

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

Interview # 33 –Executive Summary

Interviewed by: W. Haven North
Initial interview date: October 26, 2006
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The interviewee spoke from the perspective of the Non-Government Organization (NGO) community and its views on the Comprehensive Peace Agreement (CPA) and its implementation. This community formed the Sudan Advisory Coalition, which prepared a document “The Key to Peace.” The purpose of the document was to inform the donors and the SPLM on issues that the Coalition considered were important in achieving a just and lasting peace. Among the issues were questions of government accountability and transparency, equity in resource allocations, conflict resolution and mitigation and the ways government uses its power and authority. This applies to both the governments of the North and the South. The document stressed the importance of civil society being informed and involved. In the South, civil society is very fractious, not well organized and split in over 40 ethnic groups. In the North, civil society has been repressed for a very long time, so it is difficult to get the genuine views of civil society. Also the CPA agreement only addressed the North-South issue, which did not include, e.g., the problems in Darfur and the East.

What triggered the CPA negotiations? For the North there was a desire to engage with the international community, although the government is not a homogenous group and some had concerns that giving more power to the periphery would be dangerous for Khartoum. If the CPA gives away too much to the South, then, there is a danger of opening Pandora’s box re the others such as Darfur, the East. For the South, the perception was that war was not going to result in victory for either side. The CPA was seen as a beneficial process in bringing different groups in the South back together.

In the negotiation process, the NGOs tried to engage the troika with varying levels of success. The NGO community believed it was necessary to broaden the conversation beyond just the North and South. The troika, particularly the British wanted to focus on getting the fighting stopped and then move to step two. The main point of the NGO lobbying: the CPA needs to be more inclusive; there are important groups in the North and the South that are not included.

On wealth sharing and oil revenues, there are complaints from the South about why fifty percent of the oil from the South is being shared with the North; there are relevant outstanding issues as to the location of the border between the North and the South. The boundary issues need to be settled. Also there is an issue about customs revenues on the southern border.

On the security protocol, there are a number of issues related to the agreement on joint integrated units and their positioning, the withdrawal timetable. If both sides do not implement these in a fair and transparent manner, then, tensions will be raised.

The boundary commission is still not active; the people from the South have walked out. There are issues over oil, taxation, and returnees. Differing interpretations of the CPA should have gone to the Constitutional Court; it has not been established.

On the awareness and impact of the CPA, a survey (limited in coverage) indicated that women said they were no longer being attacked and bombed; men focused on the strains in national politics. A positive note:

There are issues over the returnees (displaced populations), e.g., two million in Khartoum returning to the South, over armed groups and militias, revenues being sent direct to the states and not through the GOSS, political conflict within state governments; the Multi-donor Trust Fund (MDTF) is not working. A positive note: in the South, NGO agencies, as development agencies, have more access than they used to have, and they definitely see more private trade going on.

On monitoring arrangements, the United Nations Mission in Sudan (UNMIS) is not effective, particularly outside of Juba in the rural areas. The Assessment and Evaluation Commission (AEC) is not open, so there is a sense that it is not working. The NGO community is monitoring the security situation and getting a time series on changes in the communities.

Darfur has greatly distracted the international community from CPA implementation; and high-level diplomacy is lacking. But without the community's engagement in the negotiations the CPA would not have come about.

On lessons: a peace agreement between two non-elected elites is not going to be greeted by the populations as being a solution to their long-term problems. The peace process is not a piece of paper; you have to be sure it has good foundations built on involving civil society.

The lack of unity among the international community, e.g. China and the UN Security Council, provides opportunities for each side to introduce loopholes in the agreement and then exploit them. There is also the question of Egypt's reaction to the CPA and not being involved; Egypt would oppose an independent South.

Overall, the interviewee is pessimistic. The southern newspapers are already talking of the elections being postponed. The National Congress Party (NCP) has a history of not abiding by its agreements. I do not believe that they will abide by the referendum agreement, either. Popular expectations about a peace dividend through the MDTF are not being met and the process is very frustrating

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

A: I've been involved with Sudan since 1989. I first went to Sudan as a lecturer in the university in Omdurman. I only spent two years there and then went away for a while. I came back in 1996, working for an NGO in South Sudan, but based in Kenya. I worked for Save the Children UK, first as an operations director and then as deputy director of programs. I spent seven years there and then moved to CARE International, again in South Sudan, based in Kenya. I'm the assistant country director, which is the equivalent to a deputy director of programs in the CARE world.

Regarding my involvement with the CPA; both Save the Children and CARE are very actively involved in the Sudan Advocacy Coalition. Both agencies were founder members, and CARE has been the coordinator of the Advocacy Coalition since it started in 2003. A primary part of the Sudan Advocacy Commission's work was trying to influence the CPA negotiations. We started with a document called "Key to Peace" and the intention was to talk to donors and to the SPLM to try and introduce issues that we felt were important.

Q: Could you summarize that document for me?

