SUDAN: POLICY OPTIONS AMID CIVIL WAR

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and

POSTSCRIPT

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by Rachel M. Gisselquist[1]

Sudan, Africa's largest country, has been at war with itself for seventeen years. The bitter civil conflict between the North and the South has claimed 2 million lives and displaced over 4 million of the country's 28 million people within Sudan. More than 400,000 have fled to neighboring countries.[2] The war maintains the desperate poverty of a once rich nation and ensures that the Sudan's human development indicators remain among the lowest in the world. For military leaders on both sides, continued conflict may seem preferable to making concessions for peace. For most Sudanese, however, interminable insecurity and shifting battles across most of the South and parts of the West and the North remain a heavy burden. The Sudan is an example of a "weak" or "failed" state that lacks the administrative capacity to provide basic public goods – including security — for its citizens, especially in the South."

The civil war, combined with periodic droughts, is the main cause of the economic and humanitarian misfortunes of all Sudanese. In terms of human development, the UNDP ranks the Sudan 157th out of 174 countries, placing it worse off than Angola, Bangladesh, and Myanmar (Burma). Real GDP per capita is $1110.[3] J. Brian Atwood, then Administrator for USAID, testified before the U.S. Senate Committee on Foreign Relations in March 1999 that "Sudan continues to be the world's greatest humanitarian crisis, but tends, due to the ever-growing number of disasters, to be what has come to be called 'a forgotten tragedy.'"[4]

Partisans on either side produce two main versions of the tragedy of the Sudan. 1) The Khartoum government and the ruling National Islamic Front/National Congress (NIF) have carried out a deliberate campaign – some call it genocide — to impose an Arabic, Islamic identity on the non-Arabic, Christian and animist South and small communities in the North. The regime has enslaved Southerners, attempted to indoctrinate them in so-called "peace camps," prevented the delivery of humanitarian assistance, and conducted aerial bombardments of villages and NGO sites. Millions of lives have been lost because of unremitting Northern attacks on the South. 2) The dissidents in the South, led primarily by the Sudan Peoples' Liberation Movement (SPLM), have rebuffed all reasonable efforts by the Northern-led government to be conciliatory. The SPLM's Dinka-led army (SPLA) has attacked non-Dinka Southerners and engulfed the South and parts of the West in its own regional civil war. Many hundreds of thousands of Sudanese have been killed in this internecine conflict. Dinka chauvinism is a major obstacle to peace and unity in the Sudan.

The Sudan has hardly appeared on the Clinton administration agenda, except insofar as the state has been seen as a supporter of, and a haven for, terrorists. In 1993, the U.S. added the Sudan to its list of states that sponsor terrorism. In August 1998, the

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[1] I am grateful to Robert Rotberg, Alan Goulty, James Woods, and Isabelle Balot for their very thoughtful (and quickly provided) comments to the draft report.

[2] Jane Perlez, "In a War, Even Food Aid Can Kill," *New York Times* (Dec. 5, 1999).

[3] 1995 values from United Nations Development Programme, *Human Development Report 1998*, http://www.undp.org/hdro/98hdi3.htm, 4/21/00, 10:39 a.m.

[4] "USAID Press Release on Humanitarian Crisis in Sudan (Atwood testified before the Senate on U.S. response)," March 23, 1999, http://usinfo.state.gov/regional/nea/mena/sudan2.htm, 4/12/00, 4:08 p.m.

U.S. attacked a pharmaceutical factory in Khartoum with cruise missiles, claiming that it had manufactured chemical weapons precursors and was linked to Osama bin Laden, a terrorist believed responsible for the bombing of two U.S. embassies in East Africa.

More recently, debates over the politicization of humanitarian aid have raised questions about U.S. policy. To some degree, humanitarian agencies have never been free of politics in the Sudan. Operation Lifeline Sudan, a consortium of UN agencies and NGOs, is only allowed to make food deliveries to places approved by the Khartoum government and the Southern rebel movements. In Autumn 1999, the U.S. government received congressional authority to give food aid directly to the SPLM/A. This "food for rebels" initiative sparked considerable debate within the policy community, as well as within the State Department itself, and has not been implemented. A number of NGOs active in the South expressed strong, vocal opposition to the State Department proposal. In February 2000, the SPLM/A retaliated by imposing restrictions on NGO activities in the South. It required all NGOs to sign a 68-point Memorandum of Understanding (which had been first broached in 1998) by March 1 or leave the Sudan.

Most agencies that refused to sign were among the largest. Together, they handle about 75 percent of the humanitarian aid. CARE International, Médecins Sans Frontières-Holland, German Agro Action, Healthnet, Oxfam, Save the Children (UK), Vétérinaires Sans Frontières (Belgium and Germany), World Vision, Médecins du Monde, and the Carter Center were among those that refused to sign and removed their workers. Many of the organizations that chose to sign were relief organizations with their sole or primary focus on the Southern Sudan. Those signing included: Adventist Development and Relief Agency, AMREF, Action Against Hunger, American Refugee Committee, ACROSS, Catholic Relief Services (CRS is the biggest single NGO operating in South Sudan.), CCM, International Aid Sweden, International Medical Corps, International Rescue Committee, Medair, Médecins Sans Frontières-Belgium, Norwegian Church Aid, Redda Barnen (Save the Children - Sweden), Tear Fund, and Vétérinaires Sans Frontières (Switzerland).[5]

The food aid question begged larger policy questions: Should the U.S. try to help stop the civil war? Should the U.S. negotiate with the government? Should the U.S. respond positively to the recently (January 2000) reorganized Khartoum government and the potentially helpful policy (or public relations?) changes that it has implemented? What is the impact of the oil industry on the war? What can/should be done about oil flows? Is the Khartoum government still a destabilizing force in East Africa? What should be done to free and assist those held as slaves in the Sudan?

Moved by the grim facts of the conflict and by recent policy controversies, the World Peace Foundation and the WPF Program on Intrastate Conflict convened a broad-based meeting in Washington, D.C., on March 8, 2000, to discuss options for U.S. policy toward the Sudan. Over fifty individuals participated, including high-level members of the Department of State, the Central Intelligence Agency, the National Security Council, and two sections of the United Nations; three former U.S. and U.K. ambassadors to the Sudan; and leaders of over a dozen non-governmental organizations. A list of participants is included at the end of this report.

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[5] UN Integrated Regional Information Network, "Human Rights Watch Urges SPLM to Negotiate with Ngos" (March 9, 2000).

The group first discussed the state of the war and causes of the conflict. Drawing on the themes that emerged, it then considered prospective options for current and future U.S. policy. This report builds and expands upon the group's discussion and summarizes the options identified. All comments were strictly off-the-record. Speakers are not identified here by name. Exact quotes are enclosed in quotation marks, but without attribution.

The U.S. policy options identified can be grouped broadly into two categories: 1) To engage with the North and 2) To support and engage exclusively with the South. Some options might be adopted together as part of a more comprehensive strategy, while others stand alone. The group did not seek to reach agreement on a recommended course of action, but chose instead to create a list of possibilities. Some participants were strong advocates of specific options — and indeed have been well quoted in the press arguing their points — while others vehemently opposed those same options.

A DIVIDED STATE

The Sudan is one of Africa's most ethnically diverse countries. It has fifty ethnic groups and 570 distinct peoples. It is estimated that seventy percent of the population is Muslim, 25 percent follow indigenous religions, and 5 percent is Christian. The North is predominantly Muslim and Arabic-speaking, although there are small Christian communities in the Nuba Mountains and in some towns. Non-Arabized Northerners represent 26 percent of the population and Southerners another 34 percent. Southerners speak indigenous languages and English and practice indigenous religions and Christianity. [6]

The roots of the split between the North and South stretch back before Islam. As early as 2000 BC, Egyptian traders in gold, ivory, cattle, and slaves visited, settled, and intermarried in the Northern part of the present-day Sudan. Geographical barriers made travel to the South difficult. Later, Arab Muslims brought Islam to Sudan's North and raided the non-Muslim South for slaves.

