

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

Interview # 20 - Executive Summary

*Interviewed by: W. Haven North
Initial interview date: August 29, 2006
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The Interviewee spent eight years as a full-time Sudan researcher and has published extensively. During the period of negotiations leading up to the Comprehensive Peace Agreement, she maintained close contact with people in the region. She had an exceptionally good relationship with John Garang and others in the Sudan People's Liberation Movement (SPLM).

The Interviewee sees the CPA in very deep trouble, since most of the essential benchmarks have not been met and Khartoum has not demonstrated any intention of allowing a self-determination referendum for the South per the timeline of the CPA. It is "impossible" to imagine any regime approximating the current one which would allow the South to secede. The North is also pushing the boundaries south, particularly in the Upper Nile, and refusing to accept the findings of the Abyei Boundary Commission. In contrast, at least 98 percent of Southern Sudanese currently favor secession.

Every informed commentator and person on the ground refutes Khartoum's claim that it is deploying troops out of the South. In fact, the North deploys at least as many troops back into the garrisons in the Juba region as it deploys out, resulting in no net draw-down of troops per the terms of the security protocol outlined in the CPA. Khartoum is also withholding hundreds of millions of dollars of oil revenues from the South, and has shown no intention of sharing power, even in those ministries that are nominally controlled by the SPLM.

The biggest disappointment to the Interviewee is the lack of commitment on the part of the international community to monitor the implementation of the CPA. There has been no pressure on Khartoum to perform, and no provision of either the emergency transitional aid or full funding of emergency humanitarian needs in Southern Sudan. Darfur has contributed to the fall of Southern Sudan off the radar screen of international attention. Now, Darfur, which is about to see renewed large-scale genocidal violence, is on the brink of catastrophe.

Many Southerners are already returning from Khartoum very disillusioned with how little power they exert even though they have nominal positions in government. Others are being bribed. Khartoum has tremendous amounts of money, not only to fund militia activities in the South (e.g. the LRA), but to buy corruptible SPLM officials who go north.

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Q: Let's start off with some background on your association with Sudan and the CPA (Comprehensive Peace Agreement). How would you describe your involvement?

A: I've been working for the past eight years as a full-time Sudan researcher and analyst. I came to focus on Sudan by way of a long time support for Doctors without Borders, an organization that I supported but with which I'm not in any way officially affiliated. I have published very extensively on Sudan; I've traveled to Sudan; I've testified before the Congress about Sudan. Over the last three years my focus has begun necessarily to shift to Darfur, but right through the negotiations leading up to the Comprehensive Peace Agreement I was in very close touch with events, having extremely good contacts in the region. I had an exceptionally good relationship with John Garang; I have a very good relationship with many people in the SPLM (Sudan People's Liberation Movement). I've been a very, very close student of Khartoum, since the beginning of my studies and research. And at this point I simply can't seem to stop doing Sudan.

Q: Is this under other auspices or are you on your own?

A: No, I'm on my own.

Q: Your support for work – this is from your own resources?

A: Very recently I received a grant to support research and travel from the Omidyar Humanity First Initiative. But in the main, that's right. I've continued to work as a professor of English. I've taken a number of semesters of leave without pay. I've used earned sabbatical semesters and I've worked as long as 80- and 90-hour weeks in order to be able to continue to work full-time on Sudan.

Q: Let's focus on your understanding of the CPA itself and what it involved.

A: My understanding of the CPA is that it's in very, very deep trouble. Any number of essential benchmarks have not been met, and Khartoum has no intention whatsoever of allowing a self-determination referendum per the timeline of the CPA.

Q: Let's back up a bit about what the CPA calls for.

A: The CPA calls for a self-determination referendum for the people of the South, the South as determined by the 1956 boundaries. This was to be six-and-a-half years from the signing of the agreement on January 9, 2005. But, of course, the vast majority of the oil reserves lie in Southern Sudan. It is impossible for me to imagine that the current regime, or any regime approximating to the current regime, would allow the South to secede. It would be too costly.

Q: The agreement is fairly complex as it covers a number of different aspects?

A: Indeed. I'm only highlighting what I see as the endgame, but you're quite right. There are a number of protocols; the Security Protocol, the wealth-sharing protocol, boundary delineation, any number of key agreements were required at various stages along the way to make the signing in Nairobi on January 9 possible. I would particularly highlight the Security Protocol. I think this was the real breakthrough inasmuch as the only possible guarantor of a self-determination referendum is a South Sudan that is militarily strong enough to ward off Khartoum's efforts to forestall such elections. You talk to any Southern Sudanese and the percentage is at least 98 percent in favor of secession today. That's not going to change in five years. I think with that fully in mind Khartoum is acting accordingly. For now it is pushing the boundaries south. Particularly in Upper Nile, it is refusing to accept the findings of the distinguished Abyei Boundary Commission.