A: We're talking about the need to involve civil society in any possible peace process, in any peace document, because we felt and certainly many of us do feel that the peace agreement itself, the document, is not what's important. What's important is achieving a just and lasting peace. To achieve a just and lasting peace we have to look at what are the issues that cause us to say there is no just and lasting peace at the moment. So here we're looking at issues of Government accountability and transparency, whether it's the Government of South Sudan or the Government of National Unity. We need to look at equity of resource allocation by Government. We need to look at conflict resolution and conflict mitigation. Government has a key role to play here. The way it uses its power and authority are hugely important in the way people perceive them.

Q: When you speak of government, do you mean the Government in Khartoum, the Government in the South, or both?

A: Both governments. The government, however it's manifested, whether it's Juba or Khartoum, its use of economic resources and its perceived equity in distributing jobs, development funds, are going to have a direct impact on whether or not there's conflict on the ground in Sudan. So we were advocating, as a group of six international NGOs, with the international community and with the Government. Well, it wasn't a government in the South at the time. It was the SPLM leadership. We were trying to persuade them that it was very important that civil society get involved. One of the problems here is that civil society in South Sudan is fractious, it's not well organized. Often it's split along ethnic lines. And civil society in the North of Sudan has been repressed for a very long time. So, it's difficult to actually get genuine views of civil society, because people either are afraid, or, in the South, particularly, there was a war mentality. The feeling was that you have to support the SPLM and any issues of democracy. Equity should be resolved after the war with the North was over. There was a strong sense of "Let's put off some of these questions until we have peace and then we can resolve them," whereas we feel that resolving some of the questions is a key part of achieving a lasting peace.

Q: When you say questions, which ones particularly were you emphasizing?

A: In South Sudan, we have over forty different ethnic groups, and there is a strong dominance by the Bor Dinka ethnic grouping. Historically, if we go back to the Nimeiri years, 1972 to 1983, when there was peace in Sudan, the Equatorian ethnic group was perceived to get more government jobs, both in the police force and in the army. So there was a reaction from some of the larger groups, such as the Nuer and the Bahr el Ghazal Dinka, that they were somehow kept out of these jobs. And we're still seeing that, really. There is still a perception that because John Garang came from the Bor area, he's a Bor Dinka himself. There is a perception, quite strongly held by many people, that other groups are not getting a fair share. When we add in the complication of oil, we do see that with the Nuer people (most of the oil is currently being exploited in land held by Nuers), there is a sense of, "Well, this is our oil, not everybody's oil, so why are we not getting more of this resource?"

So some of these divisions are fueling South-South conflict, which I think was quite prevalent before the war. Many commentators have talked of outside agencies, be they governments of other countries in the region or the Government in Khartoum, inflaming South-South conflict, so that much of the violence before the CPA was actually South against South rather than just North against South.

Q: But most of that, you were commenting about the South. What about in the North?

A: In the North, I think some of the issues have a linkage. Some of the problems we see in Darfur and in the East can be related back. As we see in the North-South issue, you can relate them back to issues of who's in power here. Is it the periphery versus the center? But I think that what we see in the North is a little different, and of course it wasn't addressed by the CPA. The CPA only addressed, or attempted to address, the North-South issue. Now, with the implementation of the CPA, we see issues of Darfur

and the East coming into the implementation. I think there was a fundamental difference in viewpoint between certain politicians in the South, including John Garang. Garang was looking at the peace process as a change in government or a system of government for the whole of Sudan, rather than other politicians who saw the CPA as a step along a process of independence for the South. Garang actually found himself rather...not sidelined but not standing with the crowd on the issue of whether the South should just go for independence straightaway. He often repeated that he felt that Sudan should stay united but it should be a different form of government which is much more federal and gives more power to the periphery than they currently have. Many other politicians in the South were not in agreement with that and they still aren't, as far as I can see.

Q: Were there recommendations in this document that you were talking about?

A: There were recommendations. The effect of the report on the international community was stronger than on the SPLM or on the Government. The international community certainly wanted to fund the Sudan Advocacy Coalition to go forward as a more permanent structure and the British Government, through DFID, actually did provide funding for the secretariat, so the coalition would continue. We got a good reception from the UN group. I think the SPLM were not antagonistic to the report. It's hard to say that they were embracing it very openly but they certainly didn't react badly to it. The Khartoum Government was less keen on it but there were no reprisals taken against any of the agencies involved in the report. So they didn't give it any credibility by reacting against it, but whether or not it influenced them I wouldn't be able to say.

Q: Let's turn to the CPA itself. What triggered finally getting around to having negotiations on something for the CPA?

A: It's difficult to say. In Khartoum, looking at it from Kenya, I think at the time it appeared that the regime in Khartoum, the National Congress Party, wanted to engage with the international community in some way. It didn't want to be seen as always saying no and "We're not going to discuss anything." But it's not seen as a homogenous group in Khartoum. The Khartoum Government is not homogenous. So I think there were differences of opinion within the regime about whether they should engage in this process - where it would lead. There were concerns that it may encourage the opposition in the North, because there were issues being brought up by the South, as I said, about giving more power to the periphery that would be seen as very dangerous to Khartoum, because it holds the power. If they agree to give too much in the CPA, then why doesn't Darfur get more power, why doesn't the East get more power? So there was a danger there, in if you open up too much and give too much away to the South then you're in danger of...it's Pandora's box and that's the problem.

