

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

Interview # 38 – Executive Summary

Interviewed by: W. Haven North
Initial interview date: November 3, 2006
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The interviewee's main interest and concern relate to the interaction of the Darfur situation and the CPA. The concern is that there was a political consensus among the Troika and others involved in the CPA process at the time when the Darfur crisis was developing, and this should be dealt with sequentially. The CPA could have been put to more immediate use in providing a framework to address and possibly resolve the Darfur situation. That was a political calculation that had massive implications for Darfur and for the humanitarian actors who were not at that point dealing with Darfur. Headquarters guidance to the humanitarian agencies was not to raise Darfur higher on the agenda. These agencies were focused on the post-conflict situation. They were disinclined to undertake assessments of the Darfur situation, given that they were already stretched and wanted to focus on post-conflict matters with the signing of the CPA agreement. Because of the environment set by the CPA and the desire to avoid upsetting it by folding Darfur into the CPA, the political interest focused on the minutiae of humanitarian issues in Darfur rather than on the political issues, which were of significance to the CPA.

In Darfur, the humanitarian engagement involved intense scrutiny of the obstacles imposed by the Sudanese on humanitarian access (visas, cars, etc.). Similarly, the insurgents were placing restrictions on access. The Sudanese Government was opposed to dealing with the humanitarian effort openly, because they did not want the international community to learn about the level of atrocities, particularly during the time of the CPA negotiations. For the insurgents, the restrictions, e.g., granting permission for access, were a means for being recognized and asserting their authority like a "governing authority."

On the upcoming elections and referendum, the interviewee notes that the opposite is happening with respect to Darfur. Initially, the CPA overshadowed the Darfur emerging crisis; now the Darfur crisis is eclipsing the CPA implementation.

The interviewee sees the Darfur situation both mixed but stable. The humanitarian community reached its capacity about a year and half ago where it is supporting 3.5 million people in camps—something that is unsustainable. Because of the insecurity in the rural areas, the plight of the people there is much more fragile. If the insurgency and the Government's role become more peaceful, the next steps would involve assurance of security for those returning home; the Dafurian people are very resourceful and resilient. The Darfur Peace Agreement is not popular and has led to an

increase in insecurity; it was rejected because it did not allow for adequate representation in the central government, and it provided insufficient provision for compensations.

On lessons learned, there are predictable negative consequences of any peace agreement, particularly an exclusive one. The deferral of Darfur was neither helpful for the Dafurians nor for the CPA. A degree of objectivity around certain spin-off issues, and how to deal with them in an objective way, is important rather than have them overshadowed by political bias.

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Q: What is your association with Sudan and with the CPA?

A: I went to Sudan in 2003, first working with IRC (International Rescue Committee) as a human rights and protection officer and then later with a consortium of NGOs called the Sudan Advocacy Coalition, which was based in Nairobi. I was the policy analyst based in Khartoum. That consortium was a research and advocacy consortium of six operational NGOs: CARE, IRC, Oxfam, Save the Children, Care Fund and Christian Aid. They were doing joint advocacy on Sudan. The interest I have in this interview was by virtue of my role working in Khartoum, at a time when Darfur was escalating on the international agenda, but also the Naivasha agreement was being concluded. I was interested in doing this interview because I felt it to be important to raise some of the issues that derive from that.

Q: What was your understanding of the situation in Sudan just before the CPA was concluded?

A: More specifically, the humanitarian situation, the political situation, which situation exactly?

Q: What led up to starting the CPA negotiations? What was the situation that brought about the beginning of the CPA negotiations; you were there then, I believe?

A: The negotiations started a long time before that, through the Machakos Protocol and all the rest. I will stick to the issues that I think are relevant; rather than providing you with my own understanding of some of the political dynamics that led to the CPA.

Under the shadow of the CPA there was a collective abstraction on the part of all actors in Khartoum during the time that Darfur was rising up the agenda. By virtue of a political consensus amongst the Troika and other actors involved in the CPA, Darfur was going to be dealt with sequentially and that in some way the CPA would offer the framework, which potentially would lead to the resolution of Darfur. That was a very political calculation, but it had massive implications for the situation in Darfur and also for the humanitarian actors, who were at that point not really dealing with Darfur. Some of the more interesting results of that was a very clear directive from headquarters to some of the agencies that were present in Khartoum not to raise Darfur too high up on the

agenda, because there was a political outlet for us. The UN agencies, in particular, had reported that this had been the reaction of some of their headquarters when they were trying to alert them to the situation of Darfur. Humanitarian agencies were very much focused on an upcoming post-conflict environment and were very slow and reticent to take account of the situation in Darfur, as a result, again, by virtue of the political climate that the CPA engendered. So when it became evident that Darfur was such a major crisis, you had humanitarian agencies in Darfur very disinclined to even undertake assessments to see the level of suffering, by virtue of the fact that, one, they were already stretched, but two, that really they wanted to focus on post-conflict, by virtue of the signature of the CPA.