Abyei was the last and most contentious of the so-called free areas problems – the last of the substantive issues to be resolved. This was in May, 2004, and the terms of resolution were that both parties were to abide by the finding of the Abyei Boundary Commission, which edited its report in July of 2005. We're now almost to September of 2006, and it's absolutely clear that Khartoum has no intention of implementing the findings of the Abyei Boundary Commission. This is extremely serious business. The Abyei Boundary Commission findings would have provided, for example, civil society administration that could serve as an interlocutor for international NGOs (Non-Governmental Organizations); it could arbitrate disputes between the Messiriya Arabs and the Ngok Dinka. None of that is taking place, and I recall testifying before the Congress two-and-a-half years ago and talking even then about Abyei being a powder keg, which, if it exploded, would be a bloodbath. I believe that is still the case. It's one of the three major flashpoints. I believe Abyei, the oil regions of western Upper Nile and the oil regions of eastern Upper Nile are all flashpoints for war.

Q: What was your understanding of why the CPA agreement even came about if there were such strong feelings about it?

A: It was, from the SPLA (Sudan People's Liberation Army) point of view, the best deal they were ever going to get, certainly on paper. In the case of Khartoum, it's an open secret that there was real dissension within the National Islamic Front, renamed the National Congress Party, about how much to concede and whether Ali Osman conceded too much, and that continues to resonate within NIF politics. We have to remember that Darfur is at the height of its genocidal destruction as these negotiations are being

consummated and one of the things that Khartoum was able to do was play Darfur and Southern Sudan off against one another. That's why I would highlight that the last major issue substance was fully resolved in May 2004 and yet we didn't have a signing of an official document with only technical issues outstanding until January 2005. The reason for that is that Khartoum said, "Look, you push us too hard on Darfur and you'll lose the CPA."

In this back and forth, the expectation was that the U.S. and the UK and Norway, the troika that were most responsible for augmenting diplomatic resources of IGAD (Inter-Governmental Authority on Development), would hold their fire, and they did. If you look back at what the U.S. and the UK were saying at the height of the genocide when the violent destruction of villages, non-African and Arab, was at its height, you couldn't even glean that there was an ethnic dimension to this conflict. This was the price that the U.S., the UK, and even Norway were willing to pay in order to get the CPA done.

Q: Are there any arrangements for monitoring its implementation?

A: Well, there are in fact. The African Union force I would say is obscenely large. Obscene certainly given that there are no UN troops in Darfur. But this 10,000 plus force which is essentially a peace monitoring force is not a peacekeeping force per se; it doesn't have a mandate that allows for peacekeeping, but it's essentially relatively few monitors with a monstrously large protection force.

The real security in the CPA was to come from the Security Protocol and its stipulation of joint integrated units, only a very few of which have been formed and these are way, way behind schedule, as is Khartoum's deployment of regular forces out of Southern Sudan, particularly in the Juba area. Every informed commentator and person on the ground I talk to makes the same point that Khartoum claims it's deploying troops out, but, in fact, it deploys at least as many troops back into the Juba area and the garrisons in the Juba region as it deploys out.

There's been no net drawdown of troops per the terms of the Security Protocol with the CPA. This is very, very dangerous. It is a sign of clear bad faith on Khartoum's part, and it is one bit of evidence that they have no intention of ever allowing themselves to be put in the position where the SPLA can militarily halt them from obstructing the elections called for in the CPA. Again, I just don't believe that on present terms we have any basis for believing that those elections will take place.

One of the consequences, not often remarked on, of oil development in western and eastern Upper Nile, is that the oil companies, particularly Petronas and China National Petroleum Corporation, have built an extensive network of elevated, all-weather roads. Now, they certainly serve oil development purposes, but they would also allow for an unprecedented projection of mechanized military power by Khartoum on the South. The rainy season typically brought an end to fighting. Now, that won't be the case if war resumes. When I was traveling in Southern Sudan in January 2003 and traveling quite extensively, every single Sudanese I talked with, including a number of SPLM

commanders, the SPLA commanders, said the same thing: there had been a cessation of hostilities agreement in October 2002, but it was breaking down. It was shored up in February, but when I was there the ceasefire was breaking down all around me and everyone was aware of it. When I was talking to SPLA commanders and John Garang himself at some length one-on-one, they all said the same thing: if war comes again, it will be the most destructive phase of the civil war since independence. Every one of them said that. And that's in part because Khartoum's oil revenues have allowed for an enhancement to its overall military production capacity, the overall quality of its military armaments, its acquisition of MiG 29s, but also because the oil roads would allow for the projection of heavy mechanized power even at the height of the rainy season because these elevated all weather roads are just that.

Q: Is there any outside monitoring? Is the international community really following this closely?

A: Not nearly effectively enough for all the size of African Union group. I see the daily reports from the UN; I see the level of violence. I get lots of confidential reports. There are many, many militias.