An additional issue there is that if you go into the process but it fails, if your motivation is to engage the international community, you don't want to be seen as the partner in the talks that caused it all to collapse. So it was a risky strategy to some extent, but obviously they decided that they had more to gain from it.

Q: What was the view from the South?

A: From the South there was a perception that the military war was not going to result in victory for either side. You have to do something. We had the SPLM that had split in 1991 come back together. As the process of negotiating started to pick up, we saw the Nuer group led by Riek Mashar coming back to the SPLM. Lam Akol's group, the Shilluk people, had come back to the SPLM as well. It was seen as a beneficial process in that it was bringing the South back together and reducing the South-on-South conflict. The problems were that there wasn't a political agreement in the South on what's the most favorable end point. There wasn't agreement on "What are we aiming for?" And again it comes back to this: do we just demand an independent South now? Do we want a South within a Republic of the Sudan that has strength and has authority to govern itself but within a united republic? That was never resolved. So the motivation in the South was this idea that if you stay at war you're not going to win so this is your best chance of achieving something. But there wasn't a political consensus in the South over the best outcomes that were possible.

Q: How did you view the process of the negotiations and the role of the different parties?

A: We often, as NGOs, tried to engage with the Troika, as it was known (the British Government, the American Government, and the Norwegian Government) - with varying levels of success. I think probably the American Government was the most open to discussing with us. The British Government was, I would have to say, not receptive to the message we were trying to give, which was: "This is a process at the moment of two elites, one in the North and one in the South, talking to each other. If you want a lasting and just peace, you have to broaden the conversation." Now, that's going to take time and it's going to take more resources. We were often told, particularly by the British, that "Let's get the fighting stopped, let's get these guys to agree to something, and then we can work on step two," as it were.

But our point was that we felt that the end does not justify the means in this case. And, the means is actually the end, because it's certainly not the piece of paper. You want to set up a process that's resilient and inclusive and we didn't have that.

Q: How did the process actually work, once it got started?

A: It was fairly closed-door. As you know, it started in Machakos and then moved to Naivasha in Kenya. I don't know if you know Kenya, but they're both not that far from Nairobi, so for the Nairobi-based South Sudan NGOs, we had an opportunity to basically lobby people within the meeting. And that was either lobbying directly to the SPLM delegation or trying to lobby the international community negotiators. I have to say that the mediator, General Sumbeiywo, kept himself fairly aloof from us, which was probably right. He wanted to be seen as even-handed. From our point of view, as NGOs, we all had access to different people at different levels. So we all tried, in various ways, to pass the same messages. We were trying to coordinate, certainly in the Sudan Advocacy

Coalition, the messages and make sure that we all gave the same message to each of the different interlocutors that we were dealing with.

Q: What were the main points of your lobbying?

A: The main points were: “You’ve got to make this more inclusive. You’ve got to include civil society. In both the North and the South there are issues of political accountability and transparency that are not going to go away as a result of a bunch of guys sitting in a room with the door closed in Kenya. It is not going to resolve the on-the-ground issues that we all recognize. So if you want to get this just and lasting peace, you’ve got to look beyond the signing of a piece of paper and say, ‘If there is a phase two, what is it? Are we agreed on what it is? What kind of time frame would it take? What do we need to do? Who’s involved in that process?’”

We weren’t very convinced that that had been thought out. We felt that maybe the international community was focusing on stopping the fighting, which in itself is a good thing and that mustn’t be understated, but beyond the signature on the paper we felt there wasn’t enough attention. Maybe we’re seeing the results of that now.

Q: How to implement it? Is that what you mean?

A: Well, how to implement it, yes, but also what are the likely responses of people to being excluded from the conversation. So if we look at what’s happened since the CPA was signed, we’ve still got other armed groups in South Sudan. Just last week we had an estimated forty people killed in ambushes on roads leading into Juba. This was by men wearing Government of South Sudan army uniforms. Where CARE is working we still have independent militia who are apparently supported by Khartoum. We can’t categorically say that, but they are still disruptive. So it’s seeing beyond. This was a discussion between the National Congress Party and SPLM, who are perhaps the most dominant political groupings within their respective regions, but they’re not the only political groupings. So if we look in the North, Sadiq al-Mahdi’s Umma Party would be not included, as far as we could see. In the South, the Nuers were kind of included because they’d rejoined the SPLM, but the amount of power shared by John Garang was quite limited. So this is again a problem of political inclusion of the majority of the people. Clearly you can’t have thousands of people in a conversation, but if their leaders who are negotiating on their behalf are not representative, then you can’t expect a buy-in from those people when those leaders sign a document.

Q: What was your sense of the atmosphere of the negotiations and why was it able to be successful, at least in reaching an agreement?

