

ERA Conference: Darfur and its Impact on Sudan and the Region

Story Summary of Panel 3: Does the Darfur conflict threaten the Comprehensive Peace Agreement?

John Prendergast

John Prendergast is a senior advisor to the International Crisis Group, and co-founder of the Enough! campaign to end genocide. Prendergast is also a former member of the administration of President Bill Clinton, during which time he participated in a number of African peace processes, and has also advised the United Nations. He's the author of eight books about Africa, and travels regularly to conflict zones on the continent to raise awareness about the human costs of war, and is often accompanied by politicians and celebrities.

Prendergast said international policy on Sudan, 25 years after the Sudan People's Liberation Army (SPLA) launched its war against government forces in southern Sudan, continued to suffer from what he branded a "stovepipe mentality."

"That not only limits the effectiveness of the international response, but it actually, I think on the ground, makes matters worse in Sudan," the activist said.

Prendergast said "Pipe One" in the "overheated stove" of Sudan was the south, where a "huge investment" in peace had been made by the administration of President George W. Bush in the first term of his tenure. He added that the cooperation between the international community to get peace in southern Sudan was "incredible" and "the way leadership ought to happen." After four years of negotiations between the parties, and unprecedented international cooperation, the Comprehensive Peace Agreement was finally signed in early 2005 and the war in the south ended.

But Prendergast said the peace process "suffered from some fundamental flaws" such as its almost exclusive focus on the "north-south axis" and ignorance of the conflict in Darfur. He commented that a number of people involved in the CPA negotiations had warned that not addressing the problems in Darfur along with the conflict in the south would "potentially spawn, or ignite, or at least reinforce the.... other problems...."

Prendergast believed that the rebels rose in defiance in Darfur when they realized that "Darfurians.... had no shot at being part of the process in Naivasha (in Kenya, where the CPA talks happened).... Leaving those guys out helped reinforce their desire to go war."

He said that the Bush administration had largely failed to monitor the implementation of the CPA, and that this had allowed the government to commit a number of violations, including its destruction of the disputed area of Abyei earlier this year.

Prendergast characterized "Pipe Two" as Darfur. He said Washington had "completely ignored" the conflict there during the first term of its administration, as it had been "totally absorbed" in the north-south peace process.

"This allowed the government of Sudan to play off one crisis against another. The administration here in Washington was so obsessed with the Naivasha process, and ignored the Darfur crisis. It allowed Khartoum to conclude – correctly – that it could do whatever it wanted to in Darfur with no consequence, with total impunity. And 1 500 burned villages later, turns out they were right."

While atrocities were occurring in Darfur “in extreme fashion,” Prendergast stated, the US maintained “an exclusive and singular focus – again, the stovepipe – on getting that CPA finalized.” Then, after the CPA was signed, a “big flip-flop” occurred and Washington began to focus almost exclusively on Darfur: “The total obsession with Darfur becomes the new game in town; the administration drops CPA implementation like a hot potato and the result is potential implosion of the CPA.”

He stated that neither the international community nor the US at this stage had a “unified Sudan policy, no way of addressing all of the elements at once. One week the (ruling) NCP (National Congress Party) bombs schools, the next week the JEM (Justice and Equality Movement) invades Omdurman, the next week the NCP destroys Abyei. The U.S. simply reacts at this point with statements and condemnation and very erratic diplomatic forays. There’s no clear policy framework, no strategic framework within which the US and the broader international community is working at this juncture.”

Prendergast said his “Pipe Three” in the equation was the “counter-terrorism pipeline.... It remains a quiet but important factor to the policy response to what is happening in Sudan. The relationship between the intelligence apparatus and security apparatus within the Sudan government and the US is something that requires much more scrutiny in terms of how it affects policy decisions. The question ultimately comes down to, how badly do we compromise the principles on which the US was founded in order to defend the US from terrorist threats. That is the million dollar; million lives question. Sudan clearly has some information that is of value. That’s what our counter-terrorism professionals are telling us, but the cost of that may be quite substantial.”