Q: When you say they wanted to focus on post-conflict, what does that mean? What did they want to focus on?

A: Rehabilitation and recovery activities, in transitional areas or in the South, by virtue of the upcoming signature of the CPA.

Q: Was there a political aspect to this?

A: The reason for it was the political climate. I do not think that they particularly took political positions as agencies, but rather that there was a general climate that was very much focused on Sudan moving towards post-conflict - they were almost complicit in really not evaluating that a bit more closely, particularly in the context of a Darfur breaking out quite seriously and visibly to the West.

Q: What was it specifically you were advocating? Was it just the rehabilitation and post-conflict exercises? I think you had a joint advocacy program underway.

A: It was a very much humanitarian focused initiative that was looking at different humanitarian issues that the agencies were involved in. When I took up this position in February of 2004, Darfur pretty much became the overriding issue for the six agencies. There were massive efforts mainly behind the scenes on the part of the six agencies to raise attention on Darfur and, in particular, to get humanitarian access to the area.

That made some interesting issues as well, in terms of the content of that advocacy in some of the meetings that resulted from it. Some of the issues that I felt were important, again, by virtue of disinclination on the part of the Troika for Darfur to scupper the CPA and a transferal of political interest into the minutiae of humanitarian access. So rather than engaging on Darfur as a political issue that had significance for the CPA as well as for Darfur in and of itself, there was a transferal of political engagement on humanitarian issues. You had a number of very senior international political actors coming to Darfur and very usefully engaging in humanitarian access for the humanitarian agencies, but somewhat squandering their political clout by concentrating all their energies on this. You had one of them asking whether the three IRC (International Rescue Committee) cars that were stuck in customs, and had been there for the last six weeks, were out yet.

This kind of level of political engagement in the intricacies of humanitarian access was just a deferral away from the more pressing political concerns that would have been more relevantly picked up.

Q: What were some of those concerns which should have been picked up?

A: The fact that there was a political insurgency in the West and that it was not minor tribal clashes, as the Khartoum Government tried to say that it was; and that in fact it was much more related to governance across Sudan, which were obviously issues of the CPA. Also the timing, as many people will now hold, was very much a function of the CPA process in and of itself and the fact that the groups there had been excluded from the process. So this deferral by political actors away from the political implications of Darfur and into humanitarian issues were useful for humanitarian actors, but really were not useful for the political questions across Sudan and specifically in Darfur.

Q: Do you have an understanding as to why the leaders avoided the political aspects and just focused on the humanitarian?

A: It relates to probably a number of issues. One, they did not want to legitimize the insurgency in Darfur and pay it a high level of political attention, because that would mean that it would have to be in some way folded in or at least recognized in the CPA process. Two was the fact that they had established a negotiating structure that was trying to move the two main belligerents across Sudan, that being the Government of Sudan and the SPLA. They had deliberately chosen this strategy, which was one of exclusion of other parties. The inclusion of the groups in Darfur really did not match their way of negotiating. That led on to what was very much a propagated position of sequelism: we will deal with the main issue first, and then we will pay attention to other areas; "The CPA is an agreement for all Sudan, which will have relevance to issues of exclusion and marginalization in other areas, including Darfur." That was very much the position.

Also the fact that, at all times, it was felt that the signature was just around the corner and so it was a holding pattern while we get the signature in a month or two months or three months. Then suddenly it was a year, and so there was a question that it was a holding pattern; it turned out to be a much longer time period than was expected.

Just one more issue: in terms of engagement on Darfur, even though the engagement was in our view largely limited to humanitarian engagement, it also colored the nature of that engagement. You had an intense scrutiny of the obstacles that the Sudanese authorities were placing on the humanitarian access: visas and cars and all the rest. From about March or April onward, there were also increasing restrictions on access placed on humanitarians by the insurgents in Darfur. Issues like only cars with one international could enter territory that was held by the insurgents, thereby limiting the level of movement that humanitarians could have; placing other forms of conditions on basically humanitarians accessing these areas through what types of national staff could go into these areas. And when you tried to raise these as concerns to different political actors they really were not that interested. The interest was very politicized; there was much

greater interest in the obstruction that was caused by the Sudanese Government rather than that caused by the rebels, partly by virtue of the fact that the Sudanese Government was generally held to be the enemy and therefore anything that substantiates that falls on a very receptive audience, but perhaps for other reasons as well. But I felt that was very inappropriate.