A: I guess as any that last a long time, there were periods when it looked quite shaky - it looked like it wouldn’t continue. There were other times that it looked quite positive. Towards the end there was definitely a sense of a certain amount of, could I say, horse-trading going on. And this is important in the implementation, because the impression from the outside is that, aside from everything that we see in the protocols, possibly there

were side conversations and side agreements that didn't appear in print in terms of how things are going to be implemented and *quid pro quos* being thrown around, not written down, not accessible to those outside the negotiation and possibly not accessible to those beyond Ali Osman Taha and John Garang. When Garang died there is a sense in the South that those agreements died with him. And, there are loopholes that are apparent in the CPA, and there is a sense that he must have known they were there but presumably he had a plan for how he was going to not allow them to be exploited.

But now that he's dead I think Salva Kiir is in a very difficult position, because he's perceived to be not as strong a leader as Garang. He spends a lot of time in Khartoum and that worries people in the South, in terms of: "Has he been co-opted by the National Congress Party? Is he able to argue for the South in the way that Garang was seen to argue for the South?"

Q: There were quite a few protocols and so on comprising the agreement. Do any of those that stand out in your mind as being significant?

A: Absolutely. The wealth-sharing agreement, with obviously many people focusing on the oil, but there are other aspects to it. If we start with the oil, certainly now there are complaints in the South about why fifty per cent of the oil from the South is being shared with the North when one of the issues around this protocol was the boundary between North and South not being firmly established. The protocol still has the 1956 borders. Actually, on the ground they're not marked. So given that the border runs through oil fields that are in production at the moment, how do you determine which oil is in the North and which oil is in the South? Moving the boundary by one kilometer southward would take away a significant amount of oil from the South and put it in the North, and the North is not sharing its oil. The ongoing disputes over Abyei and Southern Blue Nile are perceived to be at least in part about potential oil in those areas. And because they are in the North, there wouldn't be a split of oil revenues from there. So there is a sense of injustice that, "I'm sharing my oil with you because you don't have any and then you tell me that you do, really. So why would you not share your oil with me?" So, this was perceived as being inequitable. And on the oil side of things, some of the problems are that the Government of National Unity is not being transparent about the oil revenues, even though that's written into the agreement. The boundary's not settled and that really needs to be.

In the last six weeks, we have had problems with Khartoum sending customs officials to Southern borders with Uganda, for instance, and going to border posts and trying to change the customs duties being charged. The wealth-sharing agreement, as I understand it, makes it clear that external trade duties like this are the responsibility of the GNU, not the GOSS. But in the South there's a very strong view coming out of the GOSS that it's up to them. So they're charging a seven per cent duty and Khartoum wants to charge a 35 per cent duty. That's obviously a dispute and what we've got is a standoff between customs officials. The Southern customs officials are actually on strike and the Northern customs officials are being prevented from inspecting cargoes and levying duties. So in that sense the wealth-sharing protocol was always going to be one

of the tricky ones, and now we are seeing some of the problems on the implementation side.

Q: There's a security protocol.

A: The security protocol we've had a number of issues with. It was detailed, it was clearly laid out: the joint integrated units, the positioning of those, the withdrawal timetable of GOS forces from the South, the withdrawal timetable for SPLA forces from the North. And I think both sides have certainly broken those agreements. The North has taken a long time to pull out around Juba. I'm told that it's gone back in Northern Unity state, around the town of Bentiu, which is where the oil fields are and this is against the security protocol. The SPLA did not pull out of the East, the National Democratic Alliance areas, as it was supposed to. So both sides are engaged in some degree of gamesmanship or brinkmanship on this one, which is concerning, clearly, because this agreement can only possibly work if both sides are trying to implement it. And if both sides are going to try to not implement it in a fair and transparent manner, then tensions will be raised.

Q: And there was the boundaries commission that you alluded to.

A: The boundary commission still is not active, as far as we know in the South. The last I certainly heard was that the people appointed from the South had walked out. So this issue is still there. It's a problem. It's a problem over oil. It's a problem over other kinds of taxation. It's a problem over returnees coming from the North to the South. There are lots of reports of returnees being, to be charitable I guess you can say, taxed by officials. If you were uncharitable you can say robbed. So these things, again, are raising tensions. The boundary commission may or may not have helped with that process, but many of the things over the implementation of the CPA where there are differing interpretations should have gone to the constitutional court, which is another one that's not been established. I'm not sure that either side was going into this genuinely, in the sense of they went in with informed populations and there was a national consensus on the agreement.

If we look in the South at the awareness of the CPA amongst rural people, not Government ministers sitting in Khartoum, it's about fifty per cent of people who say they know something about the CPA. CARE has actually surveyed this, using some researchers. We then went to the North with the same people, and we're talking about ten percent awareness of the CPA in the North. So, the efforts of the Government to include the population in the conversation before the CPA was signed – that problem has been compounded by a lack of information going to the population about what was signed.

So there's a real issue there. It's much worse in the North. NGOs and the UN in the North have tried through radio or through newspapers to pass public information about the CPA, but those efforts have been blocked by the Government. In the South, the block has not been there. There have been programs to get this information out there.

