Office of the US Special Envoy for Sudan & South Sudan

US-Sudan Relations
Address to the Michael Ansari Center of the Atlantic Council
August 1, 2012

Princeton N. Lyman
United States Special Envoy for Sudan and South Sudan

I want to express my thanks to the Michael Ansari Center for providing this opportunity to discuss a matter of great importance in US relations with Africa. I am grateful to J. Peter Pham, the director of the Center for making these arrangements and kindly moderating this session.

Sudan and the Sudanese

Often when the subject of Sudan comes up the focus is on the Comprehensive Peace Agreement of 2005 and the relations between Sudan and South Sudan. While those subjects are of great importance, they sometimes overshadow the importance of the United States relations with Sudan.

On April 12 of this year, President Obama transmitted a video message to the Sudanese people, the people in both Sudan and South Sudan. "Your future is shared," he said. "You will never be at peace if your neighbor feels threatened. You will never see development and progress if your neighbor refuses to be your partner in trade and commerce." He was speaking to the core of our policy toward Sudan. Our objective with the Comprehensive Peace Agreement, once South Sudan opted for independence, has been the prospect of two viable states, in peace with each other and benefiting from economic cooperation and development. Without that, without both countries being strong, at peace, and growing economically, the prospects for the other are at peril.

Yet our relations with Sudan have been troubled. We have for nearly a decade been at odds over Darfur, the state of negotiations with South Sudan, and more recently the conflict in Southern Kordofan and Blue Nile. Earlier in the 1990s, the United States placed Sudan on the list of states sponsoring international terrorism. As the Darfur conflict progressed, and major human rights charges were leveled against the Government of Sudan, the United States imposed economic sanctions on Sudan. Many of these were enacted into law and remain on the books today.

This is not a situation that lends itself easily to normalized relations. It has restricted our interaction at senior levels. It has impacted on our ability to play an even more active role in the negotiations under the CPA. It has engendered suspicion and often public antagonism between our two countries. Above all, it has kept our two countries from realizing the benefits from a normalized relationship, the political, security, and economic benefits that would derive from it for both of us. It is not in our interest to have poor relations with Sudan. In previous times, we had dynamic assistance programs in agriculture education, and other fields. Even today our embassy contributes to humanitarian needs and capacity building, but with normalization we could do so much more. And it saddens us who know the rich history, traditions, culture, and hospitality of the Sudanese people that we are not on a warm and friendlier basis once again.

But how do we move to a better relationship? It is not sensible to pretend that the issues between us are not important or relevant. Nor is it easy to separate them out to the point that some critical ones can be ignored while others are resolved. We have to be candid with each other about the sources of differences and what each expects from the other.

The proposition that I want to put forward today is that resolving those issues is as good for Sudan as it is for the relationship with the United States. I believe, and hope Sudanese can come to believe, that there are no conditions, no suggestions, no recommendations from us on what would lead to normalization that would also not be beneficial to Sudan. That is not because we have some great

wisdom, some higher level of insight and understanding of Sudan than do the Sudanese themselves. It is because the object of normalization for us is as I have said a peaceful and viable Sudan, growing economically and a partner in the world community. The conditions we look for are those which we honestly believe accord with Sudanese own interests in peace and development. Sudanese may well disagree with some of these recommendations. But I would ask that they do so not out of suspicion of our motives but because they see even better ways to achieve these objectives. We would be all ears.

The heart of the matter

Coming out of the CPA and the secession of the south, Sudan faced both an opportunity and some enormous challenges. The opportunity was to renew itself. This was in many ways a new country, with new boundaries, new balances of ethnic and religious composition, new ways open to it to govern. That process is still under way. This new country can look back to proud moments in Sudanese post-independence history to guide it. But getting in the way of such renewal are the conflicts and the legacies of past policies and practices that are deleterious. Sudan cannot deal with the ongoing troubles in Darfur, Southern Kordofan, Blue Nile, the east, and elsewhere in the country with a system that does not meet the demands for greater political space, for greater sharing of wealth and opportunity and for greater democracy. Trying to suppress those demands militarily has led to continued conflict. And the conflicts have in turn led to new accusations of human rights violations. This is a vicious circle that keeps Sudan from a new dawn.

But why is this of concern of the United States? More bluntly, what is it of our business? I would argue that these issues are at the heart of the disagreements between us. The tendency to look to military or other forms of repression put Sudan into conflict not only with the United States but with much of the world community. Protection of human rights, rules of war, and humanitarian practices are universal concerns today. They are incorporated into the resolutions and statutes of the United Nations and many other international organizations. And when such practices and policies that violate those norms also endanger the peace and security of the region or beyond, they cannot help but impact on relations with others.