Q: Could you clarify why the insurgents and the Government were so opposed to humanitarian efforts?

A: The government was very much opposed to the humanitarian effort because they did not want the eyes and ears of the international community in Darfur. Getting humanitarian access meant that information on the scale and the level of the atrocities that were being conducted in Darfur, at a time of acute political sensitivity around the CPA, was really not something that the Sudanese authorities wanted broadcasted to the political actors or the international community at large. So the obstruction was largely to allow the destruction that was happening in Darfur and the counterinsurgency to occur in the space that was offered by the CPA.

In terms of the insurgents or the rebels, the reason for their obstruction was completely the opposite. By creating mechanisms for humanitarian access to their territory, it granted them a level of authority with international actors. In creating mechanisms whereby international actors had to call them or get permission from them to access their territory, or by placing conditions, suddenly they were acting like a governing force, a governing authority. It played into their campaign of trying to demonstrate their military and political strength in Darfur.

Q: But why would they be resistant to having the humanitarian effort? Could it help legitimize their operation? What kind of conditions are you talking about?

A: Conditions such as you needed to have one expatriate in the car; national staff of particular ethnicity could not come in, trying to direct humanitarians to particular territories. It was not restriction in the form but more conditions.

Q: Do you have information on the implementation of the CPA and how it affects the Darfur situation?

A: I was working in Khartoum until 2005 and then I moved to Nairobi, also working on Sudan but working in the South.

Q: There's supposed to be a referendum and there's supposed to be elections; also there are various protocols on wealth-sharing. I think they are not what you were concerned with.

A: Not specifically, no. The opposite has happened in terms of what happened in the early days of Darfur has now happened in terms of the CPA. Attention in Darfur is eclipsing work on the CPA. I am talking about humanitarian work and humanitarian

interests. In terms of implementation, the capacity of humanitarian actors is very stretched because of Darfur and that necessarily implicates their ability to engage on broader Sudan issues. An example of that was the JAM process, which is the Joint Assessment Mission, which was the one of the first steps in elaborating a post-CPA rehabilitation and recovery strategy for Sudan; the engagement of humanitarian actors in that. There was engagement in late 2004, but in early 2005 it was absolutely minimal. They absolutely just could not engage. They were far too busy trying to deal with the situation in Darfur.

In terms of political developments, I cannot really talk about that. I would just be reporting different reports I have read, rather than any personal experience myself. I do know that many humanitarian agencies in the South are struggling massively with lack of funding, due to the fact that there have been complications in the release of funds from the MDPF, which is a World Bank- and Government of Sudan-administered multi-donor trust fund. It has not yet released funds following a year of it being developed, and therefore, there are a lot of large NGOs not really working to full capacity in the South.

Q: Is some of that money supposed to flow to the NGO community, in both the North and the South?

A: Yes, it is a mechanism by which there will be a much larger disbursement of funds than the usual bilateral funds that NGOs might receive from donors such as the U.S. or others. Large disbursements, about five million dollars, are considered and different actors can pitch for the funds, including NGOs in the South. In the absence of governmental capacity for the delivery of services in the South, at least in the initial stages, it would be NGOs that would be using the money from the MDPF and then progressively it would be handed over to the new authorities and administration as they are built up. But at least at the initial stages it would be very much NGO-led or private contractor-led.

Q: Has any of that money been released to the NGOs yet?

A: No. The part that I could really speak to is the interplay between the Darfur crisis and the CPA, but regarding the broader questions around the CPA and its implementation I am not sure I am the best placed. I know you are talking to some others who are dealing with this on an everyday basis. They could probably speak much more closely to that.

Q: What is the NGO community, the group you are with, trying to advocate at the present time?

A: I do not work with them any more. They were very active on issues related to East Sudan, the marginalized areas tending to be their area of interest. Again some of the concerns around the East are the fact that there was rising militancy in the East and that there was coordination between groups in the East and the West on a military basis. Also, there was a threat of destabilization moving beyond just the East specifically. And there were concerns given the withdrawal of the SPLA soldiers from that territory, under

the terms of the CPA. Different kinds of on-going conflicts or violence in Sudan are being influenced by the CPA process and its implementation.

Q: How would you characterize the humanitarian situation now? Darfur was your focus. How does that stand now?

A: The situation, again, in Darfur is a situation of containment. It has been for quite a long time. The humanitarian community reached its capacity about a year and a half ago, where it effectively is supporting three and a half million people, in different ways, to assist them in their survival. The humanitarian situation is mixed but it is stable. In lots of sectors communities are receiving services, particularly in camp-based settings, which are unprecedented in the history of Darfur. They have access to water like they have never had before and some of the bare food and nutrition indications are similar, but it is very unsustainable. They are in a very artificial camp-like setting. Thus, with the decline in funding for Darfur that is being experienced at the moment you would question how sustainable that is. The situation in rural areas is more difficult because of the prevailing insecurity. The ability of the UN and other humanitarian actors to reach out into rural areas beyond the camps has been very, very limited, and so the plight of those in rural areas is much more fragile.