The biggest constraint we have in the South is the very low literacy rate. So radio has been used as much as possible, in local languages, to try and get the message out there. And maybe that's why we see a much higher level of self-reported knowledge by rural people on what they know about the CPA. And there are significant percentages who don't just say, "I know something about the CPA." They can talk about some of the elements of the CPA.

Q: Do you have any sense of what people are reacting to, how they react, or what they learn about the message they're getting?

A: We have a pilot report from this study and it wasn't widely circulated because it's not a scientific study, in the sense of we went to a number of locations in the North and a number of locations in the South. So there was a concern amongst the agencies that you can't really say that this is a representative picture of Sudan. But we can say that it represents those areas we went to and we chose them very specifically, because they were urban areas and rural areas, so we're trying to get a balance of people.

Q: So what was the essence of the report?

A: Some of the things we were focusing on are: "What does peace mean to you?" We started with "What do you know about the CPA? Have you ever heard of it?" Then you say: "Yes, you have heard of it? Tell me something about it." As I said, the awareness in the South was much higher than in the North. You move on from that and you say, "This is a peace agreement. It's a piece of paper. Do you feel you have more peace now than you had some years ago?" What was very interesting there was that men felt that the prospects of peace were less good than what women felt. The gender difference was marked. Women's attitudes seemed to be much more around area and so they would say, "We're no longer being bombed. We're no longer being attacked by militias or armies. So we have more peace." Men seemed to focus much more on the national politics, and the strains are evident in the process to date. We felt that that was probably due to men having better access to information about what was happening than women do. Men have more time to sit around listening to the radio than women do. But it was quite marked, the differences in attitudes.

Then some of the other things that people were talking about were peace in a wider sense of, "Peace for me is not about am I being bombed? Am I being shot at?" They were saying: "Peace means we have access to services, like education and health. Our children can expect to grow up without fear of violence." But phrases like "living in dignity" were also coming out. So many people were taking a wider view of peace. Peace is not just about whether a soldier is shooting at me but am I able to live in dignity, am I able to expect a better life for my children than perhaps I've had. So that was quite a wide view being taken by people.

Q: There was something called a National Constitution Review Commission. Is that functioning?

A: I don't really know about that one. I haven't heard of it for a long time. I actually saw the commission coming to Rumbek in 2005. I was there when the delegation from the North arrived. So the interim constitution was being formed. It was a joint body. That was the most surprising thing, seeing Northerners in Rumbek, which was the interim headquarters of the SPLA, walking around. People were reacting to that. The interim constitution for the South was approved by that body. I don't know if that body has continued or whether its work was supposed to be passed on to the constitutional court, which as far as I know is not functioning.

Q: How do you view the implementation of this agreement? Is it proceeding or is it not? What's happening?

A: Overall it's proceeding, in the sense that there is not an active North-South conflict. I see many stresses and tensions between Juba and Khartoum. We're experiencing some at the moment, with Khartoum insisting that they're in charge of immigration and that non-Sudanese coming into Sudan must have a visa issued by Khartoum. The U.S. State Department has advised Americans traveling in Sudan that they should have a valid visa. These visas are very difficult to get. I'm British, but the last visa I got took five and a half months. So, it's seen as a mechanism of control by Khartoum. Juba rejects it but I think from reading the CPA that Khartoum is right on this one - that the control of immigration is a national issue.

There are issues over returns. We've just been looking at the returns process, the UN-planned returns. We've given the UN some hopefully constructive criticism on that.

Q: What do you mean by returning?

A: There's a population of displaced people of over two million in Khartoum state and both the Government of South Sudan and the Government of National Unity want those people to return to the South. As NGOs we have lobbied quite hard to say that there is a great danger in that encouraging returns could be a very negative experience for the people who have been displaced, because you can either encourage returns through improving services and livelihoods in the South so that people want to come back, or you can encourage them to return by knocking down their houses and blocking them from working. We see more of the latter rather than the former going on at the moment. It's a very sensitive subject. So when we commissioned the work, which was actually funded by the U.S. Institute of Peace, we found that in the end we couldn't publicly release the document because we felt that the Government in Khartoum's reaction would just be purely negative. And while it was an advocacy strategy, we felt that the better way forward was to talk to them through other partners, such as the American Government, the Norwegian Government, and so on, rather than publicly putting out a report that was highly critical of what's happening in Khartoum at the moment. So this is a stress between the two regimes as well at the moment.

The Other Armed Groups issue is a stress. There is a perception that Khartoum is supporting those Other Armed Groups. The militias are active in the South. The recent

breakdown in the LRA supported by the Government of South Sudan is also a stress, because the LRA is still perceived as supported by some elements in the Sudan Armed Forces. I think it will be too strong to say that the GNU supports the LRA. I think it's a more commonly held view that certain elements in the intelligence services and in the military are interested in supporting the LRA in order to disrupt the South.