Prendergast’s “Pipe Four” influencing events in the Sudan and the world’s response to them was the International Criminal Court at the Hague (which has been asked by the ICC’s Chief Prosecutor to issue a warrant of arrest for Sudanese President Omar al-Bashir on charges of genocide and other war crimes in Darfur).

The activist appealed for a “comprehensive all-Sudan policy” to be created: “Such a policy should prioritize a diplomatic surge.... We have the capacity, globally, to do this, and that is.... the missing element. We know how to do these things. In fact, if we simply look at the model in southern Sudan, with the CPA, with the Naivasha process, there it is....”

What was missing in the Darfur situation, said Prendergast, was a “competent, lead mediator, chosen by Africa, supported across the continent,” someone in the mould of Kenya’s General Lazaro Sumbeiywo, who mediated peace talks between the north and south.

While the world had been united around one process for peace regarding southern Sudan, said Prendergast, the same could not be said for the peace effort pertaining to Darfur, which was “truncated and bifurcated” and had not led to “any kind of forward-movement.”

He maintained that the way forward was the appointment of “one clear person whose role is to drive the parties who are conflicting within Sudan to peace. That person needs deputies. One who is focused specifically on CPA implementation, and one focused specifically on Darfur. And there needs to be a secretariat of experts.”

But at the moment, said Prendergast: “We don’t even have experts and people who can help resource the kind of complicated agreement that will result in a real peace process.”

He also called for an “election team” to be deployed immediately in Sudan ahead of the 2009 elections in the country: “So many.... recognize the fundamental importance of popular participation in Sudan’s solution. One aspect (of this) is the elections....”

He warned of a “Zimbabwe situation” if there were delays in preparing for elections in Sudan, saying the polls were an “important part of the transformation of Sudan; it’s also a critical element of the CPA. You can’t wait three or four weeks before the thing and start paying attention to it, like in Zimbabwe. Then you’ll get (in Sudan) what you get (in Zimbabwe). We need to be a year in advance well into implementation of the various aspects. And it can’t be left to technical committees; it has to be a significant and senior political issue that the international community helps to drive forward.”

Prendergast warned too that unless there was a much more “integrated effort” towards peace in Darfur by the international community, especially Sudan’s neighboring countries, the conflict in the region would intensify.

He said it was imperative that China – one of Sudan’s most important international partners – be involved in a comprehensive Darfur peace process.

“China has already named an envoy to Sudan, so it wouldn’t be like pulling teeth.... China has to be engaged, along with an American envoy, along with a European envoy; along with the other critical regional blocs that are closer to Sudan, that need to be engaged in support of the lead mediator and a solution.”

Turning his attention to the UN Security Council, Prendergast said it was time that the body “gets off the fence” and enforces implementation of peace efforts in Darfur: “That means US leadership, and specific carrots and sticks to be developed in support of peace in Sudan. That gives leverage to the peacemakers, like they had in the south with the unity of the international community and real carrots and sticks that allowed for a resolution.”

He said efforts to deploy a full contingent of UN and African Union peacekeepers in Darfur should continue “in support of the International Criminal Court to (in) some way, shape or form bring an end to this complete and total cycle of impunity.”

But Prendergast stressed that the “elephant in the living room” remained the “lack of an all-Sudan peace effort.... the lack of a real initiative to bring peace to Sudan, to the entire country. We haven’t made the effort. It is the least expensive thing we could possibly do; it’s the thing the world has the most experience at doing. Mysteriously, we have not done it yet.”

He said the UN and AU mediators to Darfur were at present embarking on “endless junkets of discussion” that were leading nowhere.

Prendergast went on to describe the Darfur Peace Agreement (DPA), signed in 2006 between the Sudan government and the largest rebel movement in Darfur, the Sudan Liberation Movement (SLM), as “one of the most harmful peace agreements ever signed in the history of (Africa)” which was why violence had continued to escalate in the region, despite the DPA.