In 1820-1821, Muhammad 'Ali, Ottoman viceroy of Egypt, invaded the Sudan, beginning the Turko-Egyptian/Turkiyya period of rule. The Turkiyya established a centralized administration in the North, built in part on the regular seizure of non-Muslims for the army of Egypt. Some estimates are that 2 million Southerners were enslaved in the nineteenth century alone. From 1881 to 1885, under the leadership of the messianic Muhammad 'Ahmad ibn Abdallah, "the Mahdi," the Sudanese rose up against foreign rule. In the Mahdiyya period, 1885-1898, the Sudan was forged into one nation, based on a Northern Islamic identity.

The British, in partnership with Egypt, re-conquered the Sudan in 1898, establishing an Anglo-Egyptian condominium. Although slave raids were outlawed, the condominium perpetuated the Sudan's North-South economic, political, and cultural divisions. While infrastructure development was promoted in the North, the South was encouraged to develop along so-called indigenous lines. In the South, English, rather

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[6] Ann Mosely Lesch, *The Sudan:Contested National Identities* (Bloomington, 1998), 15 and 17, and Lesch, "Sudan: The Torn Country," *Current History,"* XCVIII (May 1999), 218. Note that all population profiles for Sudan are uncertain. The most recent government census was in 1993, but it was not carried out in the South.

than Arabic, was used in schools and government offices, and Christian missions provided nearly all educational opportunities.

The first phase of the civil war began in 1955 and continued until 1972, killing half a million people. Just a few months after the start of the war, on January 1, 1956, Sudan became the first black sub-Saharan state to obtain formal independence. The new government pursued unity through assimilation, rejecting federalist options on the grounds that they would encourage secession. In 1958, General Ibrahim Abboud seized power. Six years later, he was overthrown, opening the way for a transitional government and democracy. A ceasefire was achieved and dialogue began with Southern leaders at a Round-Table Conference in 1965.

Fighting in the South prevented elections there in 1965, and for three crucial years, the South had no representation in parliament. Traditional Islamic parties gained ground.[7] In 1969, another military coup d'etat brought 30-year old Colonel Gaafar Muhammad Nimeiri and his Revolutionary Command Council to power. Nimeiri initially sought to build a secular Arab socialist state and took positive steps to end the civil war. The 1972 Addis Ababa Agreement gave the South regional autonomy and control over its natural resources.

In the early 1980s, however, Nimeiri's state became increasingly Islamic. Some think he underwent an ideological conversion, while others view his actions as politically astute in face of economic failures and shrinking popular backing. Nimeiri sought support from Hassan al-Turabi's Muslim Brotherhood and implemented policies consistent with the Brotherhood's goal of an Islamic state. The shari'a became law throughout Sudan. In 1983, the Addis Ababa Agreement broke down when the government split the South into three provinces. By then, too, oil had been discovered in the South without adequate agreements for sharing its wealth potential.

In 1983, the second phase of the civil war began, and the Sudan Peoples' Liberation Movement (SPLM) and its military wing, the Sudan Peoples' Liberation Army (SPLA), were formed. The SPLM/A had significant popular support and, early on, was assisted by Ethiopia's Mengistu Haile Mariam, who was backed by the Soviet Union. Cuba, too, trained SPLM troops. Later, Eritrea and Uganda offered support.

The SPLM/A, according to its leader, Colonel John Garang, fights for self-determination for the South within a secular, democratic Sudan. To many Northerners, however, "self-determination" is synonymous with secession. Garang, who is a Bor Dinka, first joined the opposition while conducting fieldwork in Africa after completing his BA in the U.S. at Grinnell College. In addition to having served with the Sudan Army as an officer and fought with the Anya-Nya I Southern rebels, he has a Ph.D. in agricultural economics from Iowa State University. (His dissertation was on the effects of the Jonglei Canal project on the Southern Sudan.) He also taught at the University of Khartoum.

In 1985, popular discontent over the lifting of food subsidies led to Nimeiri's overthrow by the military. Elections were held in 1986, bringing Sadiq al-Mahdi of the 'Umma Party to power in coalition with the Democratic Unionist Party, and revealing some popular support for a hard-line Islamic stance as the NIF, a political descendent of

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[7] Lesch, *The Sudan,* 41.

the Muslim Brotherhood, earned 20 percent of parliamentary seats. Sadiq's tenuous hold on power eventually led him into coalition with the NIF.

In June 1989, Brigadier-General Omar Hassan Ahmed al-Bashir, the leader of a radical Islamic faction of the military, took over, forming a cabinet dominated by the NIF. Hassan al-Turabi, the NIF's militant leader (and a graduate of the Sorbonne), was widely believed to be the force behind the new government. The North clamped down on the South, and the civil war intensified. Government forces were supplemented by the NIF's private militia, the Popular Defence Force (PDF).

During the 1990s, Sudan's policies made a number of regional enemies. It supported Islamic fundamentalists in Algeria, rebels in Uganda, and Iraq's occupation of Kuwait, leading to worsening relations with Egypt and Saudi Arabia. It refused to turn over Islamic militants accused of attempting to assassinate President Hosni Mubarak. In 1996, the U.S. removed its resident diplomatic staff from the Sudan (allegedly on security grounds, although U.S. diplomats continued to visit regularly until August 1998) and, a year later, imposed economic sanctions on financial transactions.

The Roots of the Conflict
The Sudanese conflict, often described in terms of North-South differences and a religious divide, can be understood more clearly as resulting from three failures. First, Sudanese are divided over what it means to be Sudanese, i.e., over their national identity. The Arabized majority from the North and the Central Nile valley monopolize power. Bashir and the NIF define the Sudan as an Arab, Islamic state and have attempted to impose this identity on other Sudanese. The majority of Sudanese, however, are not Arab. Although the SPLM is dominated by Christians, Southern groups have tended to define Sudanese identity in more pluralist, secular terms. As Francis Deng notes: "The crisis of national identity emanates not only from the conflict between the exclusive and inclusive notions of identity, but also from the tendency of the dominant, hegemonic groups to impose their identity as the nationally uniting framework."[8]

Second, the Sudanese conflict has its roots in economics and the disproportionate control of resources by the North. Historically, the North has benefited from its geography and location along well-traveled trade routes, while geographical barriers have hindered access to the South. During the period of the Anglo-Egyptian condominium, the economic gap between the North and South widened. Still a highly centralized state despite the present "federal" system, Khartoum controls the purse strings, including state oil revenues, and even has a say in where food aid deliveries can be made (if not always heeded by NGOs).

Third, the Sudanese conflict is rooted in poor governance and a lack of administrative capacity. The Sudan does not have the structures to hold government forces accountable and to pursue successful development policies. Abdul Rahman Abu Zayd Ahmed noted: "The northern region (or Darfur or Kordofan or Red Sea province) of Sudan can be compared to the most underdeveloped parts of the south; indeed, most regions, if left alone to traditional ways and means, would be better off than they have

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[8] Francis M. Deng, "Sovereignty and Humanitarian Responsibility: A Challenge for NGOs in Africa and the Sudan," in Robert I. Rotberg (ed.), *Vigilance and Vengeance: NGOs Preventing Ethnic Conflict in Divided Societies* (Washington, D.C., 1996), 186. See also Deng, *War of Visions: Conflict of Identities* (Washington, D.C., 1995).

been under any government which has ruled the Sudan."[9] "The exclusion of the South is not new and is part and parcel of the Sudanese nation as it is defined today."