So the process is working in the sense that there's not all-out war between North and South, but it's not working in the sense of addressing the issues that need to be addressed: democracy in the South, democracy in the North, transparency of resource allocations.

Many people in rural areas of the South are feeling that oil revenues are being misappropriated by Government officials in Juba. Of course if you're familiar with South Sudan, the needs are immense and everybody wants to spend all the revenues in their area. There's a huge demand for a physical peace dividend, but people are not seeing it, so they're suspicious that corruption is causing them not to get resources. I don't know what the evidence is for that. I haven't seen the kind of national accounts but from the work I do in rural areas there is an increasing concern amongst people that their own Government, the Government in Juba, is taking the money and not distributing it well because it's being stolen.

There's another issue regarding implementation, and that relates to the wealth-sharing protocol. Again, this has been reported to me not directly, but my understanding is that the Khartoum Government is sending the two per cent that goes back to the State that has the oil directly to that State. It's not going through the Government of South Sudan. The perception here is the reason that Khartoum wants to do this is to make sure that the State Government for the oil producing area knows, if you like, where its friends are. It wants to be the one that sends the check, rather than Juba sending the check, to encourage Southern states to still look to Khartoum as being the source of revenues, rather than Juba being the source of revenues.

And we have problems in other areas, such as Upper Nile State, which, under the power-sharing protocol, has a state governor who is nominated by the National Congress Party. So we have a State Government whose cabinet is fighting internally because the head of the cabinet is the governor who is from the National Congress Party, with most of the other officials being from the SPLM.

Q: Are there other issues in the implementation?

A: As development agencies, in the South we have more access than we used to have and we definitely see more private trade going on than we used to. So that's a positive. For us individually, as agencies, the fact that the SPLM is now the recognized Government of South Sudan, not as an independent state but it is an official body, has removed some of the problems we had in the past of dealing with the SPLM as a rebel movement. So that's made relations somewhat easier and less strained.

Things that are not working I think I've already talked about, with perhaps the exception of the Multi-Donor Trust Fund. It is not seen as working. In 2005 in Oslo, there were pledges made to Sudan and some of those pledges were committed to the Multi-donor Trust Fund. Some, for instance, from the U.S. Government, were kept separate because the U.S. Government doesn't want to aggregate its funding. But there was an agreement that the U.S. Government would be an observer at the MDTF. That is really seen as not having worked. Whether the World Bank is to blame, or the GOSS is to blame because it has to sign off on everything and doesn't really have capacity to do so, that's quite a political issue. But for many agencies and actually many communities, the level of funding available in South Sudan for both humanitarian and development work appears to have declined since the CPA because everybody says the money has gone to the MDTF, but we're not seeing money coming out of the MDTF. So actual services on the ground are in decline at the moment and that's a real issue.

Q: The MDTF is what?

A: The Multi-Donor Trust Fund. There's one for the South and one for the North.

Q: What are the monitoring arrangements that were set up by the CPA, and are they working?

A: We have the UNMIS mission, the UN Mission in Sudan, which, when it was created was supposed to have ten thousand troops in the South. To the best of my knowledge they've never reached fifty percent of that. If you go to Juba you'll find lots of UNMIS personnel, but if you go outside of Juba you won't see many of them at all. So their reach, in the sense of monitoring and reporting on breaches of the security protocol or anything else, is limited. They're not being seen as a stabilization force, in that because they've stayed mostly in Juba they're not going out to the areas where the other armed groups are still causing problems for populations.

Q: There is an assessment and evaluation group. Do you know about them?

A: The Assessment and Evaluation Commission is not very public in its work, which may be intended, but, again, in the absence of information, it's hard to know what is going on. It's easy to make the assumption that nothing is going on. I think that's a problem. Possibly the answer to the problem is not saying that the Evaluation Commission should be openly reporting everything, but they need to be a little more open in what's happening and they need to reassure people that there is a process, because there is a sense at the moment that there isn't a process and that it's more a case of keep your fingers crossed and hope that everything works okay.

Q: Are there other monitoring exercises? Do the NGOs have some sort of a systematic monitoring process?

A: There are some processes. All NGOs monitor their security situation, and in the South the NGO group has come together as an NGO forum where we annually elect a

steering committee. Then that group tries to monitor what's happening. CARE and the Sudan Advocacy Coalition had a project, a community-based monitoring initiative. This is the one I was talking about earlier where we're trying to get a sense of what do ordinary people think of what is happening and we're trying to get a time series of changing attitudes, to see if the perception of people is more positive or negative as we continue along this path of CPA implementation.

Q: As another perspective, how would you assess the role of the international community, both in trying to move the agreement along as well as following up on its implementation?