He said that while the international community had celebrated the signing of the DPA, its track record so far in helping to promote peace in Sudan after the CPA had been “egregiously bad” and the rectification of this was urgent.

Prendergast maintained it was the “easiest thing in the world” to construct a comprehensive peace deal for Darfur, with support and leadership from the UN, its Security Council, China, the AU and the Arab League.

“No one’s against peace, but we’ve got to operationalize it. And we have all the tools, but nobody’s taken the lead in doing this.... Constructing a strategy focused on implementing the CPA and securing a peace deal for Darfur is the game changer that (Sudan) needs today.”

Prendergast said the Darfur crisis clearly threatened the implementation of the CPA: “If there’s no peace in Darfur, it will drag the CPA down with it. If the international community focuses only on Darfur, and not enough on CPA implementation, it will threaten the CPA.”

The solution, he emphasized, was a “real peace process for Darfur, closely connected to real CPA implementation backed by real pressures and incentives. Basic diplomacy, basic leadership: The people of Sudan deserve at least that much from us.”

Dr. Abdullahi Osman El-Tom

Dr el-Tom represents the Justice and Equality Movement (JEM) rebels, and is also a distinguished academic, currently heading the University of Ireland’s Anthropology Department, having earned his PhD from the prestigious St. Andrews University in Scotland.

El-Tom opened his address by stating that he did not feel threatened by the “large numbers” of Sudanese government representatives at the conference but that rather, he “welcomed” it: “If we don’t talk, we will fight. And that is a problem.”

He said the title of the third panel of the conference, with regard to the Darfur conflict threatening the CPA, could easily be reversed, because he also believed that CPA implementation posed a threat to the people of Darfur, although he added that the CPA had “certainly brought tremendous benefits to us and it would be stupid and foolish to think that we could just throw it away.”

He added: “We in JEM do not threaten the CPA; we want to enhance it, because it also brought tremendous gains for which we are ready to start the fight again.”

El-Tom said the CPA should be kept as it was “as much as possible” with perhaps a “few changes (that could be made) here and there....”

At this point in time, El-Tom believed the southern Sudanese were intent on seceding from northern Sudan, as is their right according to a referendum to be held in 2011. If this happened, he said, then it would be the responsibility in the future of JEM and other leaders of “marginalized” Sudanese groups to continue to “fight” for the rights of such groups.

Despite his initial praise for the CPA, El-Tom said the peace deal had “started on some sort of premise which is not quite right: that Sudan divides evenly between north and south, Muslim and Christian, and that (President Omar) al-Bashir represents us. That is problematic: Al-Bashir does not represent us. He might represent the center, the north, whatever.... but certainly not us in Darfur. That is the base of the CPA, and it’s slightly problematic.”

El-Tom said the CPA had failed to “break the hegemony of a small clique of people over the rest of Sudan” and he described this as the “headache” currently occupying all rebel movements in Darfur.”

He said it was his impression that most Darfurians were against separation from the north, and wanted to continue being part of the north.

El-Tom emphasized that the people of Darfur were “much more integrated into the rest of the Sudan” than the southern Sudanese, and pointed out that Darfurians had intermarried with various other ethnic groups in north Sudan and unlike the southerners, had not “mentally given up” on the idea of unity with Khartoum.

He commented that the JEM was “pretty disappointed” with Sudan’s Government of National Unity, saying it was still overwhelmingly skewed in favor of Khartoum appointees, who were “connected with the elite groups.” Therefore, he added, certain groups in Sudan, such as the people of Darfur, continued to be excluded from Sudan’s political sector and had no real decision-making powers. In that respect, he said, the CPA had failed.

El-Tom did not think that President al-Bashir realized the danger to him and the future existence of Sudan posed by a potential collapse of the CPA, and continued conflict in Darfur. Instead of negotiating and talking with the rebels, El-Tom maintained, the al-Bashir administration remained dedicated to conflict.

He referred to the government’s arresting of anyone linked to JEM, and the response of the authorities to the rebel’s “invasion of Omdurman” in May that has created “lots of problems.... which makes the future uncertain....”

