

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

Interview # 84 –Executive Summary

Interviewed by: W. Haven North
Initial interview date: May 1, 2007
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The interviewee started work on Sudan in 2000 with a group of international NGOs on the Sudan peace talk process. This was before the talks themselves had started. The group had prepared a document called “the Key to Peace,” which contained different options for getting the peace talks started and the support that would be needed. The group followed the negotiation process, reviewing draft negotiation documents and providing feedback. The group was also active on the ground providing a view from the Northern and Southern communities.

On the conflict’s root issues, the interviewee viewed the lack of democracy, and the lack of means for people to engage the state, as critical — a crisis of democracy. There is a lack of services, little regard for people’s rights, exclusion from decision-making. Other issues include oil revenues.

It was in the interests of both the North and South to negotiate. The South had had enough fighting, lack of investment, lack of opportunity, poverty, and loss of resources. Peace would allow them to have some development and autonomy. The North was perhaps driven by geopolitics, the loss of revenue from the war and the need to control the oil resources.

The negotiation process was very difficult. The North through the Machakos Agreement did not realize it was getting a national level agreement with no going back. The process was dependent on the role of Kenya with a strong mediator, who was trusted on both sides and the pressure of the international community, which provided a range of advisors. On the negative side, the agreement was between elites from both sides with insufficient effort to draw in the marginalized groups—representatives from civil society, Darfur, the East and West.

The implementation of the CPA is slow, with no real commitment to follow through. Part of the problem with implementation is that most people do not know what had been agreed to. The North is more interested in its own economic development. For the South, it is a matter of time before it decides to secede through a referendum or return to conflict—weapons are again flowing to the South. Twenty-six commissions had to be set up; a mechanistic approach to implementation lacks interaction with the people.

The census has barely started. The referendum may or may not take place; if it does, the South will secede; if the peace agreement fails, the South will make a unilateral decision to secede. It has not gained enough from the CPA.

Regarding Darfur, the rebel groups are too split to come to an agreement among themselves. They also lack leaders. The humanitarian situation in Darfur is dire.

Promotion of a vision of a united Sudan is not receiving adequate investment. The Americans are split on the issue. There is no overall core leadership within the international community. A high-level international group would need to look much more at the issues of democracy and political participation, isolation and marginalization; keep funds flowing to improve security; get education up and running, get at the fundamentals of why the conflict emerged. One of the big stumbling blocks is the UN Security Council; it is stuck on Darfur. Until the Darfur situation is resolved, there will be no peace in Sudan. The UN Security Council does not seem to see the problems in Darfur as the problems of Sudan; there are similar problems in the East and South.

The interviewee notes the need to have -- right from the beginning of the peace process -- broader consultations with the Sudanese society on what a peace agreement should include. There should also be continued high-level engagement by the international community.

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Q: What has been your association with Sudan and with the Comprehensive Peace Agreement?

A: I started working for CARE in the Sudan in about 2000. Then, we fairly quickly moved to establish a group of international NGOs who would work on policy and advocacy issues for a peace talk process. This was in the period before peace talks had even started, before Danforth came to the region. We wrote a document called “The Key to Peace,” which contained different options we thought were necessary for peace agreement negotiations to get started; the kind of support it would need and things that would need to be included in a peace process. We were quite successful in advocating for those kinds of things.

For instance, in the very early days we were calling on a troika of international governments, suggested who those governments might be, and, in fact, that is in the end how it turned out. A number of the things that did occur were the kinds of things that we were advocating for. We were calling on different governments to provide different types and levels of support prior to the peace process getting started. We, then, accompanied the process throughout and alerted them when things were going wrong or when issues were not being addressed; we often had access to early drafts, which we would give information back on from our experience.

Those international NGOs were American or European and all of them were both humanitarian and development organizations, which also had policy functions. All of them were active on the ground in both the North and South Sudan. So we thought we could bring in the view from the ground, but also cover North and South, not just one side or the other.