A: There is a concern at the moment that certainly Darfur has distracted the international community a great deal from the CPA, and in fact some of the pressure being put on Khartoum over Darfur is resulting in Khartoum trying to pressure the South in terms of access to kind of get the international community to back off a little. The level of high level diplomacy around the continued implementation of the CPA is lacking now because of Darfur. The donor group that was put together to monitor what was happening with the Multi-Donor Trust Fund was supposed to be meeting in November but it's been postponed to January or February. The talk of UN forces going to Darfur or even NATO forces going to Darfur has certainly reduced avenues of communication for the international community with Khartoum. That's not to say that they're wrong to have done so, because I think it's a political decision to say, "Do you think that those communications were effective anyway?" given what's happening in Darfur. So the CPA has been significantly affected by Darfur. We have a minister in the North, in the Government of National Unity, stating that if the SPLM or if the Government of National Unity persists in welcoming a UN force to Darfur that they would regard that as the SPLM's intention to withdraw from the GNU. So they're trying to use a collective cabinet responsibility approach to gag the SPLM on the Darfur issue, which is not playing well with the SPLM.

Q: What is the SPLM trying to do about Darfur?

A: The SPLM is welcoming a UN force, rather than an AU force. It is welcoming many more troops under UN command, rather than the small AU force that's there at the moment. So Khartoum is not comfortable with this, and feels that since the SPLM is a member of the GNU, they should toe the cabinet line.

Q: Back on the international community, how do you assess their help in the negotiation process? Were they an important contribution to that? If so, how?

A: I think that without the international community demonstrating an interest in getting peace, the CPA wouldn't have come about at all. I think they were very instrumental in this process.

Q: What were they doing specifically?

A: They were discussing with both sides the ramifications of not agreeing to a peace agreement. Certain governments in the international community were perceived as supporters of the SPLA. Others were seen as possibly supporters of Khartoum, but there were a lot less of those. But without the international community pushing on this issue, it's highly unlikely that any agreement would have been reached, and the fighting would have continued.

Q: Were there any special techniques they were using in the negotiation process that you're familiar with?

A: No, it's hard to say because again it was quite a closed-door process and the best that we could do was talk to members of the negotiating parties when they were not actually in the talks. What they were doing at the time was very hard to see.

Q: What do you see are the prospects on this CPA being fulfilled? I guess there are supposed to be elections, then there's a referendum and so on. What do you see of that process?

A: I have to say that I'm pessimistic. The Southern newspapers are already talking of the elections being postponed. I think that the NCP has a history of not abiding by its agreements. I don't believe that they will abide by the referendum agreement, either. So I'm rather pessimistic about the whole thing. I don't think that Khartoum would go back to full military war and try to retake territory held in the South, with the exception of the oil fields that are currently producing oil. I think that they will try and militarily control that area. I'm quite pessimistic. I think that the Darfur issue and the East Sudan issue are going to continue to cause the international community to press Khartoum, and they're going to react to that by trying to control what's going on in the South. I think China is an absolutely vital link in all this because China is a supporter on the Security Council for Khartoum, and unless more diplomacy efforts are focused on talking with China and getting them on side as it were, then I think Khartoum will perceive that it has enough of a division within the international community that it can go forward with not implementing all the parts of the CPA.

For the South, I think that any Southern leader who accepts the referendum not happening will have a problem with maintaining their position of authority, and I think the South may well break up. We don't have a homogenous political scene in the South, so I think what will happen is that the South will break into regions, with the Nuer region in particular separating from the Bahr el Ghazal Dinka region. The Nuers are led by Riek Mashar, who's a vice president of the South, and Salva Kiir is from Bahr el Ghazal and a Dinka. So I think there is a danger in the South dividing and becoming weakened. The history of this is that there was a peace agreement signed in 1997 between Khartoum and two of the rebel movements who subsequently rejoined the SPLM, and there was supposed to be a referendum on independence for the South in 2001 which never happened.

So I think that the really key things the international community should be doing now are trying to rebuild trust, because there is very little trust between North and South. However, what I am observing is that many of the donors, as representatives of their governments, are basing out of Khartoum and moving to a one-country approach which is rejected by the South. So I think that the donor group in this sense needs to take care that it's not perceived as being pro-Khartoum.

Q: How do you build trust in that situation?

A: I think that the way you can build trust is by getting the constitutional court established, but looking at the parts of the CPA that are not being implemented well and address those issues, such as where troops are, transparency over oil and other revenues. Build trust by demonstrating through increased openness that you are not trying to hide, you are not trying to cheat things. That simply isn't there at the moment. We've had twenty years of war. Of course people don't trust each other. So now the governments on both sides need to show the other party as much transparency as they can. However, neither of them really have a history of doing so. So I think this is where the international community needs to come forward and encourage strongly both governments to take this line and be more open, address issues of equity amongst resource allocation within different regions, address openly questions of corruption - because if you don't then there are many ways for spoilers to get the conflict going again.

I know spoilers may be doing it for their own political ends. You've got regional leaders who may see themselves as replacements for Salva Kiir or replacements of Ahmed Bashir in the North. Sadiq al-Mahdi is still a significant political power. So his Umma Party is going to try to do things that increase its own political power, rather than supporting the CPA process. They're looking to their own short term ends.