The scene was being set, said El-Tom, for prolonged war in Sudan.

“There are some changes globally which have some sort of an impact on what goes on in the Sudan. The oil boom.... skyrocketed.... And Sudan now has plenty of money. I think in one of the statistics about Sudan, the Sudan spent in one year about 60 per cent of its oil revenue on defense.”

He added that with the price of petrol constantly increasing, and the Sudan government consequently reaping massive profits, it could continue “fighting a low intensity war for good. And that is problematic: Darfur will end up like our brothers and sisters from the south where you have some people who are third generation refugees.”

El-Tom said that although Western nations, and particularly the United States had done a “lot” to stop the violence in Darfur, they had simply been “outmaneuvered by al-Bashir.”

He was also skeptical of the ability of international peacekeeping troops to solve the crisis “because the problem is essentially political” and needed a negotiated, political solution. This, El-Tom said, posed a “difficult” problem for Jem because in the wake of the rebel attack on Omdurman, and its stated objective to overthrow al-Bashir, Khartoum had refused to talk with Jem. The rebels, he added, were therefore left with two options: “And that is to continue fighting for 20-30 years, or otherwise to come to the decision that, well,

what is the point of fighting and dying in the desert? Instead of dying in the desert, let's go and die in the streets of Khartoum."

El-Tom reiterated that the primary objective of JEM's "Operation Long Arm" was to "depose al-Bashir. Let me repeat: to depose al-Bashir. He should not be surprised about that; he himself of course has helped himself to power (in a coup that overthrew Sadiq al-Mahdi in 1989) and so far as we are concerned he is illegitimate; he has not been elected yet."

He maintained that in the absence of a peaceful, political solution to the Darfur conflict, Jem was compelled to "move towards removing the government by force." He also suggested that elements within the Sudan Armed Forces were growing increasingly displeased with the al-Bashir administration, and that this also posed a threat to his government's continued rule.

Susan Page

Susan Page is a lawyer, and Regional Director: Southern and East Africa at the US National Democratic Institute, a leading US think tank. Page has accumulated 15 years of experience working throughout sub-Saharan Africa, including posts with the US State Department, USAID and the United Nations. From 2005 – 2007, she directed the Rule of Law Program for the United Nations Mission in Sudan (UNMIS), and managed UNMIS offices in Khartoum and Juba. In addition, Page worked for the IGAD (Inter-governmental Authority on Development) secretariat on the Sudan peace process, and provided legal advice to the parties involved in implementation of the CPA, as well as to those who participated in the process that led up to the signing of the Darfur Peace Agreement in Abuja, Nigeria, in 2006.

Page recalled that there had been "a lot of pressure" on the parties involved in the southern Sudan peace process to get the CPA signed as fast as possible, so that the international community could then begin to focus on the conflict in Darfur.

"In fact, we had a hard time trying to convince the international community to stay focused on (southern) Sudan."

Page said it was also "obvious" that the CPA was in reality not a "comprehensive peace agreement" because it did not include conflicts in other parts of the Sudan, such as Darfur, and as such Sudan had been left with a number of separate peace deals and no overall strategy for ensuring peace in the whole country: "We're now left with a peace agreement in the east; we have the CPA which is unstable, at best, and we have a failed agreement in Darfur, the DPA."

She maintained that "some tips" from the CPA process could, however, be garnered to foster peace in Darfur, such as use of a "good secretariat, an excellent mediator." These should be used for a "robust mediation effort for Darfur," Page stated.

However, she added that the problem now was that there was "such a proliferation of rebel groups" in Darfur "that it's not easy to know with whom to negotiate. So even if we could solve the problem of one mediator, and establish some sort of a secretariat, you don't really know who represents who on the ground, how many forces they have.... Every few weeks there's a new rebel group that is being established."

Just as previous speakers had, Page emphasized the need for one respected mediator for Darfur, who should do what CPA mediator General Sumbeiywo had done in traveling throughout the afflicted area to speak with the people involved to get a sense of the reality of the situation.