This would be another key point, I would say, in talking about CPA implementation. The CPA stipulated that all so-called other-armed groups, OAGs, would decide by January 1, 2006 whether they were with the SPLA or whether they were with Khartoum and its SAF (Sudanese Armed Forces). This has not happened. In fact, what we see are very, very powerful militias still active in both eastern and western Upper Nile. I receive continual reports that the Chinese in particular have hired militia forces to protect themselves in the oil regions. Khartoum is paying many of these militia forces even as the SPLA can't pay its own soldiers, certainly can't even provide them often with enough food. There's no way they're going to attract what are essentially mercenary militia forces that go where the money is.

And we have a number of very serious militia issues that have not been resolved, in fact they've been exacerbated by Khartoum. I see no sign of that diminishing, and these become, in effect, a proxy force for diminishing the capability of the SPLA in establishing itself and establishing these joint integrated units, SAF, SPLA, in securing control of key areas. This occurs and there's what many observers have called the Northernization or some such equivalent process. If you go to Malakal, for example, it's not nearly the town it was ten, 15, 20 years ago; it's essentially a Northern Sudanese town now. It's nominally in the South but it's no longer really part of the South. And this process is ongoing. The same would be true of Bentiu.

So far I've highlighted a number of issues that I think militate against the success of the CPA just on security grounds: the refusal of Khartoum to drawdown its net forces in the South; the refusal of Khartoum to work with any kind of good faith in demobilizing the militia forces which it has supported for many years, as it did the LRA (Lord's Resistance Army), by the way. And Khartoum has refused to defuse the flashpoints, most likely

flashpoints for renewed war: Abyei, the Abyei enclave, eastern Upper Nile, western Upper Nile.

And to turn to another issue, by withholding very substantial oil revenues, running to many millions, hundreds of millions of dollars have been withheld. We can't know how many, because Khartoum won't open up the books. The SPLA is desperately trying to set up a Government from scratch – it's trying to pay its soldiers, it's trying to do the almost impossible. But withholding of these monies makes it all the more difficult for the SPLM to move from being a rebel movement to being the essential component of the Government of South Sudan.

Q: Is there any additional effort by the international community to press on the Northern Government to honor some of these agreements or is this-?

A: No, I would say that's probably the greatest disappointment to me, as somebody who has worked so long and hard to bring peace to Sudan. That here we have a moment of extraordinary victory in one sense, because I really don't think the SPLA/M would ever have gotten a better deal on paper than what emerged from the Naivasha process. But it was only as good as the international community's commitment to bring the CPA into reality.

Now, on a number of counts, that simply has not happened. There hasn't been pressure on Khartoum, and there hasn't been a provision of either the emergency transitional aid or even a funding of emergency humanitarian needs in Southern Sudan. Southern Sudan is arguably more poorly funded than Darfur. There have been very serious food shortages, there's a vast shortage of potable water. The UN estimates that as many as 1.2 million people have returned since the signing of the CPA. It's extraordinarily difficult to reintegrate these people in a land that has known only war since 1983.

And some of these people returning have never lived in the South; some have not lived there for many, many years. Arbitrating land disputes, restocking cattle herds, inoculating cattle, providing the rudimentary means of agricultural production, fishing; none of this is being taken care of. We've said, in effect, to the people of the South, "Well, we've got you your peace. Now the rest is yours to do." And that's completely unrealistic.

The CPA was a necessary condition of peace in the South, but it was far, far from being a sufficient condition of peace. The sufficient condition would entail massive international investment in emergency humanitarian needs, which remain acute. For transitional needs, how do you move a society so utterly ravaged by war to a self-sustaining basis? It should also be made clear to Khartoum that it was obliged on boundary delineation issues, wealth-sharing issues, and security issues to follow the terms of the CPA. That just has not been done.

Q: Is there anything that can be done now to exert more pressure on the Northern Government or is it past that point?

A: This is where Darfur, in fact, undercuts efforts now. The South has largely fallen off the radar screen of international attention — everything was crystallized by the Naivasha process. It also worked to obscure Darfur. Now Darfur, which is about to see renewed, massive, large-scale genocidal violence and is on the brink of utter catastrophe, is obscuring Southern Sudan. But Darfur's urgency, which is certainly unsurpassable, should not be, but is, obscuring the acute and ongoing needs of the people of the South. You cannot simply say the war is over, rebuild your lives. Not in areas like Upper Nile that saw massive scorched earth clearances, displacing or killing hundreds of thousands of people just in the late 1990s and first years of this decade.

Q: Is there any aspect or any part of the CPA that's making any headway at all or being implemented?

