very important to ensure that we follow persistently one line, that we stick together, that we put the parties into a meeting room somewhere, do not let them out, that we provide assistance if they need it, that we give them time, actually, to discuss and to reflect, that we give them ample room to leave the meeting room, to go back to their hotel room or lobby, where they can meet with others, where they can talk and where they do not feel pressure, not too much pressure, to sign things without having feedback from their peer group and to be simply reliable as a partner, to show them we are at their side. I very often tend to compare the CPA process, which has been a rather good process, with the DPA process, where the international community worked to make everything wrong it could do wrong.

Perhaps the last element on that, I think the key element to the CPA negotiations was also that the number of negotiators was actually limited. Not everyone who felt important could just walk in to the room and say, "Hi, I'm Joe, whatever and I'm also important and my country has something to say." It was rather limited.

Q: I want to discuss implementation a little bit more depth. In terms of the outstanding border issue and the outstanding issue of revenue sharing between North and South of resources, specifically oil resources, how do you feel the implementation is going in that direction? Whether the South is getting its proportionate share of oil revenues has been an outstanding issue and border issues between North and South still are unresolved. Do you feel the agreement is a failure in those areas?

A: Actually, I would say it is too early to tell and is the glass half full or half empty? Having said that, obviously there are more and more people who add their voices to those who say, "It is going too slow and the NCP is too much of a hard liner and we should pull out." To pull out is obviously a difficult policy alternative. We are approaching more and more a very decisive period, where the SPLM will have to think about possible alternatives, but then again, what are the alternatives?

Q: As you know, elections will be held next year and then there is a projected 2011 referendum on whether the South might secede from the national government. Do you

have any predictions in regard to where those elections might go and whether a referendum would be held?

A: If you ask two people, Sudanese people or people dealing with Sudan, for their opinion, you will certainly get three different opinions. Now I would not bet my house or my other belongings that the referendum actually takes place as envisaged. If it takes place and if it is going to be a fair process, I would bet my house the Southerners vote 99 per cent for independence.

Q: And I have one last question for you. To what extent did the peace process between the North and the South lay the foundations for violence in Darfur? Was it a contributing factor?

A: I will give you an answer, but let me just make one preliminary remark on that. I think a mistake that is very, very, very often made is to oversimplify the Darfur conflict. The Darfur conflict is extremely complex to understand. There are many, many different factors that go into it. But it is certainly true that many people say, "The SPLM achieved with war and violence with this government, got them to the negotiating table and they actually got part of their aims," which is a rather simplistic view, perhaps. Many Darfurians really say the same, "Just fight with this government, shoot them down and we will also get a share."

Obviously this is only one element to this very, very complex process. I would not go so far as to say the signature of the CPA was actually an extremely decisive moment for the outbreak of war in Darfur. That, in my humble assessment, would be going too far. There are many other interests, important factors, but we see -- my answer -- these are all interlinked.

Q: I thank you very much for your time and this will end our interview.