THE STATE OF POLITICS
With Bashir as President and Turabi as ruling party leader, the Sudan has been, in Bashir's words, "a ship with two captains." In Autumn 1999, Bashir publicly sought to consolidate authority under his leadership. In December, just two days before a scheduled vote on legislation introduced by Turabi supporters that would have decreased Bashir's presidential powers, Bashir declared a three-month state of emergency, disbanded parliament, and appointed a new government. The state of emergency has since been extended for another nine months, until December 2000.

The new government has tried "to present the image of a reasonable state," raising questions about whether real structural change has taken place and what these changes will mean for the peace process. Most participants in the Washington meeting were not optimistic.

Despite Turabi's ouster, the composition of government remains relatively unchanged. It appears that Bashir was not strong enough to defeat Turabi outright and thus entered into negotiations with him. As a result of the negotiations, Bashir gained greater control over the decision-making apparatus of the NIF and the government, assuming Turabi's role as party chairman. He replaced twelve ministers and appointed his supporters to twenty-five of the twenty-six governorships. Turabi and his followers, however, maintain significant influence. Turabi is "not out of the game."

Some think that the NIF itself pushed out Turabi, in a generational battle similar to the struggle between Turabi and Bashir in the late 1980s. Turabi was out of step with younger members, who did not object to his ouster. There were, perhaps surprisingly, no demonstrations in favor of Turabi during the 2000 power struggle. One participant in Washington noted: "The second tier of the NIF below Turabi decided that he needed to be sidelined — I think this is what happened. So, there has been a change. Has this given us an opportunity for policy change? I don't think so."

Bashir has normalized relations, opened borders, and renewed airline and trade linkages with Sudan's neighbors. An Egyptian ambassador has returned to Khartoum. In November 1999, Bashir offered amnesty to rebels and the European Union initiated a process of critical dialogue.

However, steps that would demonstrate real commitment to change, such as stopping all aerial bombardments, took place only in April 2000. Previously, the government bombed NGO sites and restricted the access of humanitarian NGOs. It is still a "military government ... committed to a military solution to the conflict if you think back to 1989 and why they came to power." The differences between Turabi and Bashir now appear to be more personal than philosophical. While Bashir is a career military officer, Turabi is a Westernized Islamic intellectual with a doctorate in law.

Skeptical members of the group saw recent actions not as emblematic of policy change, but as evidence of the Khartoum government's remarkable skill in "rhetorical diplomacy" and in making tactical compromises to capture both foreign and domestic

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[9] Abdul Rahman Abu Zayd Ahmed, "Why the Violence?" in Ahmed, et al, *War Wounds: Development Costs of Conflict in Southern Sudan* (London, 1988), 10.

support. One participant noted: "The NIF has mastered the art of effective myth, particularly with the youth. Therefore, it is harder to oppose, especially in the North. The NIF provides a financial and spiritual home for lots of people looking for a place for themselves. I think it would be a mistake to assume that the sole base of the NIF's power is among the leadership. It has also been extremely effective in public relations by showing Islam as a force for change. And, it is also effective in exploiting differences in the South. ... However bad you think the NIF is, you cannot underestimate that its leaders are very smart. This is without question the smartest movement to come out of Africa."

Opposition Movements
Garang's SPLM/A is the main Southern opposition group. In 1991, the SPLA split along ethnic lines with the non-Dinka elements joining with Riek Machar, a Nuer, and Lam Akol, a Shilluk, to form the Nasir faction. The Nasir faction signed a peace agreement with the Sudanese government in April 1997, and Machar, a University of Bradford D.Sc. in robotic engineering, became head of the Southern Sudan Co-ordination Council, which "administers" the Southern Sudan. Factional rivalry among opposition groups remains strong.

The New Sudan Council of Churches has worked to broker peace between the Nuer and Dinka. In June 1998, the Loki Peace Accord achieved a temporary ceasefire. In March 1999, representatives of sections of the Dinka and Nuer met again and signed the Wunlit Covenant which applied formally only to the West, but was perceived as applying to the East as well. In November, the Lou Nuer Governance Conference in Waat achieved a unilateral and permanent ceasefire with all neighbors of the Lou Nuer and called for Southern unity. In early 2000, the Upper Nile Provisional Military Command Council (UMCC) and its political arm, the Southern Sudan Liberation Movement (SSLM), were formed and said they would cooperate with all anti-government forces. Commander Elijah Hon Top took over the United Democratic Salvation Front/South Sudan Defence Forces in Khartoum from Machar.

The National Democratic Alliance (NDA), an umbrella organization of banned opposition parties that includes the SPLM/A as well as Northern opposition groups like the 'Umma Party and the Democratic Unionist Party, was formed in October 1989, and operates from exile in Eritrea. According to President Issaias Afwerki of Eritrea some years ago, "We are out to see that this government [of the Sudan] is not there any more. We are not trying to pressure them to talk to us, or to behave in a more constructive way. We will give weapons to anyone committed to overthrowing them."[10] When the NDA took up arms in 1995 under the leadership of Colonel Khalid Abdul-Aziz, Eritrea hosted a conference and provided weapons.

The International Institute for Strategic Studies estimates that the SPLA has 20,000 to 30,000 soldiers, while Sudan Allied Forces has 500, Beja Congress Forces 500, and New Sudan Brigade 2,000. In comparison, the government has 194,700 troops at its disposal — 90,000 army (of which 20,000 are conscripts), 3,000 air force, and 1,700 navy, plus 15,000 active and 85,000 reserve PDF forces.[11]

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[10] "We Won't Take Any More," *The Economist* (Oct. 14, 1995), 50.
[11] International Institute for Strategic Studies, *The Military Balance 1998/99*, as cited in EIU, *Sudan – Country Profile, 1999-2000* (London, June 4, 1999), 12.

There was general agreement at the Washington meeting that the formation of the NDA changed the political landscape in a positive way, bringing together a number of parties. Certainly some members joined for tactical reasons, but there was also "evidence of a real coming together of disparate views to forge an alternative vision that represents Northern and Southern, as well as Muslims and non-Muslims."

Some participants argued that the SPLM/A, despite its "warts and flaws" was "a legitimate liberation movement for a large section of the population of the South," akin to what the African National Congress (ANC) was in South Africa. Noted one: "It does a lot wrong, but it does legitimately speak for a sizable portion of the Southern population. ... I think its internal dynamics are improving. It has a lot of popular support and, as an organization, has a lot of morale. Its resources, other than morale, are thin, but its internal dynamics are improving." Others disagreed, arguing that in imposing the March 1 Memorandum of Understanding deadline, the SPLM had displayed callous disregard for the welfare of Sudanese civilians and that it was certainly not as legitimate as the ANC.

In any case, the opposition has major weaknesses: 1) "It is divided, so much so that it probably will not put up a candidate in the next elections because it cannot agree;" 2) "Key actors are outside the country in exile and thus do not have the political impact they need in the Sudan;" and 3) "The opposition leadership has not changed and is irrevocably associated with the failures of the late 1980s."

The Controversy Over Oil

Oil revenue is substantial, increasing, and adds considerably to government coffers. In 2000, sale of the Sudanese "Nile Blend" is expected to earn the government, by modest government estimates, $264 million, or 22 percent of its total revenue — by more generous estimates, $345 million. The government share will increase. During the first five years of production, the government share is 40 percent, but after five years, when oil-producing companies have presumably recovered their costs, the government is to receive up to 80 percent of earnings. Sudan produced 140,000 barrels per day in September 1999 and 180,000 b/d by January 2000. It is expected to produce 200,000 b/d by the end of 2000. The goal is to raise output to 1 million b/d by 2005.[12] However, some analysts think that the Sudan's oil reserves will run out in as little as fifteen years. They contend that other reserves are, as yet, unproven.