But to return to my main proposition, they also hurt Sudan and the Sudanese people. Sudan today spends more than half its budget on security forces, to support fighting in Southern Kordofan, Blue Nile and Darfur, to address unrest in the east, and in clashes along the border with South Sudan. This is at a time when Sudan faces a major economic adjustment due to the loss of oil to South Sudan. It is being forced into reducing subsidies vital for the poor and the middle class. It means cutting back on infrastructure and other investments. Even the security forces are facing cuts. Inflation now runs around 40% and many families are facing difficulty putting basic food items on the table. These conditions have led to widespread protests and in response arrests, allegations of torture, and suppression of dissent. We are distressed to learn that at least seven students were killed in Nyala on July 31st. This should not be how dissent and distress should be handled. Sudan could use peace, not only peace with South Sudan but peace internally.

The same issues which keep Sudan from peace are the same which get in the way of normalized relations with the US. How can we move forward then? I am certain we can.

And the US role …

There has been a lot of debate about the recent history of US-Sudan relations. Indeed there are a lot of recriminations from within Sudan. The US has been accused of constantly "moving the goal posts," repeatedly changing the conditions on which we would move, e.g., on removing Sudan from the list of states sponsoring terrorism, for supporting debt relief, and the like. There are accusations that in fact we not only are in support of but are actively promoting regime change. It is not surprising that some Sudanese are in doubt about what it would take to normalize relations with the United States. I want to make that clear today. And Sudanese can decide whether what we seek is indeed in their interest or not, and if it is worthy of undertaking.

First a bit of history. It is true that in the final stages of negotiations over the Comprehensive Peace Agreement, the United States indicated that signing the agreement, along with Sudan qualifying under the particulars of the law, Sudan could see itself being removed from the terrorism list. But Darfur changed the environment for such reconciliation. Throughout the years from 2004 to today, the conflict there consumed much of the attention not only of the United States but much of the UN Security Council. Only painstakingly were humanitarian access achieved, a credible peacekeeping force deployed, and progress toward a political settlement begun. There was much rancor and disagreement between our two countries over this matter. Still today, there remain issues of accountability, the achievement of security within Darfur, and the prospect of return for the nearly 2 million internally displaced persons.

Nevertheless, the United States returned to the question of normalization as we approached the referendum in the south and the completion of the CPA. In November 2011, President Obama laid out a roadmap for normalization. In the roadmap, the United States said that if the referendum, scheduled for January 9, 2011, were allowed to proceed without interference and the results recognized, the United States would begin the process for removal of Sudan from the terrorism list. There is a very specific calendar for doing this. The administration must examine six months of activity by the country in question with reference to any evidence of support of international terrorism. If the determination is made that the country does not support terrorism, that determination is transmitted to the Congress which has 45 days in which to comment. The referendum did take place on time and Sudan did recognize the results, South Sudan's vote for secession. President Obama then started the six months clock. The United States also requested the World Bank to form a technical committee to begin the process of determining Sudan's eligibility for debt relief, and issued a number of licenses for American companies to assist Sudan's agricultural development. The roadmap promised other steps once the outstanding principal issues between Sudan and South Sudan were resolved and South Sudan achieved its independence peacefully July 9.

Two developments interfered with this roadmap. The most important was In June 2011, when fighting broke out in Southern Kordofan, and spread later to Blue Nile between the government of Sudan and the SPLM-N. The terribly cycle I spoke of before returned. The government turned once again, as in Darfur, to the use of bombing that included bombing of civilians, markets, and other non-military sites. Military and militia were reported to engage in arbitrary arrests, killings, and the burning of villages. Humanitarian access to the areas controlled by the SPLM-N has been denied despite predictions of severe famine. As of today, over 200,000 refugees have fled the Two Areas and hundreds of thousands inside are at risk. In these circumstances even the legitimate issues the government of Sudan has in this conflict – for example, the objection to two armies in one state – are overshadowed by the violations of human rights and modern rules of war that were taking place. These are matters so grave as to make it impossible to proceed as the United States had intended.

Still the United States persisted. The second problem in the original roadmap was that the outstanding issues between Sudan and South Sudan were not near resolution by July 9 but Sudan could not be held solely responsible in what is a complex two party negotiation. So in November 2011, the United States came to the government of Sudan with a proposition that if the government would only stop the bombing of civilians in the Two Areas, allow humanitarian access, and begin political talks with the SPLM-N, the process of delisting Sudan could continue. But Sudan did not respond.

In summary, each time we have been prepared to move forward to improve our relations, war and widespread human rights violations have impeded our efforts.

I hesitate, however, to go further into these historic details. Because they have been the source of argument, accusations of bad faith, charges on the other side of breaking faith with the norms of international behavior, etc. I do not want to rehash those arguments here. That will not get us anywhere. Rather, I want to look ahead, to look to a time and situation where not only have relations normalized but our two countries are working together on behalf of peace and development.

Let me reiterate that the United States wants to have a normal, indeed a productive relationship with Sudan. We have much history together. We have many objectives in common. We have potential for very fruitful cooperation for peace, stability, and development.