A: Substantial remnants moved to the South, some joint integrated units have been formed. But as far as power sharing goes, I'd say this has been a disaster. There are many Southerners who have gone to Khartoum to try and participate in a Government of National Unity only to find that this is a farce. Khartoum had no intention of sharing power, and even in those ministries that are nominally controlled by the SPLM they have no real power. The real power resides in shadow cabinets where Khartoum has simply moved all the bureaucratic resources elsewhere, put them under another name and so no real power is exerted. And in the case of the foreign ministry — Lam Akol, who along with Riek Mashar was one of the signatories of the really disastrous 1997 Khartoum Peace Agreement — Lam Akol is a complete traitor to the people of the South in his role as Foreign Minister. He's become a complete toady of the National Islamic Front; he does nothing but parrot the line of-

Q: He is a Southerner, though.

A: He is a Southerner. And I have very good reason to believe that the SPLM leadership is intensely dismayed at Lam Akol's performance. I think the leadership wonders seriously whether they should have accepted the position because, in fact, looking at it there was no way that a Southerner was going to determine Sudan's foreign policy. This has always been the prerogative of the North and the CPA didn't change that in the slightest. It did on paper but in reality, of course not. But many Southerners are already returning from Khartoum very, very disillusioned with how little power they exert even though they have nominal positions. Others are being bribed; there's a tremendous amount of money that Khartoum has, not only to fund militia activities in the South, over the years to have funded the LRA but to buy corruptible SPLM officials who go North. I also know that SPLM officials are often marginalized in conversations, sidebar conversations that take place in very rapid Arabic deliberately meant to keep out of the conversation anybody who is not absolutely fluent or whose first language is Arabic, which, of course, is not most of the people in the South. And if you look at the Southerners in Khartoum, in the Government I don't think you see anybody really representative of John Garang's vision for a new Sudan. But they're nominally there; the South is getting substantial oil revenues though not nearly as much as they are entitled to.

One of the things I haven't mentioned, but is another key CPA item, is that a boundary commission was to have been formed and take action in determining the boundaries within the oil region. This is obviously critical since the South is entitled to 50 percent of oil revenues only from oil produced in the South. What Khartoum has done, in effect, is unilaterally moved the North/South boundary south of the 1956 administrative boundary and used that as the basis for determining where oil production is. So they are badly, badly skewing oil production figures and they refuse to activate the boundary commission tasked with establishing exactly where in the oil regions the boundary lies. This is one of the most serious failures to comply with the terms of the CPA.

Q: And there is no outside group that can press the Government to implement those protocols?

A: I was at a meeting in which former Deputy Secretary of State Robert Zoellick was asked about that and about other issues and I saw no significant commitment. I've heard of no commitment and I've seen no commitment on the part of the Bush administration. In Europe, Southern Sudan has never had the resonance it has in this country. If the United States is not leading on CPA implementation, nobody else is going to take that role.

Sudan has been looked at, rightly, as a primarily U.S. issue – I say rightly only in the sense that historically it's been the case that the U.S. has taken the leading role – but there is obvious responsibility for the countries of Europe, for Canada and Japan, not to say India, Malaysia, and China, which are so complicit in abrogation of CPA terms by virtue of their silence and their willingness to, in the case of the Chinese, refuse to yield clear figures on oil production and revenues.

Q: Looking back on the CPA origin, is there something that could have been done differently that might have made this situation work better than it has?

A: Another time, when I was testifying before Congress, there was mention of a large peace dividend. Well, the people of the South are still wondering where that large peace dividend is. It certainly hasn't materialized in dollars and it certainly hasn't materialized in the way of ongoing, U.S., robust commitment -- political and diplomatic -- to see that Khartoum understood we fully expected them to honor the terms of the CPA and that there would be no significant improvement in relations until both Darfur was resolved and the CPA's terms were clearly on track for its timely implementation. There has been no such policy governing the State Department, nor I will say is the State Department even remotely adequately staffed in its Africa Bureau. People I talk to say that the Africa Bureau has never been so depleted in manpower and talent as it is right now. They're very foolish and lacking in talent – and this is the best we can do by way of getting Omar Bashir to agree to UN deployment? This betrays a hopeless poverty of human resources.

Q: If there was a change of policy where we were prepared to provide substantial resources to the Southern area, would that change the dynamics of the situation?

A: It certainly would.

Q: In terms of the North being willing to be more cooperative?

A: One of the things that has troubled me most in my years of Sudan work and Khartoum-watching is that this regime, which took power obviously by military coup in 1989 deposing an elected government, deliberately, not often remembered, but deliberately aborted the most promising peace process that Sudan had seen since independence in 1956. This same regime of men, almost unchanged with the exception of the sidelining of Hassan El-Turabi, knows how to read Western diplomacy. They know how to read whether or not we're committed. They know how to measure our resolve. They have taken our measure repeatedly and in the case of Southern Sudan they've taken our measure and said they got their victory in Nairobi on January 9, 2005, that's their endgame. "We can slowly wear down whatever the CPA means." They're obviously not going to rush at it, but I would point again here to the fact that there's been no net drawdown of forces. It tells me more than anything else that they are preserving the military option. And, in fact, that military option grows stronger as Khartoum grows richer.