Chevron was first granted a prospecting concession in 1975. In the early 1980s, Chevron discovered oil deposits near Bentiu in the Unity state and Melut in Blue Nile but, in the mid-1980s, Chevron stopped operations following attacks on its facilities. In March 1997, Arakis Energy Corporation (the Canadian firm that bought the Chevron concession in the Muglad basin), China National Petroleum Corporation (CNPC), Petronas (the Malaysian state oil company), and the Sudanese government formed the Greater Nile Petroleum Operating Company (GNPOC), the company which today operates the main concessions in the South. Talisman purchased Arakis in 1998, gaining a 25 percent interest in the GNPOC's concession. CNPC holds 40 percent, Petronas 30 percent, and Sudapet (Sudan's national oil company) 5 percent.[13] The International

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[12]Economist Intelligence Unit, *Sudan – Country Report (1st quarter 2000)* (London, Feb. 18, 2000), 24 and 10, and EIU, *Sudan — Country Profile,* 27-28.
[13] Jane Lampman, "Battle Against Oppression Abroad Turns to Wall Street," *Christian Science Monitor*

Petroleum Company (IPC) also operates in Sudan, but independently of the consortium. The Sudan concluded a prospecting agreement with the Canadian Mellut Group and Gulf Petroleum Group (Qatar) for an area on the White Nile, south of Rabak, in March 2000.

Sudan's 28-inch oil pipeline, completed in 1999, is the longest in Africa — 1,610 km running from the oil fields in Unity and Heglig, via the Al-Jalia refinery in Khartoum, to Port Sudan and the well-traveled shipping routes of the Red Sea. It is designed to handle 250,000 b/d. Rebels have threatened attacks on the pipeline "every ten days" but have not made good on their threats. The first attack was in September 1999. A major attack in January damaged a portion of the pipeline, but was repaired within 48 hours at a cost of $400,000. Oil production has reportedly led to the displacement by force of many Sudanese, contributing to the humanitarian crisis. According to one report: "From April to July 1999, the decline in population in Ruweng County seems to have been in the order of 50%"[14]

New production and transport facilities are in the works. Construction has begun on a new refinery built mainly by Chinese contractors. In February 2000, construction was started on a 90-km road link between IPC and GNPOC's Bentiu oilfields.

The government also appears to reap other benefits from the oil companies. Talisman Energy, Canada's largest oil and gas company, has been accused of letting government helicopter gunships and Antonov bombers use its Heglig airstrip.

Following protests in Canada, Canadian Foreign Minister Lloyd Axworthy sent an assessment mission, headed by John Harker, to investigate the effect of oil on prolonging the war and human rights abuses. In February, the U.S. imposed sanctions on the GNPOC, adding it to a list of companies controlled by the Sudanese government. Talisman was not placed directly on the list or delisted from the NYSE.

A Terrorist State?

In the early 1990s, under Turabi's militant leadership, Sudan was accused of training guerillas to spread Islam and adopting "the concept of *jihad* as foreign and domestic policy."[15] Reports linked Sudanese to plots to bomb New York's Lincoln and Holland tunnels, the UN headquarters in New York, and other targets, and the U.S. in 1993 placed Sudan on its list of states that sponsor terrorism, cutting off all foreign assistance except humanitarian aid. In August 1994, Ilich Ramirez Sanchez ("Carlos the Jackal") was arrested in Khartoum. In June 1995, Egyptian Islamists, with the support of Sudanese security forces, were blamed for the assassination attempt on President Mubarak, yet the Sudan subsequently refused to hand over the individuals involved.

Terrorism remains one of the "hot-button" issues for the U.S. with regard to the Sudan. The U.S. government's assessment of whether the Sudan still is a terrorist state has important implications for U.S. policy. At least one Washington participant, however, felt that "terrorism [was] dead in the Sudan" and "frankly, the U.S. would be well-advised to drop this issue" as terrorist organizations still in the Sudan are "on the retirement plan."

(Mar. 3, 2000).

[14] John Harker, et al, "Human Security in Sudan: The Report of a Canadian Assessment Mission" prepared for the Canadian Minister of Foreign Affairs (Ottawa, January 2000), 49.

[15] "Jihad," *The Economist* (August 7, 1993), 42.

This argument has been on the table for some time. Critics note that the U.S. has offered no proof of continued support for terrorism. A Western diplomat quoted in *The Economist* in 1994 said: "Sudan has become a sort of rest camp for terrorists. ... That's what we believe Carlos was doing. He was too fat and preoccupied with drinking and women to pose a serious threat. It's our opinion that he was sent here by another country that was fed up with being the host to a terrorist dinosaur in decline."[16]

U.S. government representatives at the Washington meeting for the most part were skeptical of that argument. They noted that "a serious government should control its own territory."

Slavery/Abduction[17]

Drawing on UNICEF, Save the Children Fund, and Dinka Committee sources, the Canadian Assessment mission report estimates that "as many as 15,000 women and children, mainly from Bahr El Ghazal, and most of them Dinka, have been abducted and remain in captivity."[18] It describes three different phenomena: 1) organized raiding in which the government role is unclear; 2) raiding along the route of the government supply train that runs from Aweil to Wau in Bahr el Ghazal — murahileen, who are reportedly not paid directly but in war booty, attack villages and capture booty, including women and children; and 3) punitive raids by the government of Sudan and murahileen.[19] Another issue is the forced conscription of men and boys by both government and rebel forces.[20]

Slavery is illegal in the Sudan, and the government has made some efforts to enforce the law. In May 1999, the Ministry of Justice in Khartoum founded the Committee for the Eradication of the Abduction of Women and Children, an organization which receives funds from the European Union through UNICEF. It has made little progress. Notably, some branches of government are administratively incapable of enforcing the law. "The Governor, or Wali, of Bahr El Ghazal is said to have told a German parliamentary delegation bluntly that although he is governor and head of security, his decisions are only hypothetical — the Sudanese Army and security do what they want."[21]

Christian Solidarity International, a Swiss human rights group, reported that it has purchased the freedom of 15,447 black Sudanese sold by Arab middlemen since 1995. In October, it claims to have bought 4,300 for about $50 per person and returned them to their families in the South. UNICEF has criticized Christian Solidarity International for thus encouraging trafficking.[22]

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[16] "Rest camp for terrorists," *The Economist* (Aug. 17, 1994), 48.

[17] The UN Commission on Human Rights and UNICEF use the term "abduction," rather than "slavery."

[18] Harker, "Sudan," 2.

[19] Harker, "Sudan," 4.

[20] See Human Rights Watch, *The Lost Boys: Child Soldiers and Unaccompanied Boys in Southern Sudan* (New York, November 1994).

[21] Harker, "Sudan," 7.

[22] "Group Buys Slaves Freedom: Women, Kids Return to Families in Sudan," *Detroit Free Press* (October 8, 1999), http://www.freep.com/news/nw/qslave8.htm, 4/18/00, 7:20 pm.

THE STATE OF THE WAR

There have been no significant military initiatives in the last few years, and as one participant noted, "this war just doesn't get fought in terms of offensives." Fighting in the North has been limited to skirmishes and occasional attacks on the pipeline in the Western Upper Nile, especially among members of newer militias. Violence is both between government and opposition forces and among rival opposition parties. Aerial bombardments have continued in the Nuba Mountains. In April 2000, the government said that it would suspend bombings in the South.

For the most part, participants agreed that the Sudanese war does not have an easy military solution. Neither side appears to have military strength sufficient to defeat the other; it seems likely that the war could continue indefinitely.

Those active on the ground in the Sudan noted that basic security/policing and disarmament remain critical needs. One Washington participant explained: "Much of the need for protection is actually from communal violence. … There was a process worked out at Wunlit for how this would be done. How can we move protection up to Northern Bahr el Ghazal? There are some basic areas where we can make a contribution in helping people help themselves to secure security: How do you know who is the authority in some of these communities? The prime need is for uniforms and training for local police so that they can have authority. Second, the need is protection, [including] … radios to facilitate communication."