Q: What if the insurgency effort was calmed down or thwarted and the Government's role, at least the military aspects of it, became more peaceful? What would be the next step in trying to help these people move from this camp situation? What would be involved in that?

A: The first issue would be one of security. If there were some degree of reassurance around the security climate, then people would start going home, and, as people say all the time about Darfur, it is that they are incredibly resourceful and resilient people and have survived famines and other incredibly difficult periods. There is a feeling that they would demonstrate that resilience again, but one complicating factor is, obviously, the politics and the fact that the Darfur agreement that has been recently signed is not popular and has led to increased rather than decreased insecurity in the area.

Q: Not popular among whom?

A: Amongst the majority of Darfurians.

Q: The Darfurians themselves? Why is it not popular?

A: It is not popular for a number of reasons. It was rejected by the most popular rebel group, one of the factions of the SLA, led by Abdel Wahid. It was rejected for reasons of lack of appropriate political representation in the central government, but also because there was not sufficient compensation for some of the losses that were incurred by the people. This question of compensation is a massive issue for the people in Darfur themselves. When you talk to people in camps in Darfur they say that two things will determine their going back to their places of origin: one is the security dimension, the

second is the political issue. Thus, there has been such a level of politicization in Darfur now that people see return as an indication of peace, and until there is some form of justice (they see that as compensation for what has happened), then people will not return. It is difficult to know how this will play out in practice because, ultimately, will people choose politics over their own personal circumstances and choose to remain in camps even if the situation became secure? But the rhetoric that is spoken now in Darfur is that people will not return until they have been properly compensated.

Q: Do you have any sense of prospects or what is ahead?

A: It is difficult to know. You talk to people who you are very close with and they are incredibly pessimistic around the prospects of the CPA and point to the massive delays in implementation. There is increasing concern, for instance, that Sudanese are beginning to demonstrate their meddling in the South, with deployment of immigration officers in the South. If the Sudanese can limp through the next two years in whatever incapacitated form, they have a chance at getting to the referendum. But they only have a chance; it would be very difficult to predict after that. It would be very difficult to ever see the authorities in Khartoum letting go of the South and the oil fields, so whether war happens before the referendum or after would be my prediction.

Q: The Darfurians are not involved in the referendum or the upcoming elections, or are they?

A: They will be, and one of the issues that people talk about a lot in terms of why the Darfur conflict continues to rage even with such massive international attention is the fact that there is a large and quite politically active population in Darfur that ultimately would be a threat to the ruling party in Khartoum, were they to be more organized. So a destabilized Darfur is helpful. But that is one of the many conspiracy theories that exist around Sudan.

Q: But they are involved in the referendum or associated with the southern involvement?

A: No, they are involved in the upcoming elections. They are not involved in the referendum.

Q: The NGO group that you have been with, are you aware of anything that they are specifically advocating at the present time, or are they focused on humanitarian issues only?

A: They have always been more focused on humanitarian issues. I do not know what they are active on at the moment. They are probably more individually active as individual NGOs.

Q: Any other aspect that we have not touched on that you are personally related to? What are some of the main lessons from your experience?

A: There are predictable negative consequences of any peace agreement, particularly an exclusive one. These need to be built into how international actors engage in peace processes. So the deferral of Darfur was neither helpful for Darfurians nor for the CPA itself and, ultimately, has implicated the implementation of the CPA. There are humanitarian lessons that derive from that as well, which are probably not as relevant, but that would be the major lesson I would learn.

Also, the implications of being complicit in a process where you do not want to see issues; the fact that you have bought into an exclusive peace process means that you do not want to know about Darfur. But you also do not want to know about some of the specifics and some of the humanitarian specifics. You do not want to know that the insurgents in Darfur are placing conditions on humanitarians; you want to know that the Sudanese government is doing that. So it clouds judgment as well. There should be a degree of objectivity around some of the spin-off issues that stem from peace agreements and you should know how to deal with them in an objective way, rather than in a way that is very much overshadowed by a political bias emanating from involvement in a process.

Q: You're speaking particularly about the international community's role in this?

A: Yes.

Q: And that they have blinded themselves from some of the facts of the situation.

A: Exactly. They just did not want to see it. It was not useful at the time.

Q: That's a very important point. In effect, what you are saying is that the Comprehensive Peace Agreement was not really comprehensive.

A: The fact that people bought into that language was not really helpful.