They become more and more self-sufficient in domestic armaments production, there are more and more all-weather roads being built all the time in Upper Nile that would allow for a strategic projection of mechanized power. If Khartoum decided to resume war (and there are any number of provocations they could engineer), I believe that it would be a very short war in seizing the most valuable of the oil production sites. And again, as they have done in existing oil production sites, they would create a vast cordon sanitaire around them. Now, some of the most promising oil reserves stretch way, way to the South. The oil reserve that is controlled by TotalFinaElf of France has never been active because it's always been too far south and security has been too much of an issue. I don't believe Khartoum would give up on that.

If you look at a map of the concessionaires presently blocked out, Khartoum's ultimate ambitions would essentially be to control those concession block areas and thus throw away most of Bahr al Ghazal, most of the eastern and western Equatorius and really focus on Upper Nile, some sections of eastern Bahr al Ghazal and some the northern parts of the Equatorius. But they would not really worry about controlling all of Southern Sudan. They would worry about controlling what we know, on the basis of present seismic and petrologic data, to be the really promising areas of oil production, and slowly expand security out from that essentially horseshoe shaped bulge into Southern Sudan. If you used Abyei as one corner of the horseshoe and extended it a little bit, well on the border and then you took the horseshoe down to Juba and then up, and, that's the horseshoe they would want to control.

Q: Looking back, there were some views that it was very important to the Northern Government for the U.S. to be involved and to make representations, and therefore the

Northern Government was willing to be somewhat responsive to the U.S. because they were eager to have U.S. recognition. Has that had any effect?

A: It's fair to say that the Khartoum Government did not realize what they were getting into with Darfur so they found themselves with two very, very difficult tasks to manage at the same time: the endgame in the IGAD and Naivasha peace process, and international outrage at what's occurring in Darfur. So it was a more difficult task than they'd counted on and the balancing has provoked some strains within the National Islamic Front. I would point particularly to obvious strains between Ali Osman Taha and Bashir. They've recently put themselves on the same page but the strains are clearly still there, and they have to do with the managing of the CPA and the Darfur portfolio simultaneously. This is a large task for what is essentially a security driven cabal. They have no popular support to speak of. In an open election I've never talked to anybody who believes they'd get more than five [ed, not clear] percent of the vote. Now, how would they, a very large and potent political constituency in the United States demanding something be done, much of it Christian right, how if you're George Bush can you ignore this? You really can't. That's why the only special envoy Bush has appointed to date is John Danforth.

Charles Oakley was sufficiently enabled by circumstances to be able to engineer the Naivasha Agreement, and the Norwegians and the British were left cynical and more helpful in some respects. But without the driving force of a powerful American domestic political constituency, the CPA would never have happened and Darfur would never have been the issue it is. It's in some ways amazing that Darfur has got the kind of attention it has and that's not because of what's going on in Europe; it's because of what's going on in this country. I think Khartoum understands that it has to take account of American domestic politics in crafting both its CPA stance and its attitude toward implementation, and its behavior in Darfur.

Now, the stiffing of Jendayi Frazier leaving having met Bashir but getting the no, no, no to UN deployment set the stage for a crisis at the UN. Is the UN going to continue to keep the line that they will not deploy without the consent of Khartoum?

Q: Would the restoration of the special presidential representative be effective, because it was apparently somewhat effective in the negotiations?

A: Oh, it's essentially Darfur.

Q: I'm not talking about Darfur, but also for the CPA implementation.

A: Somebody in the State Department needs to be full-time on CPA implementation if we're serious. That doesn't necessarily mean a special envoy which, of course, can go outside the State Department and has a direct line to the President. It means that somebody in the State Department with real clout, real knowledge, and real smarts needs to be in charge of CPA implementation and needs to be able to set off an alarm bell. This is not happening and the fact that it's not happening should be of great concern to us

because our diplomatic triumph of January 9, 2005, is going up in smoke if we don't resolve this. There's no pressure on Khartoum to accept the findings of the Abyei Boundary Commission – none whatsoever. It's a scandal. This most contentious of issues, the last issue to be resolved, resolved in the best possible way, a distinguished international panel that reviewed the history, looked at the geography and came to a determination – this report has essentially just been scoffed at by Khartoum for well over a year. I raised this issue with Zoellick and he said, "Well yes, it's serious, but we've got other more serious concerns." Well, I'm not quite sure what the other more serious concerns are. This is explosive. That there is no rat-a-tat-tat, diplomatically speaking, on Khartoum for not accepting the Abyei Boundary Commission Report, is just symptomatic of what's happening broad brush across the board with CPA implementation.

Q: There's no other external group, European or the UN, which has any influence on this process?

A: UNMIS (United Nations Mission in Sudan) is responsible for a monthly CPA implementation bulletin. I looked at it once and said, "This is useless." They put out one for Darfur that was actually quite good but the one for the CPA was, I thought, useless. So the answer is that, no, we've got a force of 10,000 plus, a billion dollar operation, and we're getting little bang for that huge amount of bucks.