The Peace Process

Following Bashir's takeover in 1989, the civil war intensified. Talks during the early 1990s (two hosted by Nigeria in 1992 and 1993 and four rounds sponsored by the Inter-Governmental Authority on Development [IGAD] in 1994) could not move beyond the debate over religion and the state. In the early 1990s, the SPLM refocused its objectives on self-determination for the South and away from the creation of a secular state.

The 1994 IGAD Declaration of Principles called for maintaining the unity of the Sudan within a secular, democratic state that respected Southern "self-administration." The Khartoum government expressed strong objections to this "conditional unity," but eventually accepted the Declaration of Principles as the basis for negotiations. IGAD talks in 1998 focused on creating a formal agreement based on the Declaration of Principles. In May 1998, agreement was reached on holding a referendum on self-determination for the South, and the June 1998 constitution promised a referendum on the issue within four years. However, the government and rebels continue to disagree on a number of key issues: the boundaries of the South; who should be allowed to vote in the referendum; when the referendum will be held; interim political arrangements; and how to share water and oil resources.

The government and opposition also made some progress in the late 1990s in achieving a number of partial ceasefires in the Southwest, first brokered by British Minister of State Derek Fatchett in July 1998, in order to allow for OLS food deliveries. January 1999 legislation allowed for the formation of political parties and opposition participation in elections. However, in March 1999, the opposition launched a major offensive in the East and the government postponed IGAD talks scheduled for April.

The IGAD process, now in its third round, meets behind closed doors in Nanyuki, Kenya, facilitated by Kenyan special envoy Daniel Mboya. Talks reportedly focus on the

separation of religion and state and on the right to self-determination. Nafie Ali Nafie, advisor to the Sudanese president on peace affairs, leads the government delegation. Nhial Deng Nhial, head of foreign relations for the SPLM, leads that delegation. Other opposition groups like the NDA are not directly represented in the talks, and some international actors who think they should have a role are also excluded.

The members of the IGAD Partners Forum (IPF), chaired by Italy and Norway, are supporting the region-led effort to bring about progress and have offered financial support for the negotiations. Most U.S. government officials still argue that it is "not yet the time to look beyond IGAD."

The two main problems embedded in the IGAD peace process are "non-seriousness and incompetence." The process is "plagued by a number of problems: poor conceptual vision, lack of capacity, and internal divisions that block even staffing." Nevertheless, the IGAD Declaration of Principles is valuable in "1) getting over the hump on the exclusion talks, i.e., declaring that there can be a unified Sudan if it is x, y, z, or there can be a divided Sudan and 2) being broad enough to lay the foundation for a comprehensive solution."

Uncertain of the Kenyan-led IGAD process, Libya and Egypt have introduced their own initiative which calls for a ceasefire and a national reconciliation conference facilitated by Libya and Egypt. The Khartoum government, which has accepted the proposal, has been able to divide its agenda, focusing its Southern agenda on the IGAD process and its Northern on the Libyan/Egyptian initiative. Arab rebels in the North (some of whom are part of the SPLM or NDA) have closer ties with Egypt and no part in IGAD, and have been supportive of the northern initiative. The SPLA, which is a party to the IGAD process, has stated that it will support the Libyan/Egyptian process only so long as it is coordinated with the IGAD process. The NDA initially appeared to accept the Libyan-Egyptian proposal and then favored it becoming part of the IGAD process.

Further demonstrating, and exacerbating, their lack of unity, some opposition parties have sought direct, private talks with the Khartoum government. Following secret talks in Geneva in mid-1999, in November 1999, former prime minister Sadiq al-Mahdi, the leader of the 'Umma party and a member of the NDA, signed a declaration of principles with Turabi that would have brought the 'Umma party into government, leading to a strong "rebuke" from John Garang. Yet, in April 2000, Mahdi was poised to join the Bashir government, leaving the NDA in disarray.

Since his appointment in August 1999, U.S. Special Envoy to the Sudan, former congressman Harry Johnston, has held talks with northern and southern opposition groups and visited the Sudan in March 2000.

Peace processes between the Sudan and other states have also had an effect on the government-rebel peace process. In December 1999, Bashir and Uganda's President Yoweri Museveni signed a peace agreement to restore diplomatic ties and to discontinue support of rebel groups. The Sudan has served as a base for the Ugandan Lord's Resistance Army and the Allied Democratic Forces. Uganda has supported the SPLA.

THE HUMANITARIAN CRISIS

"Everyone, except those at the very top, is suffering. The government is the primary abuser. Those in the South are the primary victims." Due to raids by militias, internal displacement, and flooding, the situation is worst for those in northern Bahr el Ghazal and the Western Upper Nile. As many as 40,000 people have reportedly fled Aweil West and the militia raids along the railway line to Bahr el Ghazal. In the Western Upper Nile, half of the population of 500,000 will need food aid this year.[23]

Poor health care and educational infrastructure contribute to the Sudan's inability to move from humanitarian crisis to sustainable development. Sudan has one physician for every 11,290 people.[24] Literacy is only about 38 percent for women and 63 percent for men.[25]

Government hostility and SPLM/A lack of cooperation with aid and development organizations further dampen the prospects for improving the humanitarian situation. In February 2000, the Sudanese Air force bombed Holy Cross School, a missionary-sponsored primary school in the Nuba Mountains, killing fourteen children and a teacher. The bombing was interpreted as an attempt to drive villagers into peace camps.[26] In early March 2000, the government bombed a Samaritan's Purse hospital compound in Lui, northwest of Juba, and the Concern (Ireland) compound in Bahr el Ghazal. The Sudanese government dropped twelve bombs on the hospital, where there were 100 patients and four doctors. Samaritan's Purse, led by Franklin Graham, son of Rev. Billy Graham, has treated more than 100,000 patients since it opened in 1998.

Operational Lifeline Sudan (OLS), a consortium of UN agencies and NGOs which deliver humanitarian assistance to the Sudan, has spent about $2 billion since it was established in 1989. Half of the funds have been from the U.S.[27] In 1999, the UN appealed to the international community for almost $200 million to finance twenty-four projects, covering both emergency needs and rehabilitation. Over half of the money was slated for emergency food assistance.[28] In February 2000, the UN World Food Program, one of the two main OLS suppliers, launched a $58 million appeal to feed 1.7 million, primarily in the South.

Most of the Washington group contended that aid was absolutely indispensable to the Sudanese people, and that the U.S. had a moral obligation to assist them. However, it was also agreed that the *indirect* effect of Operation Lifeline Sudan has been to extend the war. Even though the intent of aid programs is neutral, food aid has allowed Southern rebels to keep fighting. This conclusion sparked considerable debate.

Representatives of humanitarian organizations that did not sign the Memorandum of Understanding with the SPLM cited five main objections: 1) "its preamble stated that signing signified support of the Sudan Relief and Rehabilitation Association's (SRRA) objectives without delineating those objectives;" 2) "the MoU gave

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[23] UN Integrated Regional Information Network, *"Critical Conditions in Northern Bahr el Ghazal, Western Upper Nile,"* (Feb. 25, 2000).

[24] 1996 values from EIU, *Sudan — Country Profile*, 15.

[25] 1995 UNESCO values from EIU, *Sudan — Country Profile,* 14.

[26] Stephen Amin, "A Civil War Turned Against School Children," *AfricaNews* (Feb. 16, 2000).

[27] Perlez, "In a War."

