

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

**Interview # 59 - Executive Summary**

*Interviewed by: Barbara Nielsen*  
*Initial interview date: January 21, 2007*  
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The interviewee was involved with the Sudan peace negotiations beginning in 2001. He later worked as a coordinator of the Core Coordination Group, comprised of the representatives of the SPLM, the NCP, the UN, the World Bank, the U.K., the U.S., Norway, and others, and chaired the Joint Assessment Mission, to plan for post agreement needs.

The interviewee commented the Joint Assessment Mission should have focused more on immediate post-conflict needs, rather than almost entirely on long term needs, so that there would have been an “immediate peace dividend.” One positive lesson learned was to have the Joint Assessment Mission chaired not by the UN and the World Bank, as is typically done, but by a neutral third party (in this case, Norway.) In addition, the final Joint Assessment Mission document was adopted not primarily by the UN and the World Bank, but by the SPLM and the NCP, which, therefore, had a commitment to the document that was unique. The mechanism to achieve this, since the Northern representatives could not travel to SPLM-controlled areas and the SPLM could not travel to the North, was to utilize one international team which shuttled between the two partners’ teams, with joint workshops which met in Kenya, to compare notes. As a result, there developed an unusually close link between the negotiators and those doing the needs assessment planning, which positively impacted the process of needs assessment. Strong personal links also developed between several individuals, not only leaders Ali Osman Taha and John Garang, links which bear fruit currently as these individuals continue to work together. Another successful technique cited by the interviewee was the use of pre-meetings with each of the negotiating parties so that the formal Joint Assessment Mission meetings were more efficient, and used primarily to finalize the agreements.

The interviewee, a member of the Assessment and Evaluation Committee, describes recent efforts on the part of the AEC to move forward, especially on elections preparation, following the many delays in implementation. He describes progress on the National Petroleum Commission, but points to continuing lack of will of the NCP to “disarm other armed groups” or to implement the sensitive results of the Abyei Boundary commission. The AEC has, however, begun to exert more pressure on both parties to live up to their commitments. However, given the revolutionary nature of the CPA, this interviewee stresses the need for patience, given the need, particularly within the parties

and other groups in the North, to build greater consensus to accept the revolutionary changes that the CPA implementation represents.

In terms of successes thus far, the interviewee notes that the South is actually receiving an enormous, and the stipulated, amount of oil revenue, such that Southern complaints to the contrary are not based on fact. He also highlights the successful introduction of the New Sudanese Pound as an important milestone, along with the withdrawal, ahead of schedule, of the Northern troops from the South. Finally, the interviewee is concerned about the risk to the CPA posed by the distraction of international attention created by the Darfur issue.

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*Q: I know you've been involved in the Sudan negotiations for the CPA; I'm curious to know when you actually began your work with Sudan?*

A: The first time I was in Sudan was back actually in '97, '98 but that was in a different program. That was when they had the Sahelian drought, particularly in Darfur and Northern Sudan. But I started working on the peace negotiations and the peace agreement in 2001, when I worked at the embassy in Cairo. At that time we did not have an embassy here, so I went down and had an office with a colleague in the Dutch embassy here and he at that time went up and down to Machakos in Kenya, whereas I was here in Khartoum or in Cairo, following the process from there. So it started around August 2001. Then I went back to the ministry in 2003 and there I was coordinator of the Sudan team and I was also, when I was based in Oslo, I became the chair of what we call the core coordination group, which was a group between the SPLM and the NCP or the GOS and the UN, the World Bank and the UK, U.S. and a couple of others to undertake the so-called Joint Assessment Mission, which took about 15 months. So we had a group working for those fifteen months which I chaired.

*Q: I've seen some descriptions of that.*

A: And then I was posted here in September of 2005.

*Q: So you're intimately familiar not only with the final negotiation stages but also with what's going on on the ground today in implementation, which is perfect for this project.*

A: I feel that at least I have some kind of continuity in the process. I know quite a lot of those in the South and the North, which is very useful in the job I have now.

*Q: I am interested in the 15 months' time that you were running the core coordination group and some of the details of that process. What aspects of the process did you think went well, and were there some that in hindsight you would have done differently?*

A: I may take the last issue first, because what I would have done differently if I knew what actually were the needs and have created problems afterwards, I would have insisted that we also, in the Joint Assessment Mission, look at immediate needs. What we made the focus upon was the more long term needs, linked to the Donor Trust Fund, which

meant that when the CPA finally was signed in January, 2005 the results from the JAM (Joint Assessment Mission) and the TFs which then were established, mainly you can see those results coming up now. But the need for kind of an immediate peace dividend should have been also defined during our process.