Q: There's no backing for that group from the international community?

A: They're badly led; they're trying to position themselves as diplomatically neutral. If you've got one party that's abrogating the terms of the CPA, you need some diplomatic involvement. You can't turn to a UN peace support operation and say you bring pressure to bear on the Khartoum Government; they're not going to do it. They can supply a great deal of the data; the data's not hard to come by. But to put it in a form that is going to be politically effective, that's an entirely different matter. And you can't have a peace support operation put in that role. That's what we've ended up with.

Q: My impression now is that your view about the success of the CPA is pretty dismal. Is that accurate?

A: That is correct.

Q: And that unless there's a major new initiative, nothing will change?

A: The dynamic is one of deterioration, not improvement.

Q: What special measures, apart from the State Department's role, would you think would be appropriate to try to change the dynamic?

A: The Friends of IGAD, which included not only the U.S., the UK, and Norway, but also Canada and Italy, need to be reconstituted and it needs to be Friends of the CPA. There needs to be a much broader international support and there needs to be much more

concerted international diplomatic pressure on Khartoum. I've emphasized the U.S. role but that should not obscure the importance of Khartoum understanding that this is not a U.S. hobbyhorse. There are still commitments on the part of the Italians who want to actually now claim that it wasn't a troika but a quartet that really engineered the CPA. Well, if they were so invested in the CPA negotiations, they should be just as invested in CPA implementation. But that's not true. There are many countries in Europe that have given Sudan extremely short shrift, both in Darfur and in the South, leave aside the East and the Nuba Mountains, Southern Blue Nile and other marginalized areas. And I think the U.S. would find that it was diplomatic capital well spent to try to reconstitute the Friends of IGAD as Friends of the CPA and bring some really concerted pressure. Darfur is unsurpassably urgent, but if we allow that to be the excuse for letting the CPA slide, there won't be any easy resurrection of the forces that brought the CPA into existence.

Q: Are there any protocols that are working under the CPA arrangement; that are moving it forward?

A: You could say that wealth sharing is moving forward because I think \$600, \$700 million has moved to the Government of South Sudan. But, if that's also several hundred millions of dollars less than what the South deserves. Is that a success or a failure? Is that good news or bad news? I would say it's mainly bad news. I mean, nothing is much clearer in the CPA than the revenue sharing protocol. It's very clear. The South is entitled to 50 percent of revenues from Southern oil production. But you need a clear North/South boundary, you need transparent bookkeeping; that's why the South was denied both the Ministry of Finance and the Ministry of Mining and Energy. That was a real bone of contention and many Southerners felt that Salva Kiir betrayed them by not pushing harder. But the reason he wasn't going to succeed is that if the South got access to either one of those ministries, they'd actually be able to see what the revenues are. Right now they can't. Again, I would go back to the opacity of Chinese bookkeeping as well as Malaysia's; Malaysia's a little better but these are not publicly traded companies. They have no obligation to transparency so we don't know how many hundreds of millions of dollars the South isn't getting. What we do know is that SPLA soldiers are not being fed for lack of money. Some of that is governmental and bureaucratic ineptitude as the Government of South Sudan tries to constitute itself, but some of it is sheer lack of resources in the South.

When I traveled in Yei in 2003, I had no security risks. I was the only white guy I saw all day and I never felt safer in my life. I wouldn't dare walk around in Yei today; there are just too many people with guns and no money. And Yei is just the most conspicuous place in the news. Rumbek is a little better. But we've got a really, really serious problem in implementing the peace and part of it is lack of resources.

I come back to my question: is the fact that six, seven hundred million dollars has moved to the South good news or bad news, given the clarity of the wealth sharing protocol? This was the real breakthrough protocol, it was the moment I thought of as John Garang's greatest showing as a diplomatic leader of the Southern cause. I almost couldn't believe that he was able to get this particular Security Protocol; I had to read it several times

before I was convinced that Khartoum had signed off on it. But it comes down to implementation. If the North is not withdrawing its troops, if the militias are not being disarmed and the joint integrated units are far, far behind schedule, we have a situation that could explode at any moment. It is one that militarily is highly advantageous to Khartoum vis-à-vis the situation that would prevail if they'd actually followed the terms of the Security Protocol. There, I would say whatever progress there is has been dangerously slow. This is the real danger area.

As far as power sharing goes, I never really believed that Khartoum would share power on Northern issues. And I don't think there were many Southerners, or at least most intelligent Southerners I know, who believed that they'd really have any power in Khartoum on Northern issues or foreign policy and that's certainly been borne out by developments. I think many Southerners felt that the real task was to create a functioning Government in the South of Sudan. Salva Kiir is nominally the head of the SPLM, trying to make itself from a rebel movement into a political party. He is head of the Government of South Sudan and he is also first Vice President of the country of Sudan. No one person, not John Garang, could have taken on those three tasks.