[28] UN Office for the Coordination of Humanitarian Affairs, "United Nations Consolidated Inter-Agency Appeal for Sudan: January - December 1999," (Jan. 25, 1999), http://www.reliefweb.int, 2/10/00, 12:29 pm.

potential authority to the SPLA to determine when agencies would and could evacuate their staff;" 3) "it held the SRRA accountable to determine where humanitarian projects would be placed;" 4) "it noted, for some reason, that the SRRA would have to approve all public gatherings;" and 5) there were problems throughout with process with non-negotiability. There were also reservations about paying fees or "taxes" levied by the SPLA.[29]

POLICY OPTIONS FOR THE U. S.

Several themes emerged in the discussion of U.S. policy options. While participants generally agreed on the broad goals of justice and self-determination for all Sudanese, they disagreed with regard to specific operational short and long-term objectives and the parameters of acceptable action. As one participant asked: "What do we want? What are we prepared to do? What are the rights and wrongs?"

Differences in operational objectives and parameters became apparent in the discussion of the proposal to deliver U.S. food aid to the rebels. Those in favor of the proposal saw political effects of aid as a fact that could be capitalized upon to assist specific opposition parties, in this case the SPLM/A. Those against the proposal challenged both the degree to which support of the SPLM/A should be a goal, and the morality of relaxing the norm of neutrality in the provision of humanitarian assistance.

Participants also expressed differences with regard to balancing the goals of unity and self-determination and their concept of an alternative solution. Does self-determination for the South mean secession? Is secession positive or "acceptable?" Participants expressed general agreement that "[it is not] our business who runs the Sudan, but we have an interest in protecting Sudanese against oppression and an interest in how the country is run. It's also true that the NIF will need to be part of the solution. Whether there is one state or two, the North and South will still have to live together [and cooperate on issues like] oil...." Some argued that engaging with the North was effectively supporting unity over self-determination. One participant noted: "We should start thinking of the rights of various people of self-determination. Sudan has been at war for thirty-four years — at some point, the right to self-determination has to become 'right.' What about their rights to call it quits with this idea of unity. I question prioritizing unity. This seems to be an automatic tilt toward a Northern-based solution. ... I've worked on the Sudan for many years — I'm struck by the difference in perception of Northerners and Southerners."

Further, the group struggled with questions concerning leverage and incentives. How much leverage did the U.S. have? Alone and in concert with other countries? What incentives can it offer? Where should it focus its efforts? Barring the unlikely event of U.S. military intervention, the U.S. has little direct leverage on the Sudanese government. What the U.S. can provide are incentives. One participant posed the issue this way: What are the levers that move this regime? 1) ostracism in the Arab world — more emphasis might be placed on achieving this option; 2) closing down the oil

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[29] Specific objections have been made to language describing the hiring of local staff (article 1.6), holding of public gatherings (article 5.9), security (articles 5.2 and 6.1), evacuation by the SRRA (article 6.2), the limited role for OLS as reflected in the MoU (reference to Ground Rules; adherence to Humanitarian Principles; adherence to the TCHA Protocols), and contractual relations between the SRRA and NGOs regarding administrative fees and taxation (article 6.9).

operation – to do so would require multilateral support and accomplishing such an objective seems unlikely; 3) military intervention — it is difficult to imagine a military defeat of the North, but a serious military move in the South would get its attention; and 4) strengthening unity in the South as a countervailing force that could threaten the Khartoum government. There will not be real negotiations or substantive change so long as one side believes that it has sufficient power to achieve its goals without talks. The discussion in Washington of many of the following options concerned appropriate targeting of incentives and the exercise of indirect leverage.

There was general feeling that the policy options on the table for the U.S. were both twofold and a combination of different options from each of two broad categories. These two categories were: Either to engage the government of the Sudan in order to achieve a sustainable negotiated end to the civil war and the start to the re-development and reconstruction of the country, or to focus all efforts on a strengthening of the Southern forces successfully to oppose those of the North.

Engaging the Government:

1.   Encourage and support IGAD's negotiating efforts. The U.S. government stance at this point, and for the better part of the past year (1999-2000), has been to support the IGAD process. While officials note that support for the IGAD process "will not be forever," they support it because it is the only process respected by all parties at this time.

In conjunction with the IGAD Partners Forum, the U.S. has sought to test the commitment of the parties to negotiate and has also taken some steps to strengthen the actual structure of the process. More could be done to assist particularly in building competence in mediation. The U.S. could also advocate improvements in specific procedures of the process. For one, participants noted that the table could be widened to include the NDA as well as the SPLM/A. Noted one participant: "It is not possible to negotiate a comprehensive peace plan unless you represent the force that got 80 percent in the last elections. It is not enough that the SPLM respects their views." Building on the experience of other peace processes on the continent and elsewhere, continuous negotiations might be introduced; it is often in the lapse between rounds that the sides entrench their positions.[30]

Some participants noted that another option is for the U.S. to take over the process, as was done in Mozambique and Angola. "The technique we used there was to create an observer core – not just the Americans, we also brought in Italians, French, etc. We could infiltrate the IGAD process from the inside and the Kenyans could just run it in name only."

2. Follow a posture of critical engagement and assist active negotiations. While working through the IGAD process, the U.S. could work with the Egyptian-Libyan initiative and pursue other channels. The situation is "fluid" and will "change and evolve on the military front … creating temporary new positions and opportunities that can be pursued. There is no need to choose between vigorously pursuing a new, restructured

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[30] See also Dana Francis (ed.), *Mediating Deadly Conflict: Lessons from Afghanistan, Burundi, Cyprus, Ethiopia, Haiti, Israel/Palestine, Liberia, Sierra Leone, and Sri Lanka* (Cambridge, MA, 1999), esp. 6-7.

IGAD process and the Egyptian-Libyan initiative. … (To the extent that Sudan will interest the next administration, we will need to come at it from a Middle East angle.)"

IGAD's flaws suggested to some that other initiatives should be in the works. One participant noted: "Participation needs to take place with all of the major antagonists. IGAD is flawed in that sense – it has partial participation from the South and partial participation from the North. One of the attractions of the Egyptian-Libyan initiative is that it addresses this somewhat." Another argued: "The solution is a steady progress, [a series of] confidence building measures. It is not tackling the most difficult issues first. This may be a fundamental conflict with the IGAD process."

The Washington group elaborated three options for critical engagement. First, a dialogue through Harry Johnston could be continued "to deepen the dialogue on peace process questions" and "to achieve some short-term results." Johnston's presence in Sudan also can help to "inform the U.S. government about who's up and who's down and where the power structure is going."

Second, the U.S. could return a U.S. ambassador to Khartoum. One participant explained: "It seems that we have been focusing on leverage, which we do not have. So what about incentives, a constant presence putting our positions across? … The placing of an embassy isn't a signal of support — it is a convenience for oneself." Another noted: "There seems to be the idea that this is 'constructive engagement,' and that it is soft. There is also 'assertive engagement.'" "An ambassador on the spot can inform his government and can influence events on the spot. We have had emissaries in countries with governments for which we are in total disagreement."

Third, the U.S. could "stop nibbling at the edges by supporting IGAD" and "take an international leading role to do something along the lines of what the U.S. did to forge the Dayton Peace Accord." Noted one participant, "Given the realities of today's world, the U.S. has to play the lead role in a sustained way. … A Dayton process would consist of, first, talks with the major parties. If favorable, it would be followed by consultation with all important countries — the Netherlands, Norway, Egypt, African countries. My proposition is that you need a focal point, and the U.S. is looked to as a resource. You need someone with real stature and ability to head it up. What about leverage? The U.S. has no direct interests, other than the seriousness of the issue and the humanitarian crisis. Not to try to show an international indifference is a real problem. If the initiative does fail, maybe it will underline some lessons." Explained another: "U.S. leverage is persuasion, putting the issue on the international agenda, and offering improved relations with the U.S. and international community for economic growth." Skeptics noted that for a Dayton type process to work, the U.S. would need to be a more impartial actor.