“What we have now is the two mediators – the UN and the AU – going around and meeting with a wide array of people, but the society is so fragmented that it doesn’t seem to hold quite the same value, when every few weeks there’s a new rebel group being established.”

Page appealed for more focus “on strengthening the CPA” and “making it work” and using the regional organizations for this purpose. She lamented the fact that the IGAD secretariat had been disbanded immediately after the signing of the CPA: “These are failings, but at the same time, the peace agreement is the work of the parties (involved), and.... at the end of the day it does have to be a Sudanese agreement.... it has to be implemented by the Sudanese.”

Page said the peace agreement regarding southern Sudan took many years to reach fruition, and she expected a settlement in Darfur to also be long and arduous. She agreed that the CPA came about largely as a result of the international community “coming together” and offering both “carrots and sticks” to the conflicting parties that spurred them towards a settlement. Unfortunately, she added, some of the carrots initially offered to the parties by the international community had not been forthcoming, and this was now hampering CPA implementation and complicating the situation in Darfur.

Dr. Lam Akol

Dr Lam Akol has been a member of the SPLM since 1983, and has a PhD in Engineering from the University of London. Akol has held various senior positions in the SPLM and in the government of Sudan. He was Sudan’s Minister of Transport from 1999 to 2002, and Minister of Foreign Affairs in the Government of National Unity from 2005 to 2007.

Akol’s address focused also on the CPA as a blueprint for peace in Darfur.

The CPA, he said, was the result of a “very long mediation that took almost 11 years” and as such he also emphasized that any true settlement of the Darfur conflict would take a “long time” to reach.

Akol pointed out that peace in the south was based on various “trade-offs” between the parties involved. For example, the southerners received the possibility of self-determination and seceding from the north, and Khartoum was allowed to maintain sharia law in the north.

He said “compromise” formed the basis of the CPA. For example, the SPLM had initially insisted that the south should comprise a third of the country, whereas the al-Bashir government maintained that it only consist of a quarter: “We (eventually) reached a compromise, that the south was 30 per cent (of the country), to be confirmed by a national census.... and this is reflected in the power sharing agreement – the SPLM got 28 per cent. The northerners within SPLM have to take seven per cent (of this), and the southerners 21 per cent.... So the claim that it was an even division between the north and the south is not true. But that it is a north-south agreement; yes, I agree to that.”

Akol said it was “very important” to realize that the CPA was “governed by timelines. It is not an agreement that can go on indefinitely, postponing it or making it wait....”

He disagreed with the contention made by some of the previous speakers that the international community and those involved in the CPA process had ignored the crisis in Darfur at the time the peace in the south was being negotiated: “The Darfur problem was not an oversight when people were discussing the CPA. It was not something that took us by surprise. On the contrary, it was very much in the minds of the people who were either negotiating or those helping the negotiations. But all were determined that we must push forward

with the CPA.... And it was hoped that a breakthrough in the south-north problem would help resolve the other issues of Sudan, whether it was the east or Darfur or other problems.”

Akol pointed out that it was contained in the CPA itself that the deal be used as a “concrete model” for resolving other conflicts in Sudan.

He highlighted the fact that a lot of promises had been made to both the SPLM and Khartoum that encouraged them to sign the CPA, but that many of these promises had not been kept.

“Sudan is not a particularly rich country, despite what is said about all the oil. Oil production is only 400,000 barrels a day, compared to other countries that are in millions.... To sustain peace, you need development, and to bring about development you need a lot of resources.... But we were satisfied with the promises that were given to us that come the peace, Sudan will get this and after this, Sudan will be treated as a good guy rather than the bad guy it used to be during the war.”

This had not happened, he maintained: “From day one, there was no willingness from the parties that had promised to help Sudan out to deliver what they had promised.... I’m talking about bilateral relations with very influential countries. We were told that unless the Darfur issue is resolved, then there is no way of helping Sudan.... Almost immediately after the formation of the GNU, we were hearing these kinds of statements.... Then we were told that the CPA is not being properly implemented and therefore the policy on Sudan cannot change. I wonder how we could have reached that judgment in less than two months from the day the CPA was signed.”