The international community now needs to engage with both of the governments, Juba and Khartoum, and push them to build trust with each other by being much more open than they are and not having this closed-door, "two elites" talking to each other. They must be much more open to their own populations. They need to increase their transparency to their own populations in order to build trust not just between themselves but also between the populations of Sudan, whether it's North or South or its governments. Both these governments are not actually elected governments, although the SPLM will probably deny that. But they were elected in a war period and it wasn't a very open process.

Q: Looking over the whole situation, both the negotiations and the implementation and so on, what stands out to you? What are, say, the three or four major lessons learned of things that should have been done or should not have been done, or something that would be sort of important to people thinking about this experience that's relevant to other situations?

A: The number one thing for me is that if you're trying to build a peace that's going to last, you cannot have negotiations between two unelected elites and expect that whatever

agreement these parties come to is going to be greeted by their populations as being the solution to their long-term problems. If there's one thing that I see coming out of this whole process, it's that. And coming off of that, clearly it means that a peace process is not a piece of paper, which we know, but you can't hurry it. If you're trying to build a lasting peace then you've got to make sure it has good foundations. That means don't rush to sign a document. Maybe you rush to stop the shooting war but once you have that ceasefire then you have to go through a much longer-term process of consultation with a much wider group of society on both sides to see where people want to go. So stop the shooting war, absolutely. Do that quickly. But then don't rush to sign a document so that you can break out the champagne. You've got to do the long, hard process of talking to civil society on both sides and trying to resolve the underlying issues in why the war is there.

Q: Are there any other lessons in how this was handled by the international community?

A: Going back as we were talking earlier about China's role here, I think that a familiar lesson of this process has been that where the international community is seen as divided (and I guess often we use the Security Council as shorthand for the international community), then either party can perceive that as being an opening for them to introduce loopholes in the agreement and then exploit those loopholes going forward. So I think that possibly whilst a lot of attention was put onto the SPLA and the National Congress Party, we also need to, as an international community, put attention to achieving lasting consensus within the international community about what do we all try to work for here.

We're distracted by things like oil supplies or, in the case of Egypt, water supplies. We often talk about oil but there's something that came out and at one point looked quite threatening, and that is Egypt's reaction to the CPA and whether Egypt wants to see an independent South Sudan. The answer is clearly no, because an independent South Sudan would control Egypt's water supply. So Egypt is seen as an incredibly important regional player and perhaps wasn't involved enough in this process, because they're seen as coming in with a very strong agenda which is against an independent South Sudan. So I'm surmising that the South didn't want them involved, but you can't leave them out. So the international community there has a responsibility of discussing with Egypt what its concerns are, even if the parties won't allow them to come into the negotiation. Again, it's about resources, and this time it's not oil, it's water.

Q: Are there other lessons, practical ones, about carrying on the work in the Sudan?

A: I think those are the key ones. Well, perhaps the final one I could mention, we talked about it earlier in the MDTF, is that the expectations of ordinary people, not the politicians, are incredibly high.

Q: Expectations for what?

A: For a peace dividend. People are expecting to see clean water and health facilities, but they're not there. And that itself is going to be a danger, because it's easy, in the

absence of information, to take the view that all the money is being stolen by politicians for their own people. So if your politicians aren't in the cabinet then you're going to lose out as a community, which increases the likelihood of you getting into conflict with your neighbors, particularly if you perceive your neighbors to be one of the controlling groups. So managing that expectation and being open about "These are the resources that we have and this is how we're using them," is incredibly important, but it's not happening.

Q: Is this just in the South or is it in the North, too?

A: No, it's both sides. The SPLA and the NCP, you would not hold them up as democratic institutions that believe in open and free access to information. So, they need to consider that, because whilst they continue to act in a highhanded way and don't inform their people, it gives rise to speculation as to what's happening with all those resources.

Q: Is there anything the international community can do, through its assistance programs, to respond to these issues?

A: There are programs certainly in the South. In the North, they're not going very far. In the South, there are programs to increase access to information.

Q: I'm thinking about also access to clean water and food and that sort of thing.

A: The problem there is that the peace dividend was supposed to come through the Multi-Donor Trust Fund, but it's not releasing money. I don't know what the blockage is. One of the issues actually is that the international community insisted that there be a match of funding from the Government for trust fund resources. So for every dollar coming from the Multi-Donor Trust Fund, the Government of South Sudan has to provide two dollars. So of course the Government of South Sudan sees itself as the lead in the process because it's putting in two-thirds of the money, but the World Bank is the secretariat of the Trust Fund and so it sees itself as the lead because it has the technical resources. And so it appears that there's a logjam between the Government and the World Bank over who's in charge, who's making decisions, who's releasing money, what mechanisms will be used. So that's become very frustrating for people.

Q: You're talking about the Government, you mean the Government of the North?

A: Well, this will be the Government of South Sudan. And the same process happens in the North. So if you're talking about a clean water program or an education process, in the North or the South, if the Government wants to use the Trust Fund money it has to put up two-thirds of the money itself. Of course the Government then feels that it is its program and it calls the shots, because the international community, through the Trust Fund, is the junior partner. But that's not how the international community and the World Bank see things.