Imagining a New Relationship

Let me ask you to imagine that relationship and what it would be like. Sudan would have a government that is ready to address the fundamental issues that have caused it such internal conflict and brought about such dire economic conditions. These are the basic issues of governance already being debated in the country. The government would show itself to be accountable, committed to democracy ,to respect for human rights, and it would be moving to institutionalize these through a broadly based constitutional process, one that drew in the people from all over the country. If the government's intentions are clear and credible to the Sudanese people, they will be credible to the international community. The government would end any bombing of civilians and would call for a cessation of hostilities in the Two Areas, and embark on political talks with its opponents there. It would welcome the offer of the international community to provide badly needed humanitarian relief to its people in the Two Areas on both sides of the line thus avoiding more humanitarian suffering. The constitutional process would address the governance issues of Darfur and bring an end to conflict there. Long awaited programs for justice, settling of land and compensation issues, and voluntary return would be put on a firm and sustainable basis. The government would seek early and meaningful resolution of the outstanding issues with South Sudan, allowing for a resumption of oil production and export, border demarcation, and agreement on how to resolve issues of disputed borders and areas such as Abyei. Trade between the two countries would resume alleviating the economic plight of many on both sides of the border.

Imagine then the response of the international community, especially the United States. We would expect, indeed use all our influence to ensure that the SPLM-N respond with an end to fighting in the Two Areas and unconditional readiness to engage on the political and security issues which led to the conflict. We would expect, and use all our resources and influence to assure that South Sudan would respond with the same spirit, that there would be quick and meaningful proposals from South Sudan for assuring peaceful borders, trade, and cooperation. We would back the use of whatever role the UN peacekeeping forces could play in this regard, as monitors, investigators, and presence – along the

border or wherever the two countries agree. We would, with our international partners, send a strong signal to any armed groups that the justification for fighting no longer exists and sanctions are likely for those who continue to fight.

But there would be much more. I can imagine a Sudan Armed Forces, no longer seen as one in violation of international norms but one taking its place as a highly regarded professional military, with strong relations established with many countries of similar reputation. This reformation can take place. Like these other changes it may take time but the direction would be clear from the policy changes described above. I can see our returning to the professional relationships we had with the SAF in an earlier period. There would be once again exchanges between our military schools and colleges. The SAF could be contributing as peacekeepers in Africa and beyond. And our common concern with fighting terrorism would grow even stronger.

Most of all, there would be economic cooperation. The United States would work with the international community to mobilize economic support for Sudan to help it work through the transition period after losing much of its previous oil revenue. This would be part of the settlement with South Sudan for the resumption of oil production. The U.S. administration would have the basis for consulting with Congress for lifting the sanctions that have inhibited Sudan's access to support from the International financing institutions and use of the international banking systems. Other countries would also surely move in the same direction. Sudan's rich potential in agriculture, mining and other sectors could be fully realized. Finally, the United States could resume the process for removing Sudan from the terrorism list, which itself would eliminate some sanctions and other limitations.

Some may argue that the policy directions I have described above that would set Sudan on a new direction are American objectives not reflective necessary of Sudan's needs. In fact these ideas have been advocated by a broad spectrum of Sudanese society. They have been advocated by politicians, opposition parties, students who have sought courageously to have their voices heard on these very issues, and by those who have taken up arms. But they have also been promoted by some in government, in the ruling party, and in the security services. A distinguished, senior member of the National Congress Party spoke recently about the need "to forge a robust and durable national unity based on a consensual constitution. The scope of the new constitution – he went on -- should be wide enough to include … issues like decentralization and power sharing … socio-economic development, relations between the center and the periphery, and a wider definition of justice." Notably, given the importance of Islam in Sudan, he saw a silver lining in the Arab Spring, that it had given impetus to the cause of democracy. "The rise of Islamists in several Arab countries, and in Turkey before that," he said, "should reassure the Islamists who are in power in Sudan that a democratic system can work in their favor."

Pathways to Renewal

Sudan has lived with war much of its history. When people speak of change, particularly regime change, they often speak of violent change. But Sudan does not need more war. Nor will a commitment to war bring about the renewal Sudan deserves. More war, more deaths and displacement are surely not the answer. Nor is war or violence necessary for change to take place. What it takes is a commitment of people from several parts of the political spectrum both inside and outside the government, from different parties and regions, and even from those who had previously engaged in oppressive acts who find that no longer satisfying, to come together around a new way forward. Putting change into place does not mean war. It means commitment from those who have the opportunity, the position, the

following, and the qualities of leadership to bring the nation together around this new path. It of course will be difficult and challenging in many ways. There will be debates, resistance to change from many sides, arguments over exactly how far, and how fast to change. As long as this is part of a political process it can be managed by strong and committed leadership.

And if it comes to pass, the United States will respond. We will act to put into place a new and productive relationship. For the United States, it will offer the way to our number one objective, the one President Obama has stressed over and over: peace for all Sudanese. With peace our relationship will flourish in every direction. With peace Sudan will become a welcome partner for peace in the region, and in all of Africa. With peace, the lives of Sudan's people will know new possibilities, be renewed, and know a better life for their children, their grandchildren, for all.