Akol said those who had an “axe to grind” with the ruling National Congress Party, or who were against the southerner’s “exercise of self-determination” had been “mobilized in order to make things difficult for the CPA. You’ll hear all kinds of nice things about why they were doing what they were doing, but I think some countries did not change their policies towards Sudan regardless of the peace that was signed.”

He said many in both Sudan and in the international community were “pretending” that the Sudan government was still “the NCP government,” in spite of the fact that state institutions were now comprised of 28 per cent SPLM membership: “So therefore it was unfair to continue to think that this was the old government that used to be the enemy of (certain) countries before the peace agreement....”

Akol said that those who continued to describe the government of national unity as “just the al-Bashir government, and that everybody (in Khartoum) is working for al-Bashir, then they don’t recognize that there is a CPA that was signed with the help of the (international community).”

Such “false” perceptions, Akol stated, had resulted in a “dangerous wedge.... being driven between the partners that were to implement the CPA.”

The international community, he said, was failing in its pledged duty to support the implementation of the southern peace agreement.

“If you look at the humanitarian assistance that was given to Darfur, between 2004 and 2007, this will make about three billion US dollars.... The contribution to the CPA.... It is only 1.4 billion, which is less than half what was spent on Darfur. For the south alone, which was in need of 1.4 billion, they got less than one third of that amount. So you could see how the CPA could be affected by the situation in Darfur.”

Akol added: “There were some countries – two in particular – who refused to contribute to the northern part of the (CPA) fund.... Because of Darfur.... Definitely Darfur has adversely affected the implementation of the CPA.”

He said the “political positions of some of the influential countries that should have helped” have actually hindered implementation of the CPA: “If you deny the funds to the north, then you are denying also the funds to the (marginalized) areas (of Sudan) and therefore affecting the implementation of the CPA.... Lack of development is a factor in the war. Development and peace are faces of the same coin. If you don’t have the peace it is difficult to develop, if you don’t have the development, you cannot be peaceful....”

Akol went on to claim that even in the US, certain people weren’t being given an opportunity to voice their opinions about Darfur: “There were cases in Congress, to be specific, where particular committees did not want certain people to speak, because they think those people are not agreeing with them.”

If the Darfur crisis was ever to be solved, he stressed, more diverse opinions about the conflict should be heard.

Comment from Howard Wolpe, the Director of Africa programs at the Woodrow Wilson Center for International Peace, which has over the years tried to build peace in various war-torn areas around the world, including Congo, Liberia, Burundi and East Timor:

Wolpe said there was a common characteristic in the societies the Center was working in.

“These societies are fundamentally operating on a kind of winner-take-all zero sum mentality, in which each side perceives itself as being able to succeed or survive only at the expense of the other. There is no recognition of interdependence, and there’s very little acceptance of the value of collaboration. There’s also no trust, and the relationships among key leaders are usually fractured as a result of the conflict. In all these conflicts people talk past each other; there’s very little effective listening. And there’s no consensus on the rules of the game – how power’s going to be organized and shared and how decisions are going to be made.”

He added that the Center had discovered that it was “counterproductive at times to begin negotiations with a discussion of the issues, because if people don’t trust each other and are suspicious of each other’s motives, the natural thing is people end up defending their positions.”

Instead of beginning a peace process by focusing on issues, said Wolpe, the focus should initially be on what he characterized as “process.” He said there were “various kinds of training techniques” that existed “that have the effect of breaking down the barriers, and people begin to see each other as more than simply coming out of their own political and ethnic experiences, that serve to help rebuild trust, rebuild relationships and give people communications and negotiating skills – that becomes a much effective way, a much more cost-effective way, of managing negotiations. There’s been very little of that, either in the CPA negotiations, the north-south agreement, or in the Darfur process.”

ENDS