Q: Did you serve in Sudan?

A: I had worked in Sudan on and off since about 1990, but I have never fully been located there. That is both in the North and the South, doing work in Indigenous Displaced Persons (IDP) camps in the North, Darfur now. I also worked in Darfur on livelihood issues and also in the South during the 1980’s famine, I was working there for several weeks.

Q: This document you referred to, is this something that is generally available?

A: Yes, it is. It is even on the web.

Q: So what would I do to get it?

A: What I would do is go to the Oxfam website and just type in “Key to Peace.” We then followed that up with two other reports. One on Darfur which was the early part of the conflict and another one, the most recent, also available on the web, called, I am not sure what it is called, it is on the east of Sudan, an area which has been really ignored. The Darfur document is called “Rule of Lawlessness.” You can get that on the web as well.

Q: I will look those up. What would you say, given your own experience in Sudan, are the root issues for the North-South struggle, and then in the East and Darfur? What do you understand to be the underlying issues?

A: The critical one is the complete lack of democracy and means for people to engage with the state in any kind of meaningful way. People, whether it is Darfur, the Red Sea hills or the South, feel isolated from government. They do not get the services they require. They are often discriminated against. Power is held very centrally and there is little regard for people’s rights. They are largely excluded from any kind of decisions or process that would allow them to have a voice, other than through violent means. There are other issues as well around, obviously, resources, oil; but, fundamentally, it is a crisis of democracy.

Q: And having a voice means a voice in the central government?

A: Not necessarily. If you look at what the peace agreement has tried to do, it has tried to decentralize power, to some extent, whether it is at the state level, central level or local level. What is important is that that voice be genuine, have real power to influence decisions.

Q: Then what led the North and South to negotiate?

A: It was finally in both their interest to do so. The South had had enough of the fighting, lack of investment, lack of opportunity, poverty, loss of resources. They felt there was space to have some kind of agreement with the North, which would allow them to have some kind of development and autonomy. The North was perhaps driven by geopolitics, the need to control the oil resources and the consequent loss of revenue from prosecuting the war. It was in their interest. It was not any great altruism on either side. It was in their interest to stop fighting.

Q: Are you familiar with the negotiation process itself and how it went and what worked and what did not work?

A: To some degree, yes. It was a very, very difficult process, with different protocols being agreed to at different times and tradeoffs having to be made throughout the process.

Q: What were the dynamics of the negotiations, as you understood them?

A: What happened was to some extent the North, through the Machakos Protocol, did not realize it was getting a national level agreement. But in fact the Machakos Protocol is a national level agreement and once that has been agreed to; there was no going back for them. The process was also absolutely dependent on the role of Kenya, foremost the mediator being a very, very strong individual who could keep things on track, trusted by both sides, and, in no small measure, the continued pressure of the international community to reach an agreement and their support to help them to reach an agreement.

Q: So that would be a lesson you would get from those negotiations?

A: Absolutely. It was one of the factors that made it work. On the negative side, the agreement was between elites from both sides. There was insufficient effort put into drawing in other groups that felt marginalized from the process. That need not mean they all should sit at the table, but there was part of the process that seemed to be missing, which was whether it was civil society or other opposition groups.

Q: What other groups would you identify, for example?

A: Certainly civil society, perhaps some of the other larger membership groups, perhaps as Darfur starting getting more and more heated, perhaps more representation from the east and west of the country, maybe parliamentarians from the Darfur region. It needed to be more open. I know there is always a tradeoff between what you communicate and what you give up and the fact that negotiations are very often difficult and need to be confidential. But part of the problem with the implementation is most people did not know what had been agreed to. Certainly in the government-held areas, there was very little effort to explain the protocols, how they had been reached and what they might mean.

Q: To both the North and to the South?

A: Yes.

Q: Because some people argue if you had included the marginal groups, it would not have worked.