Actually, I'm also now a member of the CTG for Darfur and there we have taken actually that lesson. So there we have divided the work into two, where the UN is responsible for the kind of quick impact, the first twelve to eighteen months after the DPA (Darfur Peace Agreement) can start being implemented and then the World Bank is responsible for the second part, which is from eighteen months to more long term programs. And those processes are going in parallel, but then the problem we did not have in the North-South Accord but we have it with Darfur is that we don't have enough signatories from Darfur. So the legitimacy, if you like, or the representativity of Minni Minnawi, who has the largest group, is not enough for us to feel confident that the needs, as defined by the Darfurians, are sufficiently covered.

But what we did learn from the process, the North-South, was that we were too weak on the definition of immediate needs and financial mechanisms to finance those needs or projects.

Then, to go back to general lessons, in the CPA itself it is defined by the parties that there should be set up multi-donor trust funds for both the North and the South and the parties agreed there should be a Joint Assessment Mission undertaken in preparation for the donor conference in Oslo. What we did, which is quite unusual, was since it took so long to get the peace agreement, the parties actually agreed to start the work on the Joint Assessment Mission one year before the peace agreement actually was signed. We had a meeting in Nairobi in December 2003 and it was under the auspices of the IGAD Partners Forum. There the parties agreed, with the World Bank, UN and the IPF (IGAD Partners Forum), we were then chairing the IPF, together with Italy, that we could start the identification of development needs, leading up to the donor conference, immediately. So then we set up a team to prepare for another process and in a meeting, I think it was in January 2004, that we started the process. We asked the SPLM and the government in Khartoum to identify five members each who would be our partners.

And the difference between other JAMs that have been undertaken by the UN and the World Bank was that it was not the UN and the World Bank that was chairing the process. It was actually a neutral, if you like, government, and in this case it was Norway. And the parties that were to decide on the final document, it was not the UN and the World Bank. This is a huge difference. So what happened then fifteen months later was that in April, 2005, when we had the donor conference in Oslo, the JAM documentation was presented as the two parties' common plan for Sudan. That meant that they had an ownership to that document or the documents.

How we did it was, since it was still war, formally, between the parties we had to divide the work between letting them be international teams on the ten sectors that we defined. Until the ceasefire and protocols and so on were signed, the SPLM could not travel to the

North and the government could not travel in SPLM-controlled areas. So the international teams were the same in the North and the South, ten teams studying different sectors, but the partners' teams were different in the North and South. So you had an SPLM team for each sector in the South and a GOS team in the North. And through the process we had joint workshops, where they met in Kenya, on neutral ground, in order to compare notes on the needs in the South and the needs in the North. After the peace agreement was signed, the two parties were sitting together and undertook a kind of compilation of the findings and then presented the whole thing in key documents, where you both had sectoral analysis and a kind of emphasis recommendation for donors. And it was budgeted so that the total needs by the end were about ten billion U.S. dollars for the whole of Sudan and they also budgeted, since it was their own plan, how much they would cover themselves and how much they would ask to be covered by donors.

*Q: That sounds like a very cheap price, if you will. Ten billion for all of Sudan for all of the aspects of the CPA, is that what the figure would cover?*

A: Yes, that was for the three-year period 2005-2007. Of course this plan was for the reconstruction and development of war-affected areas. So it didn't cover all areas in the North, for instance. For the North, it was mainly focused upon the "three areas:" Nuba Mountains, Blue Nile and Abyei. And also some other war-affected areas were included.

But the main thing, I think, and the main good lesson on this was that the parties were invited and also felt kind of responsible for the work and had ownership to the documents when it was finished and presented.

*Q: I think that's a very important aspect that you're highlighting.*

A: As far as I know, it was the first time ever that the UN, World Bank were not the responsible ones in terms of the decisions on what should stand in the documents. In this case, with their expertise and so on, the UN and the World Bank, to a large extent, in some areas, could decide very much on what would be the concept. But actually there were a lot of discussions with the parties and at some stages what was interesting also of course was the psychological process through that year before the signing. Because in the first meetings, we met about monthly in the group but the work was undertaken in between each meeting and normally we had the meetings next to the negotiations that were going on in Naivasha. So we had continuous dialogue with Doctor John and with Ali Taha and the group of negotiators there and also some members of the teams from the SPLA/SPLM and the government would also be key negotiators in the negotiations. So it was a close, close link between the political process and the process of defining the needs.