The Washington group pointed out that in choosing among the options, the U.S. government will need to further examine whether it is best to start at the ambassadorial level, if conditionalities should be added as prerequisites for engagement, and how the process should be sequenced.

3. 　　*Provide assistance to civil society even-handedly in both the North and the South.* Noted one Washington participant: "We talk about Southern unity, but it's also important for the North to be united as well. The goals should be to unify the North and South and then bring them together." Through the Sudan Transition Assistance for

Rehabilitation (STAR) program, the U.S. government has provided technical assistance to over thirty Sudanese NGOs. More could be done along these lines.

4.   Concert U.S. policies with the EU. The European Union has resumed an interrupted dialogue about human rights with the regime in Khartoum and, generally, is pursuing a policy of critical engagement, a better turn of phrase for what the U.S. government representatives are calling constructive engagement. In effect, the EU believes nothing will be gained for peace by ignoring Khartoum. Exactly how the EU will attempt to broker a sustainable settlement, however, is unclear, although it is fully supporting the IGAD process. It is noteworthy that only six of the fifteen EU members have resident representation in Khartoum.

Disengage from the North, Engage with the South:
5.   Avoid reengaging with the Sudan as a whole. This U.S. stance could range from one of active support for the SPLM/A or NDA to simply not engaging with the North economically or diplomatically. One participant argued: "The general consensus is that the government has not changed. This government is disingenuous when it negotiates. … These people hold the power and are not going to give it up. … If you are going to win this war, you have to support who you like. … [A stalemate] is was the government is aiming for. With the price of oil, they can live with that."

6.   Tilt decisively to the South and help the SPLM war effort. Assistance could take a variety of forms ranging from sending U.S. troops to channeling food aid to rebels. Although there have been some calls for military intervention, most of the Washington group noted that this option would not be politically sustainable in the U.S. Further, one participant argued: "If the U.S. did provide considerable military assistance to the SPLM/A, there would be a reaction in the Arab world, which would lead to military aid to the Khartoum government and would prolong the conflict."

7.   Find ways to emphasize the unity of the Southern Sudan while engaging with the North. "The People-to-People peace process has had some remarkable successes, but there are indications … that it is reaching the ceiling of its capability to go forward. … The new SPDM [Sudan Peoples Democratic Front and Forces] also has two to three forces that are now talking to each other. But, the issue is: how does that group interact with the SPLA (because the SPLM is the only recognized political movement)? Who can help facilitate that process?"

"There are also a number of changes taking place now with the SPLM/A in the Eastern Equatoria that could end up being very positive. …There are key Equatorians that need to be brought into that process. The process could focus on Southern unity and try to bring people together using People-to-People methods — bringing intellectuals from the Diaspora and people from all over Southern Sudan. If that kind of process could be used for the whole South, then maybe they could formulate an alternative vision to get organizational unity and to proceed. If that comes together, there are direct military implications. … If it is not done, the window of opportunity passes."

Noted one participant: "In the absence of Southern unity, much of what any of us want to accomplish in the Sudan is a pipe dream."

8.   Assist the National Democratic Alliance. Some participants suggested that the NDA represents a positive new alternative that could be supported. Noted one: "Who are the forces of the opposition that will perform better if they get help? There are certain players in the NDA that are deserving of support. … I think the reason [the South] is so divided is the person of Garang. … The next step that can be reached if they get support is capacity building to bring the process to a higher level. We have to be careful that support doesn't deepen the conflict."

9.   Focus civil society building efforts exclusively on the South.

10.   Encourage and provide incentives for a unification of the Southern forces.

11.   Encourage a series of local ceasefires. The NSCC's peace building efforts could be built upon. One Washington participant noted: "The 1998 ceasefire could not have happened without the active support of humanitarian actors and Kenyans. It's one of the few instances when everyone's peace strategy was in the same way. What we didn't follow up was 1) exactly how ceasefire was defined and 2) monitoring."

Some participants expressed reservations about this policy or the pursuit of this policy in conjunction with other policies. One noted that "military assistance is incompatible with a ceasefire." Argued another: "You go to war in the first place because there is a problem. If you establish peace, what you are doing is reinforcing the status quo. There are some cases like a humanitarian ceasefire that make sense."

12.   Discourage Northern/international petroleum exploration, refining, and export. The Canadian Assessment Mission report noted that the two ways of neutralizing the effects of oil on the war and humanitarian crises are 1) to halt production during the duration of the fighting and 2) to set official oil revenues aside until a peace is achieved.[31] Most Washington participants believed the stopping of oil flows was not a viable option. Nor was it now one of the options being considered by the U.S. government because other nations would object and no boycott would be enforceable.

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[31] Harker, "Sudan," 16.

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Sudan: Policy Options Amid Civil War
Postscript
By Deborah L. Weinberg

The Sudan, the largest country in Africa, has been in a state of civil war for seventeen years. The conflict between the North and the South, combined with periodic droughts, have led to economic and humanitarian misfortune in the Sudan. The Sudan has not been an important item for the Clinton administration except for U.S. concern that the Sudan sponsors terrorism.

The World Peace Foundation and WPF Program on Intrastate Conflict held a meeting on March 8, 2000 in Washington, DC to discuss U.S. policy options toward the Sudan. Over fifty individuals participated, including high-level members of the Department of State, the Central Intelligence Agency, the national Security Council, and two sections of the United Nations; three former U.S. and U.K. ambassadors to the Sudan; and leaders of over a dozen non-governmental organizations. A summary of that meeting, as well as in-depth information on the current situation in Sudan, can be found in Rachel M. Gisselquist's WPF Report #26 *Sudan: Policy Options Amid Civil War*. Copies of the report can be obtained through the World Peace Foundation.

A second meeting was convened on June 21, 2000 in Washington, DC to give participants in the first meeting an opportunity to discuss developments in the Sudan and in U.S. policy since March. As in the report of the first meeting, all comments were strictly off-the-record. Speakers are not identified here by name. Exact quotes are enclosed in quotation marks, but without attribution. A list of participants is included at the end of this summary.

There were five main points of consensus for the June 21 meeting. (1) The situation in the Sudan had not changed materially since March; (2) the peace process is off track and IGAD has outlived its usefulness; (3) a new peace process is necessary in order for any progress to be made; (4) the current U.S. administration will not act innovatively regarding the Sudan for the remainder of this election year; and (5) a new administration should explore fresh strategies for peace in the Sudan.

(1) THE SITUATION IN THE SUDAN REMAINS UNCHANGED

"Several months is not much time in the Sudan," noted one participant. In a conflict which has lasted for forty-five years, it is unsurprising that there has been no change in three months. The stalemate in the Sudan is largely due to internal dynamics in both sides of the conflict. Both the Northern and Southern factions are currently fractured, weak, and unable to mount large-scale offensives. One Washington participant stressed the fact that without a power equilibrium between the North and South, the peace process cannot go forward.

In the North, power was increasingly split between President Omar Hassan Ahmed al-Bashir and Hassan al-Turabi, the former National Islamic Front/National Congress (NIF) party leader. Though Bashir consolidated his power by appointing a new government in autumn 1999 and taking over Turabi's role as party chairman, Turabi still wields significant influence.

The Bashir-Turabi split was beneficial to the SPLM in the South, which survived the

dry season this year without tremendous losses. However, forces in the South continue to be factionalized among several different groups. John Garang's primarily Dinka SPLM/SPLA (Southern Peoples' Liberation Movement/Army) remains the most powerful Southern dissident group, but Garang has repeatedly shied away from military consolidation. One participant noted that Garang does not want any one faction to gain to much power, and thus "only provides enough ammunition for one week at a time." A recent conference held among the Nuer, Dinka, Anyuak, and Murle was moderately successful, but was hindered by factions within each group unwilling to move forward toward Southern unification.