A: That is what I am being quite careful to say. I do not mean they all needed to sit at the table, but there needed to be some outreach: “What do you think about this issue?” or “How would you find your way through this impasse?” I absolutely agree that if you have too many people at the table or try and represent everyone you end up with a salami peace process, which was a recipe for complete disaster. There could be more creative ways of getting people’s support for the process itself.

Q: How would you characterize the role of the international community in helping with the negotiation?

A: From what I understand, there was a range of advisors. So if they were negotiating on oil, then there was someone from Norway who was an expert. A different government helped provide advisors who could give advice to the parties during the negotiation. The number one thing, the U.S., the U.K., Norway were all pushing in the same direction, for the same thing. Having a very clear objective, knowing what they were going for, was one of the positive outcomes, a prerequisite, probably.

Q: Let us turn to the implementation. What do you understand is where the implementation of the CPA is now?

A: It is slow, and there is no real commitment by anyone to really implement it.

Q: Anyone in the North or in the South?

A: The North is more interested in its own economic development. The impact of Chinese investment is absolutely massive. So any money coming in from, say, the Multi-Donor Trust Fund is dwarfed in comparison.

And in the South, it is a matter of time before they decide to secede, whether through referendum or a return to conflict. I understand weapons are already flowing again into the South.

So I think there is a misguided belief that separation will equal peace and I do not think it will.

Q: You say that is a misguided perception?

A: Separation will just lead to a different kind of conflict, both in the North and in the South.

Q: You mentioned earlier that there were a number of protocols and special provisions of the CPA, wealth sharing, security, power sharing and others. Have you any sense of where those stand?

A: There are 26 commissions that had to be set up and are being set up, some more quickly than others. That leads to a rather mechanistic approach to implementation. The interaction between those commissions and people is minimal. So, for instance, on land — a major issue in the Nuba Mountains and many areas of the North, that commission is very, very centralized and a very, very institutional approach to democracy, not one which is opening up any real mechanism for people to influence its decisions.

It is a mechanistic approach to establish lots of commissions, which are then charged with implementing a part of a protocol. It is not necessarily a way to get greater democracy and interaction between people and the new state institutions. That bit is missing. They do not feel they have any relationship, even though the issues are really important to people, land being number one.

Q: An alternative would be what?

A: If you are going to have such institutions, part of the function has to be some kind of outreach work with citizens, perhaps a citizen watchdog role within each of those commissions, so there is some linkage to communities, rather than being just centralized structures.

Q: To what extent do you think the people in the North and the people in the South are aware of the CPA and its provisions?

A: Pretty unaware. I did some work last year around the Abyei Protocol on the ground, in Abyei, training people to disseminate the protocol. This was community level dissemination. We were struck with a number of problems. First of all, the language of the protocol was incredibly difficult to begin with. If you are illiterate or English is not your first language, particularly difficult. Even if you have the Arabic version, it is an incredibly complex language. So we were trying to simplify the issues and information. It was also difficult to get people to be able to disseminate the protocol in any way that was neutral. So a lot of the dissemination comes with a political message, even if it is being done by [phrase indistinct]. Also, any information on the protocols individually does not help people understand the tradeoffs that were made in the peace agreement.

In Abyei, for instance, the Messeriya were very aggrieved by the Abyei Boundary Commission (ABC) agreement, because they saw themselves losing. In fact, they probably had more than they had before, but they still believe that they did not get as much as their Dinka compatriots.

Not being aware that one could look at the totality of the agreement, instead of looking at land issues what they perhaps could have done was look at some of the political issues and how they would have representation in a government after elections after 2009. So it became very grievance-based. So, for instance, even in the Darfur process I see this being replicated. In the case of the Abyei people, there was a demand for representation. Therefore, you need a vice president that is Messeriya or a vice president that is a Darfurian, which is, of course, the demands that were made, rather than saying, "How can this peace agreement provide the kind of representation and legitimacy we need in the government?" So it means people focus on very, very narrow interests, rather than looking at the totality of the agreement and the government. Both sides do exactly the same.