So Salva Kiir, a much more limited man, necessarily is focusing on the first two tasks, transforming the SPLM and creating a Government of South Sudan. He is traveling today and will meet Darfur rebel groups, but he has no leverage with them. In fact, the people of Darfur feel that they've been betrayed by Southerners, especially given the first delegation that Salva sent to Abuja – a disgraceful delegation and completely inept. The intelligent members of the Darfurian insurgency movement at Abuja recognized this as a very weak delegation. It was changed, but it sent a signal that we don't really care and we don't think we can make much of a difference anyway. So in power sharing you could say "Well, it's been even less successful than the security arrangement but it never had a chance of succeeding anyway." The National Islamic Front was never going to cede key power. They retained the Presidency, they retained the Ministry of the Interior, Defense, Finance, Energy, and Mining – what else did they need? There's no penetration by the SPLM of any of those key organs of power in the North. This was never going to happen.

So this is where there has been least progress, but I think this is where progress could have been least expected. I would come back again and again and again to the security arrangements. When things go bad this is where we're going to say, "Oh my God, how did we let this happen?" Well we let it happen because we didn't get a firm North/South border, we didn't disarm the militias, we didn't ensure that Khartoum drew down its forces, and we didn't energize the formation of joint integrated units.

Q: Is there anything being done to prepare the population, South or North, for the fact that the elections are supposed to be coming up at some point?

A: Nothing's being done. There's nominally a census underway. It looks to be about as chaotic as anything you could imagine. How could that be otherwise? Counting Southern Blue Nile and Nuba, Southern Sudan had between four and five million

internally displaced persons. How can you do a census when you've got that many internally displaced persons? There are maybe two million of them in the Khartoum environs.

It will be very, very, very difficult to get an accurate census. There's been no census done in Darfur. You'll see all kinds of estimates, with a range of some 10 million. I've seen a figure below 30 million, a figure over 40 million as population for Darfur. There's been no census and obviously there can be no census now. So elections, we can presume and have always understood to be dependent upon an accurate census, are deeply imperiled insofar as the preparation is going very badly and insofar as readying the people of the South for democracy, a totally new experience for them. Nothing significant.

Q: Anything being done to get the population aware of what's going on?

A: No, nothing of significance.

Q: There is something called the National Constitution Review Commission. Is there such a body in existence now?

A: Some of these bodies exist, I don't know if this one exists even in name yet. But what Khartoum is very, very good at doing is creating bodies and committees. There is a boundary commission formed, for example, and when I was at a small meeting where Lam Akol was a participant I pressed him and said, "What about this?" He said that the committee exists, but it hasn't met or done anything. And so he was hammered repeatedly and we kept at him: "Well what have they done, what's the achievement?" And of course there's no answer. So I worry that without international auspices for this constitutional review and without insurance that the various marginalized peoples of Sudan participate, especially the people of Nuba and Southern Blue Nile, who are really left out of the CPA...

I think this would be another thing that I would highlight in my comments: that it was very, very painful for Garang but in the end the Nuba and Southern Blue Nile got almost nothing. Malakagar essentially acquiesced despite their having fought shoulder to shoulder with the SPLM in the South for many, many years. This did not go over well. I remember when I traveled to the Nuba Mountains and people asked me, "Well, what struck you most, this visit to the Sudan?" I said, "Well, it was termination of the people of the Nuba." A special meeting of civil society and military folks was convened on the occasion of my arriving and I was just pressed into the back of my chair by the intensity of their saying, "Look, we were left out in '56, we were left out in '72, in the Addis Ababa peace agreement, we will not be left out this time." And they were left out.

They simply must be better represented in any constitutional review that has any integrity. The people of the Eastern provinces must be represented fairly. The people of Nuba in the North must be represented fairly. The people of Darfur must be represented fairly. I think the chances of that happening are extremely slim. Of course, the big knock

on the CPA has always been that it's an agreement between two parties, the NIF and the SPLA, and there's of course a great deal of truth in that. But anything that purports to be a national constitutional review simply must open up the political process in ways that the CPA, to be honest, doesn't envision. It is an agreement between two parties. It's one of the reasons that Khartoum has nothing left to negotiate with, even if it wanted to surrender power in Darfur negotiations. Things were so thoroughly carved up with the NIF maintaining a 52 percent majority in Parliament. Well, they can't give any more of that away.

There are no more ministries to be given away. They can nibble around the edges but what did they give Minni Minawi? They gave him this contrived position of Special Assistant to the President. Well big deal. They just didn't have any positions left and that's because it was a two-party deal. I'm not criticizing the deal on those terms because yet again I think under the circumstances, that's the best the people of the South could have gotten; not the best the people of the Nuba and Southern Blue Nile could have gotten, but under the circumstances the best on paper that could have been gotten. But any agreement in Sudan, given Khartoum's track record of abrogating agreements and reneging and bad faith, is only as good as its guarantees and guarantors. And they simply haven't been adequate.