*Q: I think that's a very important observation as well. I was going to ask a bit about this psychological process, in other words the same people are meeting over the course of these many months. They're going to be establishing a relationship and you will be able to me tell whether they grew at least to respect one another or to perhaps have some*

*bonds of affection with one another. I don't pretend to know if that actually happened, but would you say that the personalities evolved during the course of this time and that was a positive development?*

A: Oh yes, very much so, and they accepted or agreed to that themselves. In the beginning we had a situation, they were sitting on each side of the table and they wouldn't even look at each other, and at the end we frequently had situations that they were sitting together on one side and arguing with the donors on the other side or UN and World Bank and so on. And they formed a lot of quite close friendships, some of them. Some of them actually at the moment, for instance Lual Deng, who is now the deputy minister of finance from the SPLM in the North, he had regular contact with many of those who were in the NCP delegation. And also Kosti Manibe, the minister of humanitarian assistance in the North, on behalf of the SPLM, he of course works closely with some of the people that he met from the NCP side. So it was a very interesting sociological process to see the actual physical closeness and to do that over a long period of time developed a kind of a breakthrough also, in terms of being able to discuss issues without having this North-South perspective all the time.

And we had to some extent the same thing with Garang and Ali Osman Taha, because they were sitting together during the last months of the negotiations and developed a closer and closer relationship. The problem, in a way not a problem, but it is a fact that the process, being so, on the one side, inclusive between the two parties and the representatives of the two parties but also to some extent excluding regular members or representatives of the ministry of finance of the two sides, it meant that some people got much closer ownership of the CPA and the JAM than others. And it meant when John Garang died one and a half years ago that new people, both in the South but also in the North, (Ali Osman Taha has been sidelined), were involved, so ownership of the CPA and ownership of the JAM documentation are somewhat weaker than may have been perhaps if they actually had included more people in various ministries and so on who should implement these documents.

You could never predict the death of Garang and I don't think we should have done it differently. I don't think even if we knew that Garang would not be there that we would have done it differently, because the obvious benefits of having continuity in the work, both in the negotiating groups and in the JAM, the advantages have been very, very clear.

We see the opposite now in terms of the Darfur negotiations, where we have a lack of continuity and there are a lot of different actors from the rebel side and there may also be changes on the government side. We're trying to have some kind of continuity but it's difficult then, when we don't have enough representatives from Darfur. So that has to kind of be a different exercise.

But I think all in all, all parties involved are saying that the process and the end result were much better than they had expected.

*Q: I'm wondering about Salva Kiir, in terms of his role during the negotiations. Was he one of the ones brought in with a sense of ownership of the document, or was he less included than, in retrospect now that he's first vice president, he might have been?*

A: Salva Kiir's role, even in terms of the negotiations on the political side, he was, and that was a problem; there was a contradiction between Salva Kiir and Garang, long before the CPA was actually signed. I think it was late October, early November 2004 when Salva Kiir refused to cooperate more, because he was chief of the army, with Garang, unless Garang involved him more in the various processes. So at that time there was a huge crisis in the SPLM/SPLA and Garang had to give in to Salva and involve him more in the last rounds of the negotiations. It would not have been natural to include Salva Kiir, as a military leader, in the JAM because although sector reform is part of what we went through that is not so much covered in the JAM itself. It has to be separate processes, which are still going on, actually, on the formation of the joint integrated units, on the DDR process, and so on. On the other side, I think those of us who have been working also on the JAM have close contacts with Salva Kiir now and his main advisor at the moment, Luka Biong, who is the minister in the office of the president; he was one of the prime members for the SPLM in the JAM which is a huge advantage, because he knows the whole process and the results and all that. So when we have the next Sudan consortium, probably in the middle of March, Luka Biong probably will be very instrumental in the preparation and implementation of that and will also be advising Salva Kiir on the key issues with the donors.

*Q: So the JAM process continues on a monthly basis, you have your meetings?*

A: It continued through the whole of 2004 on a monthly basis, yes. We met about four to six weeks in between and most people were, actually all the SPLM people would be, all the time in Kenya, anyway, whereas the government came down to some extent from Khartoum or they were already in Naivasha for the main negotiations. But we kept very regularly in contact. We had two coordinators, one from the UN and one from the World Bank and they kind of prepared meetings. We had a secretariat that also worked to prepare the meetings.