So the agreement has been disseminated in a very narrow way, often in a politicized way and not in a way that is particularly helpful for people.

Q: What about monitoring the CPA's implementation? There is something called an Assessment and Evaluation Commission. Do you know anything about its work?

A: I have not followed its work. The work I have been following...I recently downloaded but have not yet read the UN Mission Monitor, which is very helpful for information on Sudan. The UN has a different role to the evaluation commission. The evaluation commission is an IGAD body, effectively and UN Mission is the UN. They look at different things.

Q: UN Mission, what kind of evaluation or assessment is it doing?

A: Every month it puts out a report on progress of the implementation of the peace agreement. It has everything from what legislation has to be passed in order for the constitution to be based upon the Comprehensive Peace Agreement; it has progress on the establishment of commissions, such as the fact that the Oil Commission was one of the slowest and most ineffective. It is not in the government's interest to establish that commission, so it is going slow on it. It gives a breakdown as to who has what ministry; who has what power in government. It also looks at security issues. So it looks at each of those protocols and tries to monitor progress on implementation.

Q: And is it generally available?

A: It is on the UN website. It is very, very good, actually.

Q: Is it available within the Sudan? Do the people know about it?

A: I am sure they do not know about it but it is on the worldwide web. It is not restricted, as far as I know.

Q: Are the people in the North and people in the South and Dafur and all the other regions, aware of this kind of information?

A: I do not think most people are aware of information that is out there. I regularly go to the web to see what is coming up. There are a lot of Sudanese in the diaspora and journalists writing about Sudanese issues. But it is available for those, obviously, with literacy, education, and electricity. So it is a very narrow band of people who would have access to it.

Q: And there are no local efforts to disseminate it?

A: There are partisan efforts in the South. Last year Abyei tried to disseminate information. It had all the usual problems: infrastructure, getting around, the fact there is a very, very scattered population and getting everyone together, there were several rallies and different communities meetings. It was rather a flawed process and you just cannot

reach everyone through the written word. There is a radio station, I believe, in the South; that is probably a more effective means of getting information across.

Q: You know that there are a couple events coming down the road. One is the census. And then there is the elections and then a referendum. Is work being done to prepare for those, in the North or in the South?

A: I am not so sure about the census. It is already late. It was meant to have happened already, I believe. It should have been completed already. It has barely started. I know people are worried it could actually create conflicts if people have to go back to where they intend to vote in order to register. Lots of movement of people could be traumatic. The election is now set for July 2009, certainly in the North. So that is still some way off. And, of course, there are no presidential elections planned for the South at all. So people there are looking towards the referendum.

Q: Will the referendum actually take place?

A: From people I have spoken to, I would say, people are fifty per cent either way, if it takes place, they would secede, or it would just never get to that point because the peace agreement would fail before then and the South would just take a unilateral decision to secede. We had someone who was talking about the influx of arms into the South in preparation for the referendum not going ahead.

Q: And that would mean what?

A: The implication was that the South would fight and unilaterally secede, which, of course, with all the oil and so on, it would be a major problem.

Q: Does that imply returning to war?

A: Yes. A lot of the itineraries are about a return to war.

Q: But your general feeling is that the South is committed to separation?

A: Yes. They have not gained sufficiently from the agreement for them to change their mind. John Garang was quite interesting as being the only member of the senior leadership who allegedly did have a unified vision for the Sudan.

Q: There is a major effort to strengthen the Southern government. How is that going?

A: I know that USAID is putting quite a lot of money into administration and training judges at different levels of administration, but I imagine it would still be very weak.

Q: Now, let us turn to how is the Darfur situation is affecting the CPA process and implementation? There was an agreement at one point.