Q: Are there other dimensions that we haven't touched on or that you feel you want to emphasize?

A: When I'm talking to people about Sudan, trying to size up how well people understand Sudan, I always let them figure out a way to tell me what they know about the regime in Khartoum. I usually find that there are people who know something, people who know a little, people who know nothing. It's a very, very rare encounter when I run into somebody who really understands who these guys are, how they have stayed in power for 17 years, and what they are prepared to do by way of retaining power. Until they are understood for who they are, there is never going to be an effective oversight of the CPA or the DPA (Darfur Peace Agreement), or for that matter any other agreement this regime should be trusted as far as the city of Khartoum can be thrown.

And anything more trusting is naïve in the extreme. Again, to highlight my point about the CPA and the Security Protocol, the reason it's so significant is that it's the one chance the South has to be its own military security guarantor. But that won't happen unless the terms of the Security Protocol in the CPA are observed. And Khartoum, as far as I can make out, has no intention of doing so. We are seeing it now in Darfur as more and more blame is laid on the rebels. I don't mean to excuse any of their actions, but Khartoum is in complete control of Sudan. Until there is a genuine opening up of the political process; until the threat of genocidal counterinsurgency warfare next in Eastern Sudan – if those peace talks break down in the East and the Beja Congress, and the Rashaida Free Lions start to go after that oil pipeline, which they have attacked successfully before, we will see massive, massive civilian destruction. There will be a vast cordon sanitaire thrown up around the oil pipeline and that means civilian destruction. That is who this regime is. They control the security apparatus, they control the army, they control the

means of military production, they control the budget. They control Sudan. Anybody who thinks this is a Government of National Unity just isn't paying any attention.

Q: Are there any openings in that group, or are there differences, or political or local pressures, or anything that affects them?

A: No. There are within the National Islamic Front different calculations about survivalist strategies, but that's all there is. You hear talk about moderates within the NIF. Who are they and what power do they have? Amati. Nafie Ali Nafie. Ali Osman Taha. Omar Al-Bashir. Mustafa Ismail, Sala Gosh, Hassan. Right up and down the list you go. These are the same guys, the same ruthless survivalists. There is no moderation. There is a sense of how do we survive? What are the tactics that ensure our survival? Obviously after 9/11, for example, it became prudent to cut what were very substantial remaining ties with Osama bin Laden and Al Qaeda.

If you go back and you look at what was reported right after 9/11—and I did a lot of the research myself—about how deeply implicated Khartoum was in the actions and facilitation of Al Qaeda activities around the world, it was very, very substantial and well documented. That ended immediately after 9/11. These guys are not stupid; they are survivalists. The Islamicizing-Arabizing agenda has been trimmed. It's used primarily for domestic political purposes. It's still there but when you've got Darfur, on the one hand, and the need to deal with the CPA and the U.S. domestic political pressures on the other, you might think about trimming back if you've got the survivalist mentality these guys do. They are not like the Iranians in that respect though there's certainly some of that in Bashir. But in the main they're very, very cool customers, very calculating, and they're continually underestimated. So as long as the skill and the ability of the NIF to size up the international community is underestimated – continually, consequentially underestimated – we will not make progress with these guys. They are simply too good at figuring out whether we're serious or not, when we're bluffing, when we're not.

Q: Do they get any outside support?

A: They get tremendous support from the Arab League, for example. The Arab League, which is essentially an extension of Egyptian foreign policy, could not be more supportive. They are also saying no to a UN force in Darfur. The Organization of Islamic Conference provides yet more support. China is the 800 pound gorilla. China has been a net importer of oil since 1995. Petroleum domestic consumption grows 10 to 15 percent a year and Sudan is China's premiere source of offshore oil production – not offshore oil imports but offshore oil production. They view Sudan through the lens of massive and increasing petroleum needs. They are going to protect Sudan at the Security Council, and so will Russia. If we're serious, it means confronting the fact that the Arab League is not going to be our friend, the Organization of Islamic Conference is not going to be our friend, and neither will Russia or China. Unless we're willing to put on the table serious diplomatic and political assets and say we mean business about Sudan, nothing will change.

Q: And there is no Northern domestic group or anything that has any more moderate views?

A: They're in exile. The Umma Party of Sadiq al Mahdi came back, but Sadiq is a horror and always has been. Besides, the Umma Party split and it's nothing. Mirghani stays in Egypt. The DUP lost their chance. They had a chance if the NDA (National Democratic Alliance), of which the SPLM was a part, could have figured out a way to play some constructive role in the Naivasha process. They never did and so they marginalized themselves. Who talks about the NDA now? Who could even tell you who's in the NDA? Nobody. And the National Democratic Alliance was the Northern political opposition of consequence; everything else is opposition insofar as the Khartoum security apparatus allows it to oppose.