On the one hand, "the SPMA decided that because the government had been engaged in bombings it would back off from the process." On the other, Bashir offered a general amnesty to all insurgents, provided that they were prepared to renounce violence, but this amnesty is "not an inducement for those with serious concerns."

The South has also suffered side-effects from the Eritrea-Ethiopia war, which has diverted Eritrean and Ethiopian military support for the South to their own conflict.

Thus warfare has remained at a low level, often focusing on the oil fields. There have not been, however, any devastating attacks to the oil pipeline which might have served to change the balance of power between the North and the South. The continuing fragmentation of factions in both the North and South have kept both sides of the conflict from gaining enough leverage or security to move forward to decisive victory or to peace.

(2) THE PEACE PROCESS IS OFF TRACK

Several factors have contributed to the stagnation of the peace process in the Sudan. Neither the Inter-governmental Authority on Development (IGAD), nor the Egyptian-Libyan sponsored peace talks, have been able to make progress. The participants largely agreed that, in its current form, IGAD had outlived its usefulness. "All the parties have figured out IGAD…they know how to use it to make peace overtures, and are not using it for serious discussion. IGAD can't move forward in a disciplined and constructive way." Some participants felt that IGAD might continue to serve as a framework for peace negotiations, but others sharply disagreed.

In contrast to IGAD, some participants thought that the Egyptian-Libyan peace initiative might be capable of delivering peace in the North, but it is unlikely that the initiative could be combined with the Southern-focused IGAD. One participant noted that while "the Egyptian effort has gained momentum, the Egyptians are not open to fair discussion of self-determination…a fatal flaw in the leaders of the negotiations."

The underlying issues in the North and South have not changed any more than the peace process in recent months. The North and South have different concepts not only of self-governance but of where the actual geographical border for areas of self-governance should be drawn. The North prefers the 1956 border while the SPLA has defined the great South as encompassing the Kosti area and the Blue Nile.

Wealth-sharing issues remain as well, and are particularly complicated because of the increasing potential in revenues from oil. The SPLA has suggested that the South be divided into ten sections, each with a separate linkage to the Northern government. The provinces with oil fields would have a direct relationship to the federal government.

(3) A NEW PEACE PROCESS IS NECESSARY IN ORDER FOR ANY PROGRESS TO BE MADE

Said one participant, "The word peace process is a bit misleading. I don't think that there has been a peace process. Neither side is committed to peace. Maybe it should be called a process process." Having uniformly agreed that the current peace efforts are not working, the participants also agreed that new tactics are needed. Many participants felt that the United States is the only power able to exert leadership to encourage interested parties to move beyond where the process is now. Said one participant, "We need to try new approaches since the old approaches aren't working. If [the U.S.] is willing to do it with North Korea or Cuba, why not the Sudan?"

(4) THE U.S. GOVERNMENT WILL NOT ACT IN THE SUDAN THIS YEAR

Despite the consensus that the United States could and should take a leading role in forwarding the peace process in Sudan, it was also agreed that the United States will not undertake policy changes this year, given a lame duck president and with an election looming. Achieving peace in the Sudan has not been a high priority for the current administration, and in the current political season, there is little interest in initiating new efforts to solve a decades' old civil war in Africa. One participant concluded, "Nothing will happen until the elections. This should be a period of preparation—a chance to do our ground work before the next administration."

(5) THE NEW ADMINISTRATION SHOULD EXPLORE FRESH STRATEGIES IN PURSUING PEACE IN THE SUDAN

The election of a new U.S. administration in November will provide a window of opportunity to promote peace in the Sudan as an important foreign policy issue. Meeting participants discussed a wide range of policy options to present to a new Secretary of State. Suggested strategies for a new policy in the Sudan included:

– Seeking to restore a U.S. embassy in the Sudan
– Continuing to urge a unified Sudan with self-determination in different regions
– Focusing talks on the technical details of peace, including interim power-sharing arrangements and ultimate political systems, without losing sight of the greater idea of peace
– Promoting Southern unity and the development of Southern institutions
– Considering "muscular diplomacy" by the U.S. and the international community

The meeting's most concrete policy recommendation was to restore a U.S. embassy in Khartoum. An embassy would not only enable the United States to monitor the situation in the Sudan more closely, it would give the U.S. more leverage in promoting peace efforts with both the North and the South. In addition, an embassy would send a clear signal that the United States continues to support a unified Sudan, in which rule should be shared between the North and the South. "No participants believe in the division of Sudan. Egypt opposes self-determination; other elements of the international community believe in self-determination, not secession" observed one participant.

One participant urged that the group should "make a case for the next [U.S.] administration that there are opportunities in the Sudan" and beyond, to encourage peace throughout the Horn. "The terminology is changing, we're looking at engagement. Why wouldn't we make a similar argument with respect to the Sudan." Some participants also

felt that even if the U.S. government did not take a leadership role in promoting peace, it could hinder peace by sending the wrong signals to the Sudan.

Without losing sight of the ultimate desire for peace, many participants suggested refocusing talks toward specific underlying issues that have led to the civil war, and negotiating technical solutions. The most immediate need is for an interim agenda for sharing power until a referendum answers the question of governance in the Sudan. One participant highlighted the "need to work out arrangements for military forces and government...during the long, messy, blurry interim period. While maintaining the current IGAD forum, which would be difficult to dismantle due to political reasons, the U.S. could help IGAD work on many actual issues. Let the parties find common grounds on actual issues."

Other specific techniques included letting "the issue of a referendum be in abeyance for the foreseeable future. Set up technical working groups to address the issues [of self-determination, religion, powersharing.];" "go for micro-results or macro-peace settlement – whatever is feasible." One participant even suggested calling a meeting on the peace process without the Sudanese—"leap-frogging" Sudanese factionalism.

Concurrently with efforts to resolve specific issues between the North and the South, the United States should promote a consolidation of power in the South and the development of cooperative Southern institutions. "No model exists for the Southern approach, in the interim or over the long-term. The process would need to be separated from IGAD and allow in more [Southern] parties." The South needs to agree on internal governance, its own diversity, and to create an "'ordered anarchy' among very independent people."

Noted one participant, "there is no point in freeing the South from the North if the South would face Dinka superiority." It was observed that the SPLA grew too fast for its own good militarily. The "military structure was built at the expense of the political structure. Garang... couldn't handle the autonomy of civil society and governance, so the South still lacks [political] leadership." Giving control to Garang with other groups underneath is not an acceptable solution. The various factions in the South need equal representation. A "top-down" approach will not work, and so a unified South needs to be built through meetings: "Let's construct a South with meetings."

An alternative to promoting peace incrementally among varying factions in the Sudan is for the U.S. and other interested nations in Europe and Africa to employ "muscular diplomacy." "Muscular does not include the use of force. Prestige and political weight could be exerted on both parties." One participant observed that IGAD cannot be abandoned because of political reasons, and that "both the government and the SPLA are keen to have the U.S. involved and other actors as well. It's not a question of what the U.S. can do individually, but it should take a leadership role. If you have an authoritative person who can confidently get backing from the U.S. government., work with other key international actors, that would provide the necessary leverage. Sudan is Egypt's back yard—the U.S. must be assertive with Egypt, and find other actors. Egypt has its own interest in Sudan and shouldn't jeopardize U.S. actions."

CONCLUSION

Given its history of ethnic conflict and the civil war which has lasted for seventeen years, the Sudan faces unusually large barriers to peace. There are no facile answers to the

Sudan's problems; any solutions will require complex negotiations and an extended time frame. Nevertheless, participants at both World Peace Foundation meetings believed that a fresh approach to peacemaking in the Sudan was essential; innovative U.S. policy could create a new sense of momentum for the Sudanese peace process.

Policy Options for the Sudan, Second Meeting
June 21, 2000

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