A: Yes, it was not a particularly useful agreement, from what I understand. The Darfuri rebel groups are too split to be able to come to any kind of agreement with themselves, let alone an agreement with the government. The one who did sign the agreement, who is now a minister in the government, Minni Minnawi, as far as I can tell this is not having any immediate impact. The humanitarian situation in Darfur is as bad as it has ever been. There seems to be a lot of military hardware going into Darfur. It is getting much worse; the government of Sudan is not willing to do anything about it. The Southern Peoples Liberation Movement (SPLM) members of the government are not in a position of power to do anything about the situation, either. I cannot see Salva Kiir having any voice in that.

Q: Does the Darfur area have any leadership of any consequence?

A: That is a problem. The rebel groups who were fighting, they split and splinter. There were a couple of leaders, one who joined with Minni Minnawi. There was another who looked like joining but then disappeared off the scene. It is questionable how much the people on the ground see these people as their representative leaders. There is no real understanding of what is the relationship between the people and those leaders.

Originally you had, before the conflict really broke out, 61 parliamentarians from Darfur, so there was some representation of Darfur at the central government level. They felt sidelined and marginalized, but it filled a need for engagement of some of the traditional leaders, some of the parliamentarians from the region, a much broader look at Darfur, rather than just having talks with rebel leaders, who may or may not represent what the people want. There has been little effort to draw in respected, traditional or judicial leaders into any kind of peace process. It has largely been around stopping the fighting, rather than trying to find a long term solution.

Q: And then the eastern rebel groups, what is happening to them?

A: They were signing an agreement, so that situation is calm for the moment but I am not sure how long that calm would last. I do not know much about the details of that agreement but it was signed more than a year ago.

Q: Are you aware of any group or any party or any international group that is trying to promote a vision of a united Sudan?

A: Good question. Not really. That is a problem I have in that the Comprehensive Peace Agreement does have — it is in the Machakos Protocol— that unity will be made an option for all the people of Sudan. That certainly is not happening at all and there is no investment going into that. The American government is split on the issue, perhaps. USAID (U.S. Agency for International Development) is very much: “What’s the point of unity? There is going to be separation, so we will invest in the southern administration.” Whereas the State Department takes a slightly different line. So there is that lack of coherence within the U.S. government. There is absolutely no overall core leadership within the international community to try and make that part of the agreement a reality.

Q: So there are splits in the international community, let alone within the country; that complicates things, I'm sure. What, then, do you see as the role of the international community? What can be done to move things forward on some positive track?

A: One of the things we said right from the start was the tendency of the international community to fully support a peace agreement, which they did, at the highest levels. You had high level representation from the Norwegian, British and American governments; very, very strong, sustained and political. What happens when an agreement is signed: the high-level political people leave—all those really knowledgeable, informed people—the responsibility is handed to the donors. The donors are then responsible for making sure money goes to implement projects and what you lose is that coherence and expertise, knowledge and experience about what the peace process was about, what it was hoping to achieve and how it could be implemented. So those knowledgeable individuals walk away.

There is a very, very interesting report, very good one, done by the International Peace Institute. It looks at several different peace agreements in different countries. One of its key conclusions is what makes a difference between a peace agreement sticking or failing is continued high level political engagement by the international community. So a fundamental lesson is being missed here.

Q: If this high level group were ever to get itself together, what would be the kind of actions that it might take?

A: They would need to look much more at issues of democracy and political participation and isolation, marginalization. Keep the funds going to improve security, to get education up and running. Things that the donors are already doing but there needs to be something else, which is much more about the fundamentals of why conflict emerged in the first place. That bit is missing.

Q: Now you are with an NGO group that has been trying to move things forward. How is that proceeding?