One lesson that I think is important is that I always had pre-meetings with each of the parties. I went through the agenda and checked out actually what their opinions were and where I could expect controversy. And I also had separate meetings with the donor representatives and the UN and the World Bank. So the actual meeting, to a large extent, served more to formalize the agreements than actually to spend a lot of time on clarifications and discussions. I think, from a process point of view, now it's a Dutch colleague who chairs the JAM for Darfur and I advised him to do the same and it has turned out to be very useful.

*Q: We've really blended in the implementation phase but to make sure we hit some of the more specific points regarding what's happening now with some of the key commissions, let's turn now to what lessons you may have learned from what you've observed. For example, the North-South Boundary Commission was established to fix the boundary and*

*from what I understand they have not got off the ground. Could you analyze that situation for us?*

A: We have now the AEC, the Assessment and Evaluation Commission and my colleague, Tom Vraalsen, is chairing that commission and I'm also a member, because we have two members since we are chairing and it's difficult for Tom to both chair and present Norwegian views. But we have four working groups under the Commission: one for the "three areas," one for security, one for power sharing and one for wealth sharing, which corresponds to the protocols in the CPA. The slowness in implementation and particularly in the setting up of a number of commissions, has been, of course, a key theme in many of the meetings, both in the subgroups and in the Commission itself. The border commission is only one of several commissions where we have had delays or not any work at all.

I would say that the border commission may not be the most important, although it is very important. Where we really try now to have an advance or progress is on the elections, the Election Commission and the whole issue of the Political Parties Act, because there is a tendency towards fear that the parties, not only the NCP but maybe both, may want to postpone elections, which will then prevent having true democratic preparations for elections when they come and also for the referendum in 2011. So the Election Commission is one.

Where we have also put emphasis has been the National Petroleum Commission, where the NCP has dragged their feet and only now we have had progress on that. So they have agreed on having a secretariat and the Commission shall now start working.

The boundary commission, we are also trying to have established, but more important, perhaps, or more sensitive is the Abyei Commission, where actually the Commission or the ABC as we call that, the Abyei Boundary Commission, presented their results a long time ago but the NCP refused to accept it. And that is part of drawing the boundary, the general boundary but it's more strategic, to a large extent because this concerns extremely important oil reserves. And also it touches upon the whole issue of nomadic rights vis-à-vis the sedentary population in the area.

We are trying now to move forward the Joint Defense Board, and the whole security sector is a huge problem. And the incidents we had in Malakal and in Juba recently show that, particularly from the NCP side, they have not been willing really to move forward on implementation on disarming the "other armed groups" and to make the joint integrated units work. When it comes to the joint integrated units, it's the responsibility, according to the CPA, that the government should pay the joint integrated units.

So I would say that we're trying now to push the parties and we also have to be somewhat diplomatic in terms of not only blaming one side. We tacitly said that for most of the commissions the main kind of delay is due to lack of will from the northern side. This is what the AEC was really meant to do, to oversee and push the parties to implement and have international pressure on the parties in order to implement the CPA.



The AEC was not so important in the beginning but our last two meetings, three meetings have been quite hot, but also more efficient.

*Q: Is that because you're putting pressure on the parties?*

A: Yes, we are putting much more expressive and the parties themselves are more expressive, and I think what really this led up to was this confrontation between Salva Kiir and Bashir in Juba on the 9<sup>th</sup> of January, where both of them, actually, first of course Salva Kiir complained, took up all the complaints they have against the NCP on the implementation of the CPA, but Bashir also partly responded of course to the complaints but also took up other issues where he said that the SPLM did not comply with the CPA. For instance, on the issue of taxes, because all imports and exports should be national issues but the Government of South Sudan does not let the northerners participate in controlling the borders. So the exports and imports, mainly imports, taxes and so on, the North has no revenue from it at all.

*Q: So that's a valid complaint, it seems.*

A: It is a valid complaint, certainly.

*Q: Going back just to analyze a little bit more, you have identified a pattern of behavior on the part of the North, primarily, of dragging its feet in allowing the work of the commissions to go forward. What would you guess is behind this apparently purposeful policy on their part?*

A: First of all I think one has to acknowledge that there are different opinions within the North on the speed and the whole CPA itself. And we are talking about a kind of revolution in a country which has been run by the North for decades, since independence, but also for centuries, essentially, before that. To have the changes that are called for in the CPA implemented requires a consensus among different groups in the North that is not yet there, partly within the NCP itself and partly between the NCP and other groups in the North. On the other hand I think one has to accept that the fact that it is a revolutionary document also should make us accept that things have to take time.