A: I am working for an organization now that does not currently work in Sudan, so I have just been doing some research with a view to them opening up some work. What is tending to happen in the international community NGO world is... perhaps this will sound crude, undue attention to Darfur. What is happening is everyone's attention is so focused on Darfur that they are missing the other big picture problems that are emerging. Some of the more longstanding and highly respected NGOs like Oxfam and Save the Children are very aware. This rush of NGOs into Darfur, who do not understand the overall context, may be missing some really important things.

Q: What about the general conditions of the people in the North and the South and the more humanitarian type issues? What is your understanding of those?

A: The humanitarian situation is absolutely dire in Darfur. The South is in a chronic state of emergency. It is not having a complete disaster, in terms of crop failure and famine or increased fighting at the moment. But if any of those things were to happen then you would definitely have another humanitarian crisis. It is Darfur that is in crisis and the rest are in a kind of chronic emergency.

Q: And about whether the South is able to get itself together, in terms of continuing factionalism. That is still a big problem?

A: It is and, of course, with the Lord's Resistance Army (LRA) still operating, that is another factor in the conflict as well.

Q: Is there something we have not touched on that you feel is important?

A: One of the big stumbling blocks is the UN Security Council. One of the reasons we do not have—it is cause and effect, in a way— a really united international engagement and support. At the political level, high-level, decisions being made for Sudan get stuck at the Security Council. The Security Council has been stuck on Darfur, and until Darfur is resolved, I do not think there will be peace in Sudan.

Q: The Darfur situation needs to be settled first or could it be something incorporated into a larger approach?

A: It is a good question, because there are some people who say that you should not have piecemeal agreements. We already have a comprehensive agreement, why do we need all these other piecemeal agreements? But then the other view is actually as long as these different agreements complement and do not contradict each other, it really does not matter, if it brings an end to conflict. What I am worried about is the current efforts are twofold. One, it is about stopping the fighting in Darfur, rather than solving the problem and secondly, it does not seem to see Darfur as part of the problem of Sudan. It is off by itself and treated separately. The problems in Darfur are the problems of Sudan. They are very similar to the problems of the East and the South. Other active players have a tendency to see it in isolation.

Q: Do you think it is possible that in the scope of the CPA agreement there could be something that accomplishes all of these objectives, if people approached the CPA that way?

A: Yes. If you look at the Machakos Protocol, in particular, it is about discrimination. Then, if you look at the power sharing agreement and the fact that there will be elections in the North in 2009, Darfur is going to participate in those elections. If they are free and fair and genuine and all the other caveats, if you look at the text, it offers some ways out.

Q: Do you think the Darfur people are aware of the CPA details?

A: No, I talked to people who were part of the Darfuri peace agreement and one of the things that shocked them was how little the people negotiating actually knew about the peace agreement. The fact that most of these people had never been in negotiations before, many of them were not terribly well educated, put the government in a very, very strong position and they were already in a very weak position.

The main thing is their own governance and democracy, having people actually feeling that peace can mean something; most people feel nothing has really changed.

Q: Do you think there is any special emphasis on the part of the international community in terms of assistance to the North and the South and Darfur? Is there any special initiative in that area that should be taken?

A: No, it is more a matter of keeping the high level political engagement, keeping the funding processes on track, making sure that they fit into the context and get it right.

Q: One of the main interests of the U.S. Institute of Peace is what kind of lessons we get from this experience. You have implied many of them, but what would you pick out as two or three or so of the most important lessons of the experience to date?

A: The need to have, right from the beginning of the peace process, broader consultation with Sudanese society, North and South, about a peace agreement and what could be in it. Not excluding them in the way they were excluded. And the second thing is the continued high-level engagement of the international community, instead of handing the issue over to the donor agencies; keep the pressure on. The government has shown itself to be able to respond to pressure in the past. Having the UN Security Council be more unified and less a self-interested body that could actually move to resolve problems. That would be it.

Q: That sounds very useful. Thank you for this interview.

Reports cited by the interviewee on the Oxfam Website:

“Key to Peace”; “Darfur-Rule of Lawlessness”; a report on the East of Sudan.