Many of us who have been kind of part of it from the beginning or actually since Machakos, we also see that we should not be too pushy about processes that actually will need consensus-making in the North, particularly, but there are also of course problems in the South. Not all groups are supporting the CPA as such, particularly in terms of unity. Because the CPA is based upon the idea that the CPA should make unity attractive and there are a lot of southerners that are only focusing upon the 2011 referendum and then independence and that is also against the CPA itself, the intention. Of course the referendum is guaranteed, but the work they do should be, in the North and South,

The South may dispute it, but they got \$700 million last year and they expect to have about 1.3 billion U.S. dollars this year and they actually are getting it, and Norway has advisors, links to the ministry of energy and mining that can, to some extent at least,

guarantee that they are getting the share they should, which, in a developing country with limited resources, is quite unique.

*Q: But is having the Norwegian advisors able to guarantee that the amount is what they should have, is this unique?*

A: Yes, he has access to most of the necessary documents and he works with the North and the South monthly to see the people, from the minister of finance himself, who comes up and they are able to get documentation that shows at least what they get and our advisor or expert's view is that they are not cheating. One can, of course, discuss, this is linked to the border, whether all the wells that are defined by the North as Northern, maybe some of them should be in the South. But in general the picture is very good in terms of, that the South actually has an enormous amount of money, much more than many other developing countries would have at their disposal per capita.

The second issue is that the new currency was introduced on the 9<sup>th</sup> of January and we're working now to finalize the package for financing it, together with the IMF and World Bank and other donors, but the new currency has actually come. Most people did not believe that but it is now being introduced in the South, which is a very important move for unity.

*Q: So it's a new national currency?*

A: New national currency, which is called the New Sudanese Pound.

*Q: That's a symbolic victory, or symbolic change.*

A: Yes, very important. And the third important issue is that the North actually has withdrawn, a little ahead of schedule, their troops from the South. Of course, it should be finished by the 9<sup>th</sup> of July this year and the SAF forces are more or less now those which are left in the oil areas and we'll see what will happen there. About two thirds of the "other armed groups," the militias, are also now integrated, either in SAF or the SPLA and the process is going more or less also according to schedule there, although with some delays and the loyalties of these groups may be questioned. My general comment will be that when one judges the implementation of the CPA, one shouldn't only look at those issues which are problematic and delayed but also see what actually has taken place in only two years and in spite of the death of Doctor John and so on.

So it's all in all a picture which, I think, will come out in a hearing in Washington in the Foreign Relations Committee on the 24<sup>th</sup>. I will look forward to see what kind of picture that Democrats and Republicans will paint of the implementation of the CPA there. I think what the SPLM will do, probably, will be to emphasize what Salva Kiir said on the 9<sup>th</sup> of January and focus on the lack of will and lack of implementation, but what I'm saying is you have to look at the total picture, in order to give at least some credit to the northerners in terms of what they have actually accepted to implement. We are all working on an assumption that they will implement, but that is quite unsure.

There may be also other groups in the North that may complicate this. For instance, if you get another majority in the North, following the elections.

*Q: You've mentioned that there were parties in the North, particularly, that were not really in support of the idea of this revolutionary change and they'll probably do what they can ...*

A: Although they say they will respect, like the Umma Party, they will respect the results, but we won't know that until, they may for instance come into the Parliament more actively to see what's going on or what will happen.

I think that is about it when it comes to the general picture

*Q: You've really given a very comprehensive and very meaningful overview of the entire process; it is quite useful to have your very well informed perspectives. So I thank you very much for sharing so much of your experience. You've obviously thought about the consequences and the lessons learned so that really makes it a very fine interview for us. I appreciate your time.*

A: Glad to contribute, because as you may have heard, I have more than a kind of technical interest in this. Some of us who have been working on this and some of my U.S. colleagues, we feel, I think my final comment actually will be that it is extremely important both that the international community continue to focus upon the CPA and that, particularly perhaps in the U.S. but also in Europe, the kind of diversion which the Darfur issue has created has been actually quite risky in terms of slipping focus away from the CPA to Darfur, with a risk that the CPA collapses and actually the CPA is also the focus for a solution in Darfur. I know that my ministry in Oslo and the ministers want to stay in close contact particularly with the U.S., UK, (we were the troika), and that the Darfur issue will not destroy this close follow up that we have of the CPA and which is needed. We've used international attention on the CPA. Without it, it's much easier for those parties who want to kind of ignore it to do that.